Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

November 24, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

PROJECT R2014-02996-(5)
CONDITIONAL USE PERMIT NO. 201400142
ENVIRONMENTAL ASSESSMENT NO. 201400237
APPLICANT: FIRST STREET DEVELOPMENT
BREVIDORO FAMILY PARTNERSHIP
SOLEDAD ZONED DISTRICT
(FIFTH SUPERVISORIAL DISTRICT) (3-VOTES)

SUBJECT

The proposed project would authorize a new 2,029 square foot Taco Bell fast food restaurant with drive-through facilities in the Neighborhood Business-Development Program Zone (C-2-DP). The project site is located at 3771 Sierra Highway in the unincorporated community of Acton. The project site was rezoned to the Rural Commercial-Development Program Zone (C-RU-DP) on July 16, 2015, but the project is being processed under the requirements of the C-2-DP Zone, which was the zoning in effect for the site at the time a complete application was submitted, pursuant to Section 22.16.225.A.1 of the County Code. This code section allows the applicant to request that the project be processed under the zoning regulations that were applicable to the project at the time a complete application was submitted. The applicant has opted to have the project processed under the zoning regulations at the time a complete Conditional Use Permit (CUP) application was submitted.

A CUP is required because of the DP combining zone, pursuant to Section 22.40.040 of the County Code, which allows any use permitted in the basic zone (C-2) if a CUP has been obtained. The applicant has also chosen to have the project processed under the 1986 Antelope Valley Areawide General Plan, which was in effect at the time a

complete application was submitted, pursuant to the applicability provisions of the 2015 Town & Country Plan (Page I-9 of Town & Country Plan). The project qualifies for a Categorical Exemption (Class 3 - New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County Environmental Guidelines.

The project was approved by the Regional Planning Commission (Commission) on September 16, 2015. The approval was appealed to the Board of Supervisors (Board) by Mr. Chris Croisdale, a resident of Acton, and Acton Town Council Member on September 29, 2015.

IT IS RECOMMENDED THAT THE BOARD, AFTER THE PUBLIC HEARING:

1. Find that the project is categorically exempt pursuant to state and local CEQA Guidelines.

2. Deny the appeal and approve the project, then instruct County Counsel to prepare the necessary findings of approval for CUP No. 201400142.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The project is consistent with the applicable zoning requirements and the applicable General Plan and Area Plan policies. The project meets the CUP burden of Proof requirements and the requirements of all applicable County departments, subject to the CUP conditions of approval. The restaurant will benefit the community by providing jobs and a convenient and affordable dining option. It is designed in an Old West architectural style to comply with the Acton Community Standards District (CSD) requirements and it will provide multi-use trails that will link to the existing trail network. It will not require traffic signals or other urban infrastructure. The use is compatible with existing commercial uses in the surrounding area and is suitable for its location.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed project would help implement the County's Strategic Plan goals of increasing the well-being of County residents. The business would provide service to the local residents, add to the commercial diversity of the area, and provide job opportunities.

FISCAL IMPACT/FINANCING

Implementation of the proposed CUP should not result in any new significant costs to the County or to the Department of Regional Planning (Department) as the proposed project is a private development. Operating costs will be borne by the applicant.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Commission conducted a duly noticed public hearing at its regularly scheduled meeting of September 16, 2015. The applicant testified in favor of the project and presented a petition signed by 78 people, most of whom are Acton residents, who supported the project. Two members of the Acton Town Council testified against the project. They were especially opposed to the drive-through aspect of the project and were concerned that the use will significantly increase traffic in the area. They also stated that the project is inconsistent with the applicable plan policies and CSD requirements, including signage requirements. They presented 132 letters signed by area residents who oppose the project. Including letters submitted before, during, and after the hearing, 142 letters of opposition to the project have been received to date by the Department. A total of 82 people have written letters to the Department or signed the petition to support the project. The Commission subsequently voted four to one (four concurring, one dissenting) to approve CUP No. 201400142.

Pursuant to subsection A of Section 22.60.230 of the County Code, Chris Croisdale appealed the Commission's approval to the Board on September 29, 2015. A public hearing is required pursuant to Section 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355, and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

The project qualifies for a Categorical Exemption (Class 3 - New Construction or Conversion of Small Structures) under CEQA and the County Environmental Guidelines. The project has had a traffic study done showing that traffic in the area will not be significantly impacted by the project. Traffic signals, sidewalks, and other urban street improvements will not be required for the project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Action on the proposed CUP is not anticipated to have a negative impact on current services.

For further information, please contact Richard Claghorn at (213) 974-6443 or at rclaghorn@planning.lacounty.gov.

Respectfully submitted,

Richard J. Bruckner
Director

RJB:SA:RG:RC:lm

Attachments: Appeal Form, DRP Response to the Appeal, RPC Approval Documents, Staff Analysis and Correspondence

c: Executive Office, Board of Supervisors
Assessor
Chief Executive Office
County Counsel
Public Works

K-CP_112415_PROJECT_NO_R2014_02996

LOS ANGELES COUNTY BOARD OF SUPERVISORS

AGENDA ENTRY

DATE OF MEETING:	NOVEMBER 24, 2015
DEPARTMENT NAME:	REGIONAL PLANNING
BOARD LETTERHEAD:	DEPARTMENT
SUPERVISORIAL DISTRICT AFFECTED	5th DISTRICT
VOTES REQUIRED	3-VOTE
CHIEF INFORMATION OFFICER'S RECOMMENDATION	NONE

**** * * * ENTRY MUST BE IN MICROSOFT WORD * * * ****

Instructions: To comply with the Brown Act requirement the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for; with whom the action is being taken; fiscal impact, including money amounts, funding sources, and effective dates. Also, include an instruction for the Chair(man) or Director to sign when such signature is required on a document.

PROJECT NO.: R2014-02996-(5)

PUBLIC HEARING

BOARD AGENDA TEXT:

1. De novo hearing on Project No. R2014-02996-(5), Conditional Use Permit No. 201400142, and Categorical Exemption associated with Environmental Assessment No. 201400237, to authorize a new 2,029 square foot Taco Bell fast food restaurant with drive-through facilities in the C-2-DP (Neighborhood Business-Development Program) Zone. The project is being processed under the C-2-DP Zone requirements because the application was deemed complete before the project site was rezoned to C-RU-DP (Rural Commercial-Development Program). The project is located at 3771 Sierra Highway in the Soledad Zoned District within the Acton Community Standards District and is applied for by the applicant, First Street Development (Appeal of Regional Planning Commission's approval of the project).

BOARD LETTER COVER SHEET

Agenda Date: November 24, 2015

Subject: **DEPARTMENT OF REGIONAL PLANNING**
PROJECT R2014-02996-(5)
CONDITIONAL USE PERMIT NO. 201400142; ENVIRONMENTAL ASSESSMENT NO. 201400237
TO AUTHORIZE A NEW DRIVE-THROUGH RESTAURANT IN THE C-2-DP ZONE
(FIFTH SUPERVISORIAL DISTRICT)
(3 VOTES)

If the Board Agenda item requires clearance from County Counsel or Chief Information Officer, explain where you are in that review process. If not, please indicate that it is not required.

Project does not require clearance from County Counsel or CIO.

If there is an urgency to the Board Agenda item, explain the urgency, citing the reason for the urgency (including the drop-dead due date) and consequences if the due date is missed. If not, please indicate that there is no urgency.

The Applicant requests that the project be heard as soon as possible in order to begin work as early as possible.

Is this a Consent Agenda item? Check the appropriate box below and explain why for either item.

☐ Consent

☒ Not Consent. This item requires a de novo public hearing.

Board Notification:

☒ Yes (see attached)

☐ No (please explain why not)

Contact person for the Board Agenda item, division, phone number, and e-mail address.

Richard Claghorn
Department of Regional Planning, Zoning Permits North
(213) 974-6443
rclaghorn@planning.lacounty.gov

NON-APPLICANT

Date September 29, 2015

Zoning Section
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

PROJECT NO./CUP NO.: Project R2014-02996; RCUP # T2014-00142.

APPLICANT: First Street Development/Brevidoro Family Partnership

LOCATION: 3771 Sierra Highway, Acton 93510

SOLEDAD **Zoned District**

Related zoning matters:

CUP(s) or VARIANCE No.

Change of Zone Case No. Zone Change Case # 90-36 adopted by the Board of Supervisors in 1992

Other

This is an appeal on the decision of the Regional Planning Commission in the subject case. This form is to be presented in person with a check or money order made payable to the "Board of Supervisors" (check or money order must be presented with personal identification), during regular business hours 8:00 a.m. to 5:00 p.m. prior to the appeal deadline at the above address. Contact the Zoning Section of the Board of Supervisors for information: (213) 974-1426.

This is to appeal: (Check one)

☐ **The cost of Denial of this request: 843.00***

☑ **The cost of Approval of this request: 843.00***

***Except for Subdivision appeals: $130.00 of this appeal amount is allocated to the Board of Supervisors' Hearing**

Briefly, explain the reason for the appeal (attach additional information if necessary)

Acton residents and the Acton Town Council (by a unanimous vote) appeal the RPC approval of the Taco Bell "drive-through" business for the following reasons:

1. The RPC approved the Taco Bell project under the 1986 Antelope Valley (AV") Area Plan. However, the 1986 AV Area Plan classifies Taco Bell as a "Highway-Oriented" Commercial land use and requires that it be located in areas "other than" and "in addition to" lands already designated as "C-Community Commercial" [page VI-6]. The RPC ignored this General Plan constraint, and improperly approved the "Highway-Oriented" Taco Bell on land designated for "C-Community Commercial" use. Normally this problem is remedied by amending the 1986 Plan, but this option is not available for Taco Bell because the 1986 AV Area Plan has itself been superseded and no longer exists. In addition to precluding "Highway-Oriented" commercial projects on "C-Community Commercial" land, the 1986 AV Area Plan also subjects such projects to entirely different development standards [see page VI-6] which were ignored by the RPC. The RPC failed to correctly analyze the project as a "Highway Oriented" Commercial use under the 1986 AV Area Plan, and wrongly approved the project on a site which lacks the proper land use designation.

SEE ATTACHED FOR ADDITIONAL REASONS

X

(Signed) Appellant

Chris Croisdale.

Print Name

29100 Marshill Rd.

Address

Acton CA 93510

City/Zip

661-400-0675

Day Time Telephone Number

mr.croisdale@sbcglobal.net.

E-mail Address

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

2015 SEP 29 PM 1:46

FILED

2. Under the 1980 Countywide Plan, the 1986 AV Area Plan, and the recently adopted "Town and Country" Plan, the County is not permitted to approve developments in Acton which expand the need for traffic signals and other urban infrastructure. The RPC decision ignores this constraint, and fails to address the fact that Taco Bell will significantly increase traffic levels at 2 intersections beyond the point where traffic signals are required. The RPC's conclusion that Taco Bell will not create any traffic impacts is patently incorrect, towit:

   - The project is located at the intersection of Crown Valley and Sierra Highway where existing traffic levels already meet the County's threshold for traffic signalization[1], and it will increase peak easterly traffic onto Sierra Highway from Crown valley by 26% in the morning by and 15% in the afternoon. The Taco Bell project will significantly increase traffic at the Crown Valley/Sierra Highway intersection where a traffic signal is already warranted.

   - The project generates significant traffic at the intersection of Crown Valley Road and the westbound ramps of the 14 Freeway where existing traffic levels already meet the County's threshold for traffic signalization[2]. In particular, it increases peak northerly traffic onto Crown Valley by 12% in the morning and 10% in the afternoon. Taco Bell will significantly increase traffic at the 14 Freeway west ramps where signals are already warranted.

   - The project will generate significant traffic at the intersection of Crown Valley Road and the eastbound ramps of the 14 Freeway and cumulatively reduce the level of service at this intersection from a "C" to a "D" [See Table 4-2 of the applicant's Traffic Study]. It will increase vehicle delay by more than 50%, and increase the v/c ratio by .06. This constitutes a significant impact by every state and local standard, therefore the RPC finding that the project does not have any traffic impacts is false.

3. The project signage requires a variance from the Acton Community Standards District because it is not a western motif, is thoroughly modern, it consists of garish neon pink and purple, it exceeds the established area limits and is intended to be advertising in nature rather than simply identify the business location. It is utterly contrary to the Acton Community Standards District and it explicitly violates Acton's Architectural Standard which prohibits modern signs and even states that signs "must either conform to Section C.5 or undergo appropriate variance approvals" and further points out that "signs for most franchises and chain stores will require redesign".

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[1] Nine "warrant conditions" have been established to determine the need for traffic signalization, and an intersection that meets any one of these conditions warrants a traffic signal program. As DPW is aware, existing conditions at the intersection of Crown Valley Road and Sierra Highway already meet 3 of these warrant conditions (Warrant 2 for 4 hour peak volumes, Warrant 3 for 1 hour peak volumes, and Warrant 8 for Roadway Network volumes). It is likely that a 4th warrant condition (Warrant 1 for 8 hour volumes) is also met, but insufficient data was provided in the traffic study to confirm this for certain.

[2] As DPW is aware, existing conditions at the intersection of Crown Valley Road and the westbound ramps of the 14 Freeway already meets Warrant 3 (1 hour peak volume) conditions.

4. The RPC erred in not requiring the Taco Bell project to comply with the Rural Commercial zoning ordinance. Under the 1986 AV Area Plan, Acton is a "designated rural community", and development in Acton is subject to the rural policy implementation programs mandated by the 1986 AV Plan. Chapter VII of the 1986 Plan mandates that the County adopt new ordinance sections related to the Rural Commercial zoning classification in order to "recognize and provide for the specialized needs of rural area residents and businesses" [see page VII-3]. The County recently adopted a Rural Commercial zoning ordinance, and the Taco Bell project is subject to it in accordance with implementation provision of the 1986 AV Plan. The RCP wrongly concluded that Section 22.16.225 exempts the Taco Bell project from the RC Zoning Ordinance based on the improper assumption that the RC zoning ordinance "occurred as a result of the 2015 Antelope Valley Area Plan Update". This is patently incorrect. Adoption of a Rural Commercial zoning ordinance has been a continuing county obligation since 1986 when the AV Area Plan was adopted with an implementation policy that required such an ordinance. The 1986 AV Area Plan was the initiating action that finally resulted the RC zoning ordinance; the fact that the Board contemporaneously adopted the RC ordinance with the "AV Area Plan Update" is not relevant and does not exempt the project from RC zoning provisions.

5. The RPC decision approving the Taco Bell project ignored key provisions that were imposed when the project site was downgraded from a C-3 (unlimited commercial) to C-2 (neighborhood commercial) in 1992 at the same time a "C-Community Commercial" land use designation was secured for the entire site. Additionally, a "DP" addendum was included to "ensure development in a manner that is compatible with the surrounding land uses and in accord with the needs and desires of the community" [See Finding 9 of Zoning Case 90-368]. These conditions and the DP addendum were imposed pursuant to 22.40.030 to ensure that only neighborhood-oriented development intended to serve the community would be approved on the project site. These restrictions still exist today and they still apply today. The RPC decision completely ignores these constraints and the fact that the Taco Bell project fails to meet them:

   - The project is not "compatible with surrounding land uses" – It increases traffic precisely where school children walk from the local middle school to the County Library. It also increases traffic levels beyond thresholds where traffic signals are required. It is the antithesis of compatible, and the developer has refused to build the project without the drive-through.

   - The project is not "in accord with the needs and desires of the community" – It is a freeway-dependent drive-through business that is located and designed solely to serve commuters. For decades, the Community of Acton has made it clear that freeway-oriented "drive-through" businesses are neither wanted nor needed because they are commuter serving and not community serving.

- The Project does not comply with Section 22.40.030 of the zoning code which requires that development occurring on property rezoned with the -DP addendum conform to the exhibits which constituted a critical factor in the decision to rezone. The decision to rezone the Taco Bell from C-3 to C-2 with a DP addendum in Case 90-368 was based on the "Burden of Proof" exhibit which explained that downgrading the zoning was necessary because C-3 zoning allows "inappropriate" development of the property for "uses that are inconsistent with the long range land use goals and objectives of the community". The Burden of Proof also clarifies that "C-3 zoning is not consistent with the C – Community Commercial Land Use designation" and it "permits urban uses that are not intended by area plan land use goals", whereas the C-2 zoning designation will "accommodate community commercial development" that Acton seeks. The RPC improperly ignored this exhibit when it approved the freeway-dependent Taco Bell project.

6. Under the 1986 AV Area Plan and the "Town and Country" Plan, commercial development in Acton is limited to low-intensity, local commercial projects that serve community residents. In fact, the Town and Country Plan specifically prohibits high-intensity commercial uses that serve freeway travelers. Despite this, the RPC incorrectly concluded that the Taco Bell project was consistent with the "Town and Country" Plan by wrongly finding that it is neither a "high-intensity" nor a "freeway-serving" use. The RPC is errs on both counts:

   - The RPC wrongly concluded that the Taco Bell project is "low intensity" simply because it is "small" in area. The RPC confuses *"intensity of a commercial use"* with *"density of a commercial development"*. To clarify: *"density of a commercial development"* (or "non-residential density" in the "Town and Country" Plan) refers to the size of a commercial project in relation to the lot size; it is quantified as a ratio of the commercial floor area to the lot area ("floor to area ratio" or "FAR"). Conversely, *"intensity of a commercial use"* refers to the activity level generated by a use; it depends on the *type* of use, not the *size* of use[3]. The "Intensity of a Commercial Use" is best characterized by the traffic it generates and according to the Institute of Traffic Engineers ("ITE"), fast food businesses are the *highest* intensity commercial uses (second only to convenience stores) because they generate *the highest* traffic load per unit area. Contrary to the RPC's conclusions, ITE data clearly establish that fast food businesses like Taco Bell are not "low-intensity commercial uses"; in fact they are the antithesis of "low-intensity commercial uses".

[3] To illustrate the point, let us momentarily accept the RPC's contention that "intensity of a commercial use" is dictated by the size of the commercial use. Therefore, development of the existing 10+ acres of vacant C-2 commercial land along Crown Valley in Acton would be deemed "low intensity" if it were filled with fast-food businesses having a FAR of less than 0.1 *even though such development would bring 22,000 more cars off the freeway and into a community of only 7,500 people.* There is no question that such development CLEARLY constitutes a "high-intensity" use, even though the "FAR" metric relied upon by the RPC is quite small. This clearly illustrates that the RPC's contention that "FAR" dictates the "intensity of use" ***could not be more wrong***.

- The RPC's conclusion that the Taco Bell project is a "local commercial land use" simply because it may occasionally "serve" Acton residents is insupportable and it ignores the definition of what constitutes a "Local Commercial" land use under the 1980 Countywide Plan and (by extension) the 1986 AV Area Plan. The 1980 Countywide Plan clearly establishes a "Local Commercial" Land Use as an "individual enterprise serving the needs of the local community" [III-34] and it ***strictly limits*** the scale of such uses (in terms of acreage and floor area) to "that which can be justified by local community and neighborhood needs" [III-35]. The Taco Bell project fails to meet both of these constraints: 1) It is not an "individual enterprise serving the needs of the local community"; it is a franchise business that is located and designed solely to serve the needs of freeway commuters; and 2) Though Acton's population is less than 7,500, the county has already approved at least 10 businesses in Acton that serve "fast" food (i.e. food that is paid for before it is eaten and is available immediately) to thousands of customers daily. Thus, the scale of existing "fast" food businesses already exceeds "that which can be justified by the local community needs" of Acton's small population. Therefore, RPC's approval of yet another "fast" food business as a "Local Commercial" use in Acton violates the scale restrictions imposed by the 1980 Countywide Plan (and by extension the 1986 Area Plan).

- The RPC wrongly found that the Taco Bell project is not a "regional use". The Taco Bell project is intended to be a heavily trafficked, freeway-dependent commercial development that is proposed for the sole purpose of serving regional customers from major urban centers including the Antelope Valley, the Santa Clarita Valley, and the greater Los Angeles Area. The project is not neighborhood-dependent or even community-dependent; in fact there are not enough households in Acton's entire 100 square mile footprint to furnish even a small fraction of Taco Bell's projected customer load. The developer has informed the community that the project is *intended* to serve commuters on the 14 Freeway, and that the project site was chosen specifically to effect this purpose. These daily commuters travel to and from distant urban regions located many miles from Acton. There is no doubt that the proposed Taco bell drive-through project is, *by definition*, a regional commercial use that is explicitly designed to serve regional customers from all over Southern California.

7. The Taco Bell project traffic study fails to properly consider all the county-approved projects within Acton located in the vicinity of the Taco Bell business. Specifically, the traffic study omitted the recorded 120-lot Tract Map on Crown Valley Road at Aliso (Map #43526) and the approved the 71-lot Tract Map on Crown Valley Road at Bandell (Map #52883). Both of these subdivisions have already been approved by the County, as has the "Country Feed" commercial development. Therefore, these projects should be combined and considered as "other future development" that constitute already-approved entitlements to which the Taco Bell project will add more traffic load.

8. The RPC concluded that the Taco Bell project provides "adequate" trails along Crown Valley Road and Sierra Highway. This is incorrect, as evidenced by the Taco Bell Site Plan that was provided to the RPC. In fact, not only do the trails fail to comply with County's adopted Trail Manual, they are in fact particularly substandard. The trail bed along Sierra Highway is specifically of concern because it is only 7 feet wide (and even narrows to 5 feet as it approaches the project drive-way). This trail is located on a designated major highway and it traverses a driveway that will be crossed by more than 1000 vehicle per day, so safety and prudence demands that the trail be developed in full compliance with the County's adopted multi-use trail design provisions which includes a 12 foot wide trail bed. Acton residents were informed that the trail width was truncated to accommodate required parking and landscaping elements, but this is patently untrue, because the project includes more parking stalls and landscaping than is required [see page 8 of the staff report]. The project must be reconfigured to ensure that the multi-use trail complies fully with the County's adopted multi-use trail design criteria.

9. The RPC decision presumes that a Class 3 Categorical Exemption applies under the California Environmental Quality Act ("CEQA"). This presumption is rebutted by the fact that the proposed Taco Bell project will generate significant cumulative traffic impacts and create traffic levels beyond the point where traffic mitigation (in the form of traffic signalization) is required. It is also rebutted by the fact that the Taco Bell project itself is inconsistent with virtually every applicable General Plan and Area Plan policy adopted by the County over the last 35 years. For these reasons, the Taco Bell project triggers traffic mitigation measures and plan amendment requirements and is therefore ineligible for a Categorical Exemption under CEQA.

10. The project septic system is located immediately adjacent to an established water course that runs through the County Library property to the north; it is not set back at least100 feet as required by adopted health standards.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

September 17, 2015

Chris Czyz @ First Street Development
2929 E. Camelback Rd., Suite #116
Phoenix, AZ 85016

REGARDING: **PROJECT NO. R2014-02996-(5)**
CUP NO. 201400142
3771 SIERRA HIGHWAY, ACTON (APN 3217-021-011)

The Regional Planning Commission, by its action of **September 16, 2015,** has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

Appeals:

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **September 30, 2015. Appeals must be delivered in person.**

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

For questions or for additional information, please contact Richard Claghorn of the Zoning Permits North Section at (213) 974-6443, or by email at rclaghorn@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Robert Glaser, Acting Supervising Regional Planner
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement

RG:RC

CC 060412

Department of Regional Planning Staff Responses to the Appeal of the Regional Planning Commission Approval of the Acton Taco Bell Project (Project R2014-02996) (Board Appeal Date November 24, 2015)

BACKGROUND

The Regional Planning Commission (ñRPCò) approved Project R2014-02996 / CUP 201400142) on September 16, 2014. The project is a 2,029 square foot Taco Bell fast food restaurant (ñProjectò), including drive-through facilities, on a 1.3 acre property located at 3771 Sierra Highway in the unincorporated community of Acton ("Project Site") in the C-2-DP (Neighborhood Business-Development Program) zone.

The Project Site was zoned C-2-DP at the time the application was filed, but it has since been changed to the C-RU-DP (Rural Commercial-Development Program) zone. Because a complete application for this CUP was filed prior to the effective date of the updated Antelope Valley Area Plan adopted on June 16, 2015, and the related zone changes effective on July 16, 2015, this CUP is being reviewed under the C-2-DP zoning which was in effect at the time the application for the CUP was deemed complete on October 8, 2014, pursuant to Section 22.16.225.A.1 of the County Code. This code section allows the applicant to request that the Project be processed under the zoning regulations that were applicable to the project at the time the application was deemed complete, if it was deemed complete prior to the effective date of the 2015 Antelope Valley Ordinance Update. The applicant has opted to have the Project processed under the zoning regulations and plan policies in effect at the time the CUP application was deemed complete. The Project is also being processed under the policies of the 1986 Antelope Valley Areawide General Plan (ñ1986 AV Planò), which was the area plan in effect at the time the project application was deemed complete. The newly adopted 2015 Antelope Valley Area Plan (ñTown & Country Planò) allows applicants to choose to be reviewed for consistency with the 1986 AV Plan if they had a complete application filed prior to the effective date of the Town & Country Plan (see Page I-9 of Town & Country Plan). Therefore, the Project was reviewed under the C-2-DP zone and 1986 AV Plan requirements in effect at the time of the Project submittal.

On September 29, 2015, the RPCôs approval was appealed by an Acton resident, Chris Croisdale. The appeal has the unanimous support of the Acton Town Council and many other residents of Acton. The following responses by Department of Regional Planning (ñDRPò) staff address each of the 10 points discussed in the appeal letter filed on September 29, 2015.

1. 1986 AV PLAN POLICY FOR COMMUNITY COMMERCIAL

The appeal letter states that the Taco Bell restaurant should have been classified as a ñHighway-Orientedò Commercial land use under the 1986 AV Plan and that it is not allowed in the Community Commercial category. The appellantôs understanding of the 1986 AV Plan policies is inconsistent with DRPôs interpretation of this plan. The 1986

AV Plan contains only one mapped commercial category, which is called ñCommunity Commercialò. This categoryôs description says in part that ñGenerally this serves several adjoining neighborhoodsò. However, it is not strictly limited to businesses that are locally-serving. It also says, ñMany of the small retail and supporting outlets found in large shopping centers typify what may be expected in a community commercial center.ò Itôs clear from the wording in the 1986 AV Plan and from the later DRP approvals based upon it that a highway-oriented restaurant such as the proposed Taco Bell can be consistent with this category.

In the section of the 1986 AV Plan which discusses the Unmapped Highway Oriented Commercial category (on Page VI-6) it says, ñIn addition to the areas designated for Commercial use on the Land Use Policy Map, other appropriate areas may be put to highway-oriented commercial uses subject to the óUnmapped Highway Oriented Commercial Conditions for Developmentôfound later in this chapter.ò This statement clearly shows that highway-oriented uses are allowed in areas designated for commercial use on the land use policy map. Since the only areas on this map which are designated for commercial use are in the Community Commercial land use category, then itôs clear that the 1986 AV Plan allowed highway-oriented uses within the Community Commercial land use category.

The purpose of the Unmapped Highway Oriented Commercial category in the 1986 AV Plan was to allow for highway-oriented commercial development in other appropriate areas that had not been previously mapped for commercial uses, subject to consistency with the applicable polices detailed on pages VI-27 and VI-28 of the plan. It was not meant to prevent highway-oriented development within the Community Commercial category, and was to allow such development ñin addition toò the Community Commercial areas. Similarly, the Unmapped Neighborhood Commercial category was not meant to prevent neighborhood commercial uses within the Community Commercial category, but to allow such uses within other appropriate areas. The Community Commercial category clearly allows for both highway-oriented and neighborhood commercial uses, and highway-oriented uses were not limited in the 1986 AV Plan only to Unmapped Highway Oriented Commercial areas.

Examples of previous DRP approvals of highway-oriented commercial uses in Acton within the Community Commercial land use category that were made after the adoption of the 1986 AV Plan include an Arco service station with mini-mart (Plot Plan 36120, Approved 10/6/1987), a McDonaldôs drive-through restaurant (Plot Plan 40281, Approved 3/13/1991), a Shell service station with mini-mart and car wash (Plot Plan 40627, Approved 2/13/92), and a Jack-in-the-Box drive-through restaurant (Plot Plan 42542, Approved 10/28/1992).

2. PLAN POLICIES AND TRAFFIC ISSUES

The appeal letter says that ñUnder the 1980 Countywide Plan, the 1986 AV Area Plan, and the recently adopted óTown and Countryô Plan, the County is not permitted to approve developments in Acton which expand the need for traffic signals and other

urban infrastructure.ò This statement does not accurately reflect the policies of the three plans in question, nor does this statement accurately describe the requirements for this Project. No traffic signals or urban infrastructure are being proposed for the Project and no such improvements are required by the Department of Public Works (ñDPWò), which has reviewed the traffic study for this Project and issued a letter with conditions of approval dated August 5, 2015.

The 1980 Countywide General Plan contains policies regarding local commercial and industrial services within areas not mapped for such uses under the Land Use Policy Map. However, these policies are not applicable to the Project because the area was part of the 1986 AV Area Plan, which superseded these policies for local commercial services, which are found on pages III-34 through III-37 of the 1980 General Plan. On Page III-34 of the 1980 General Plan it says, ñDue to the scale and nature of the countywide Land Use Policy Map, locally-serving commercial and industrial uses are generally not shown. Such localized land use types are more appropriately addressed by detailed community and areawide plans.ò It also said, ñIn order to provide guidance for decision making in the absence of an adopted local plan, the following general conditions and standards are providedò It then defines local commercial and industrial uses and provides guidelines for these uses. The current Project Site was shown as Non-Urban on the 1980 General Plan Land Use Policy Map. The allowed uses in the Non-Urban category were detailed on page III-24 of the 1980 General Plan. It said ñLocal and highway-oriented commercial and industrial uses may also be appropriately located in non-urban areas to serve the needs of local residents and travelersò The current Taco Bell Project Site was in the Non-Urban category on the 1980 Land Use Policy map, and the local commercial services policies of that plan would have applied to the area at that time. However, none of these polices specifically prohibit traffic signals or even mention them, as stated in the appeal letter. Some of the applicable policies regarding project scale, access, and traffic were that ñThe overall scale and intensity of proposed local service uses should be in keeping with the surrounding neighborhood or community settingò, that ñThe size and intensity of local service uses should be confined to the extent that anticipated traffic generation does not adversely affect conditions on adjacent streets and highwaysò, and ñAccess, egress and onsite parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse impacts on surrounding neighborhood and land use patterns.ò These local commercial services policies were made to provide guidance ñin the absence of an adopted local planò, so they were superseded by the 1986 AV Plan for the area covered by the Project.

After the 1986 AV Plan was adopted, the policies of the area plan became the guiding land use policy documents for the project area. The 1986 AV Plan mapped the area as Community Commercial, and as previously stated, this category does not prohibit highway-oriented businesses. It also does not contain a policy prohibiting traffic signals in Acton or in the Community Commercial category generally. The policies for Acton found on pages IV-1 to IV-3 of the 1986 AV Plan discuss the need to maintain the rural character of the community. One of the policies for Acton says that ñCurbs, gutters and sidewalks will not be required in Acton if an acceptable alternative can be developed to

the satisfaction of the Director of the Public Works Department to separate vehicular and pedestrian traffic.ò It also discusses requirements regarding lot size, residential density, number of stories, architectural style, and the need to develop a Community Standards District (ñCSDò), and it calls for ña slow, planned well controlled growth rate to reduce adverse impactsò There is not a specific mention of traffic signals in any of the applicable plan policies.

The 2015 Town & Country Plan is not applicable to the Acton Taco Bell Project as previously stated, because the application for the Project was deemed complete before the effective date of this plan, pursuant to the applicability policy of the Town & Country Plan on page I-9 of the plan. However, DRP staff believes the Project is consistent with this plan. Additional discussion about this plan is included in the response to item #6 of the appeal letter.

The appellant claims that ñTaco Bell will significantly increase traffic levels at 2 intersections beyond the point where traffic signals are required.ò The DPW Traffic and Lighting Division reviewed the Traffic Study dated March 2, 2015 prepared by Trames Solutions, Inc, an engineering consulting firm, on behalf of the project. The Traffic Study was prepared in accordance with DPW Traffic Impact Analysis Guidelines. The Traffic Study found that adding project traffic to existing traffic conditions would not cause significant traffic impacts to any of the study intersections based on significant impact thresholds contained in DPWôs guidelines. The Traffic Study also found that the Taco Bell project and the pending Primo Burger/Acton Feed Store project would not cause any significant traffic impacts when considered together. DPW concurred with the methodology and findings of the Traffic Study.

The appeal letter states that, ñThe project will generate significant traffic at the intersection of Crown Valley Road and the eastbound ramps of the 14 freeway and cumulatively reduce the level of service (LOS) from a óCôto a óDô[See Table 4-2 of the applicantôs Traffic Study].ò The two intersections on Crown Valley at the eastbound and westbound ramps are under the jurisdiction of Caltrans. Consequently, in addition to the Intersection Capacity Utilization (ICU) method utilized to determine the LOS for LA County, the project also calculated the LOS utilizing the Highway Capacity Manual (HCM) method as required by Caltrans. It is noted that Caltrans does not have published thresholds of significance for traffic impacts. Caltrans reviewed the traffic study and did not determine the project would have a significant traffic impact. The change in the ICU volume to capacity (V/C) of 0.06 does not constitute a significant impact since the LOS is A as determined by the ICU methodology. It is not appropriate to apply an ICU threshold of significance to a HCM determined LOS.

A supplemental traffic analysis was performed by the traffic engineer using the HCM methodology for two additional intersections, Crown Valley Road and Sierra Highway, and Crown Valley Road and Antelope Woods Road. Even though this was not required, this step was taken to address the concerns of the Acton Town Council. This additional

analysis, which was included with a letter from the traffic engineer dated August 27, 2015, showed that both intersections are currently operating at a ñBò level of service for both AM and PM peak times using the HCM method. Existing plus project conditions show the level of service will remain at ñBò for both AM and PM peak hours for both locations. However, the analysis shows that existing plus cumulative plus project conditions will result in a change in the level of service to ñCò for the AM peak hour at Crown Valley Road and Sierra Highway. DPW concurred with the traffic analysis that the proposed Project alone as well as when considered cumulatively with other projects, would not significantly impact intersections within the project area. .

The appeal letter says that ñthe RPC finding that the project does not have any traffic impacts is false.ò Finding No. 49 of the RPC approval package stated that, ñA traffic study has been conducted, which determined that traffic impacts from the Project will not significantly affect the level of service of nearby intersections during peak hours.ò The RPC finding does not say there will not be any traffic impacts, but it did say that the impacts would not be significant based on the thresholds of significance containedin DPWôs Traffic Impact Analysis Guidelines.

As a general practice, traffic signal warrant analyses are conducted for locations where significant impacts have been identified. If a traffic signal is warranted, the significant impact provides the nexus for DPW to request a project to install a traffic signal or contribute a fair share to mitigate the significant impacts as required by law.

3. SIGNAGE

The appeal letter says ñThe project signage requires a variance from the Acton Community Standards District because it is not a western motif, is thoroughly modern, it consists of garish neon pink and purple, it exceeds the established area limits and is intended to be advertising in nature rather than simply identify the business location.ò DRP staff has discussed the signage, including the wall signs with the applicants, and they have agreed not to use any internal lighting for the signs, and will not use ñhaloò signs as had been originally proposed. Lighting fixtures to be used will be completely external, and the applicants have agreed to submit revised sign plans. The proposed signs will not contain internal lighting. The proposed sign colors were discussed with the applicants, who do not believe the colors are ñgarishò. The colors are the Taco Bell corporate signage colors, and may be considered garish by some. Garishness is not something that is easily quantifiable and opinions may vary on whether a particular sign or color is garish. The section on signage in the architectural guidelines section of the Acton CSD says ñGarish colors that may attract attention, but which detract from a harmonious community appearanceò are to be discouraged. The section on signs encourages ñgraphics and lettering styles that are appropriate to the western motifò and says ñsigns for most franchises and chain stores will require redesignò. The Taco Bell mission bell logo is arguably a western motif, although the lettering style has a more

modern appearance. The applicant has agreed to redesign the signage to eliminate the halo lighting, but changing the lettering style or colors may not be feasible due to company requirements and their need to maintain brand recognition.

The signage colors will not appear to be particularly garish or detract from a harmonious community appearance since they will be relatively small, and will not contain interior illumination. The building exterior will feature predominantly earth tone colors, and the signage, which includes pink, purple, white, and gold colors, will provide necessary identification for the business. The applicant has agreed to submit revised sign plans, to eliminate the halo illumination of the signs, to keep the monument sign to the 5-foot limit, and to not use any internal illumination.

The architectural style and project design considerations for the Acton CSD in Section 22.44.126.C.3 of the County Code require that all uses in commercial land classifications ñBe designed in a óWestern frontier village, circa 1890s styleô in substantial conformance with the architectural style guidelines accompanying this community standards district as an appendix and as maintained in the office of the planning director.ò It is the opinion of DRP staff that the architectural elevations for the Taco Bell are in substantial conformance with these guidelines and that the signage is unobtrusive and does not detract from a harmonious community appearance consistent with the architectural guidelines.

Section 22.44.126.C.6 of the County Code covers the signage requirements of the CSD. It says, in part, ñSignage shall be unobtrusive and shall promote the style of the Western frontier architectural guidelinesò Whether the signage is unobtrusive is subjective and a matter of discretion. Likewise, some of the western frontier architectural guidelines, such as the garishness of colors, verifiable authentic Western designs for signage, and a harmonious community appearance are somewhat vague or unclear, and some discretion on the part of the decision maker is necessary to implement some of these guidelines.

Contrary to what is stated in the letter, the proposed signs comply with the size limits of the CSD. The maximum size allowed for wall business signs in the CSD is 1.5 square feet (ñsfò) of sign area for each linear foot of building frontage. The south and west faces of the building are considered building frontage because they front on public roads. The building is 27ô4ò (27.333ô) wide on the south frontage and 74ô8 ½ò (74.708ô) long on the west frontage. Based on the preliminary sign plans, the proposed sign area on the south elevation is approximately 27.59 sf (7.2 sf letters and 20.39 sf bell), less than the maximum allowed area of 41 square feet. On the west elevation the proposed sign area is approximately 33.14 sf (12.75 sf letters and 20.39 sf bell) on the preliminary plans, less than the 112 sf maximum based on the building frontage. The east elevation is not considered a building frontage, although the principal building entrance is on the east side. It is therefore allowed to have a wall sign, subject to the requirements of Section 22.52.880.A.3 of the County Code. The allowed area of this sign is based on one half of the average of the permitted wall sign area for each frontage. The average permitted area of the two frontages is 76.5 sf, and one half of

the average is 38.25 sf. The maximum allowed area for this sign is therefore 38.25 sf. The proposed sign area on the preliminary plans is approximately 30.34 sf (7.2 sf letters, 20.39 sf for the bell, and 2.75 sf for the one foot space between the bell and letters, since it is considered a single sign). The CSD allows a maximum of 100 sf of total wall sign area, regardless of building frontage. The cumulative wall sign area on all sides is approximately 91.07 square feet, which is below the limit. All sign areas will be verified on the final sign plans to ensure compliance with the CSD requirements.

The site plan shows a monument sign at the corner of Crown Valley Road and Sierra Highway. No sign plans have been submitted yet to DRP for this sign. A plan for this sign was submitted to the Acton Town Council which showed a 9-foot high internally illuminated freestanding sign. This sign is not in compliance with the CSD, which limits freestanding signs to 5 feet and prohibits internally-lit signs. The applicant has agreed to redesign the signage, including for the freestanding sign, to comply with the CSD requirements.

DRP will verify that signage complies with all Zoning Code requirements, including the CSD requirements. No Variance is necessary for the signage, provided the revised sign plans are found to be in compliance with the requirements of Section 22.44.126.C.6 the County Code.

4. EXEMPTION FROM CURRENT ZONING AND LAND USE REQUIREMENTS

The appellant says, ñThe RPC erred in not requiring the Taco Bell project to comply with the Rural Commercial zoning ordinance.ò This statement is incorrect. The Zoning Code has an exemption for projects filed prior to the adoption of the most recent zone change for the property, allowing the case to be processed under the zoning classification and zoning regulations in effect at the time the application was deemed complete if the applicant chooses. The Town & Country Plan also contains a similar exemption. Refer to Section 22.16.225.A.1 of the County Code and Page I-9 of the Town & Country Plan. The applicant has chosen to have the project processed under the requirements in effect at the time the project was submitted and deemed complete. Therefore, the argument that the project must be reviewed under the current plan and zone is not correct. Although it is exempt from the Town & Country Plan, DRP staff has found the project to be consistent with this plan. It is being processed under the C-2-DP Zone requirements for the reasons cited above, although it is still mostly consistent with the C-RU-DP Zone requirements as well. Minor changes to the project would need to be made to conform to C-RU-DP standards, including some changes to over-size parking spaces and landscaping. However, no changes are needed because the project is allowed to be reviewed under the previous zoning requirements.

The appellant says, ñChapter VII of the 1986 AV Plan mandates that the County adopt new ordinance sections related to the Rural Commercial zoning classificationò. Chapter VII of the 1986 AV Plan contains a series of action programs intended to implement many of the policies of the 1986 AV Plan, including Action Program 6.2, which is to ñAdopt new zoning ordinance sections relating to Rural Commercial and Industrial

classifications to recognize and provide for the specialized needs of rural area residents and businesses.ò The fact that the 1986 AV Plan included an action program to create and adopt new zoning ordinance sections for Rural Commercial and Industrial classifications does not mean that the Rural Commercial zoning requirements, which were not added to the County Code until 2015, can be applied to the project retroactively, or that the exemption explicitly listed in Section 22.16.225.A.1 of the County Code somehow does not apply. The fact remains that the subject property was in the C-2-DP zone at the time the application was deemed complete on October 8, 2014 and was changed to the C-RU-DP zone on July 16, 2015. The exemption is applicable to the project, allowing it to be subject to the C-2-DP zone requirements.

5. PROJECT 90368 APPROVAL FROM 1992

The appeal letter says, ñThe RPC decision approving the Taco Bell project ignored key provisions that were imposed when the project was downgraded from a C-3 (Unlimited Commercial) zone to a C-2 (Neighborhood Commercial) zone in 1992 at the same time a óC-Community Commercialôland use designation was secured for the entire site.ò

Project 90368 included CUP 90-368, Tentative Tract (ñTRò) Map No. 49911, Zone Change (ñZCò) 90-368, and Local Plan Amendment (ñLPAò) 90-368. CUP 90-368 was approved on March 25, 1992 by the RPC for a shopping center with a building area of 83,540 square feet on 8.3 acres along with TR 49911. TR 49911 was to divide two parcels on approximately 21 acres into six commercial lots on 8.3 acres and a remainder parcel. The southwesterly 30,000 sf of the project site was not part of the shopping center and was to be a future commercial project developed under a separate CUP on a lot to be created through TR 49911. The proposed 30,000 sf lot was part of the current Taco Bell site, which has an area of approximately 56,775 sf. CUP 90-368 and TR 49911 have since expired and the shopping center was never developed. CUP 90-368 required that ZC 90-368 and LPA 90-368 be adopted before it could be used.

ZC 90-368 was adopted by the Board of Supervisors on August 6, 1992, concurrently with LPA 90-368. ZC 90-368 changed the zoning of approximately 21 acres, including the current Taco Bell Project Site, from C-3 (Unlimited Commercial), R-3 (Limited-Multiple Residence), and A-1-10,000 (Light Agricultural, 10,000 Square Foot Minimum Required Lot Area) to C-2-DP. The zoning of the area of the Taco Bell Project changed from C-3 to C-2-DP. The local plan land use category of the Taco Bell site was unaffected by LPA 90-368, which changed 3.6 acres from Non-Urban 2 to Community Commercial. The area that was changed under LPA 90-368 was the northeasterly 3.6 acre portion of the 8.3 acre site approved for the shopping center.

Zone Change 90-368 changed the zoning from C-3 to C-2-DP, and one reason given in the staff report was that the C-3 Zone ñallows for development of the property for uses inconsistent with long range land use goals and objectives of the communityò It also says, ñThe current zoning of the subject property is inconsistent with the Antelope Valley Area Plan land use designation for the siteò and ñThe existing commercial zoning permits more urban uses than is intended for the area plan land use goals. C-3 zoning

is not consistent with the community (C-2) land use designationò The zone change to C-2-DP was clearly influenced by a desire to avoid urban types of land uses that would be allowed in C-3 zones but not in C-2. However, this change would not prohibit a drive-through restaurant or another highway-oriented use such as an automobile service station, since these uses are permitted in the C-2 zone as well as the C-3 zone. The ï DP addendum was added to the zone to ensure that a CUP would be required for any proposed use. Finding No. 9 of ZC 90-368 says that the C-2-DP zone ñwill ensure development in a manner that is compatible with the surrounding uses and in accord with the needs and desires of the communityò The C-2-DP Zone does not prohibit highway-oriented uses and the CUP, TR, ZC, and LPA conditions do not mention any prohibitions or restrictions on highway-oriented uses, drive-through facilities, or fast food restaurants. The Burden of Proof exhibit referred to in the appeal letter does not say anything about highway-oriented uses or drive-through uses, which are both allowed uses in the C-2 zone. The scope and impact of the Taco Bell project in 2015 is much less than what was approved under CUP 90-368 in 1992. The 1992 project was for an 85,340 square foot shopping center, and the approved site plan exhibit for CUP 90-368 showed that up to 11,000 square feet of restaurant uses would have been allowed within the shopping center. It would have certainly attracted customers from the freeway and been reliant on them if it had ever been built. Traffic impacts also would have certainly been far greater. The recent change in zone to C-RU-DP is certainly more appropriate for the area, but the C-RU-DP zone would still be able to accommodate the Taco Bell use with a CUP.

DRP staff does not agree with the appellant that the Project is incompatible with the surrounding uses. There are two existing fast food restaurants with drive-through facilities nearby as well as other commercial uses. The local land use plan and zoning allow for such use, and it is consistent with all applicable requirements.

The Acton Town Council has made it clear that they oppose businesses with drive-through facilities and other freeway-oriented businesses. However, many Acton residents have voiced support for the Taco Bell Project. The Acton Town Council is an important voice for the community, but is not the only voice expressing the needs and desires of the community. Few letters were received from the public prior to the RPC hearing for the Taco Bell project, which included seven opposed to the project and four in favor. At the hearing 132 opposition letters were submitted by the Acton Town Council, which had been signed by shoppers at the Acton Market, and the vast majority of them were from Acton residents. Two more opposition letters were received by DRP immediately after the hearing. Another opposition letter was received by DRP the next day. The project applicant presented a petition with the names of 78 people in favor of the project, the vast majority of whom had Acton addresses. It appears that the Acton community is divided in opinion on the merits of the Taco Bell project. The total number of people who have expressed public opposition to the Project by sending letters or emails to DRP, either before, during, or after the hearing, up to the present time, is 142, excluding correspondence from the Acton Town Council. The total number of people who have publically expressed support for the Project through letters, emails, or signing a petition has been 82. In other words, approximately 63% are opposed and 37% in

favor. However, this is far from a representative or scientifically meaningful sample of the Acton population, as fewer than 5% of them actually contacted DRP directly, and most were obtained by either project opponents or proponents directly speaking to the public to request signatures on either form letters or petitions. Only one of the opposition letters from the public appeared to be spontaneous, since all of the opposition letters, with the exception of one email, were identical form letters, although a couple of the form letters had some additional comments written in by the signers of the letters. Itôs clear that there are many people in Acton who oppose the Project, and many who support it, but it remains uncertain how the majority of Acton residents feel about the proposed Taco Bell Project. The RPC evaluated the Taco Bell project based on all of the relevant information, including the zoning of the site, the applicable zoning code requirements, the applicable plan policies, the information provided by the applicant, the recommendations and requirements from County Departments, community needs and desires, the characteristics of the project location, surrounding uses, public hearing testimony and written comments, and all other pertinent factors.

6. TOWN & COUNTRY PLAN CONSISTENCY AND PROJECT INTENSITY

Although the 2015 Town & Country Plan is not applicable to the Acton Taco Bell Project as previously stated, this response is to explain why DRP staff believes the Project is consistent with this plan. Chapter 7 of the Town & Country Plan contains community-specific land use polices for Acton on Pages COMM-3 through COMM-6. It does not prohibit traffic signals from being installed in Acton, although it ñstrongly discouragesò them within the Acton rural town center and ñdiscouragesò them in the area where the project is located, which is a Rural Commercial area outside of the rural town center. No traffic signals are proposed or required for the Project.

The Project Site is not located within the rural town center. The Acton rural town center is defined as the area along Crown Valley Road between Soledad Canyon Road and Gillespie Avenue. The Acton town center area is located approximately 1.6 miles south of the Project Site. The Project Site is located within the Rural Commercial (ñCRò) area on the Land Use Policy Map of the Town & Country Plan. The CR land use category allows ñlimited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices; residential and commercial mixed uses.ò The section of the plan specific to Acton says, ñSome areas outside the rural town center area have also been designated as Rural Commercial (CR) to acknowledge existing uses and to provide additional commercial services and employment opportunities. The intent of these designations is to allow low-intensity local commercial uses that serve community residents and to prohibit high-intensity regional commercial uses that serve travelers along State Route 14.ò

The Town & Country Plan policy for Acton requires that ñNew buildings in these CR designations shall also be limited to two stories in height, shall include Old West design elements with earth tone colors at a pedestrian scale, and shall be linked to surrounding rural town center areas through trails and pedestrian routes. Pedestrian routes shall have permeable paving, consistent with rural community character, instead of concrete

sidewalks. Development in these CR designations that would require the installation of urban infrastructure, such as concrete curbs and gutters, street lights, and traffic signals, shall be discouraged as this does not fit with the communityôs unique rural character and identity.ò

The Acton Taco Bell is designed with an Old West architectural style that complies with the Acton CSD requirements and the applicable Town & Country Plan policies. The project includes trails that connect to the existing trail network and that have been reviewed and approved by the County Department of Parks and Recreation (ñDPRò). DPW has reviewed the Project location, the Project design, and applicable DPW requirements. The Project is subject to the standard rural major highway improvements on Sierra Highway, including a four-foot concrete inverted shoulder. Public Works also requires a standard rural section with asphalt concrete (ñACò) inverted shoulders and applicable pavement widening on Crown Valley Road and a 35-foot curb return radius consisting of barrier curb and gutter, and a curb ramp at the corner that meets with Americans with Disabilities Act requirements to the satisfaction of Public Works. Additionally, the project is required by Public Works to provide adequate curb and gutter transitions from the required AC inverted shoulder along Crown Valley Road to the full curb face around the curb return to concrete inverted shoulder along Sierra Highway. The improvements required by Public Works for the Project are their standard requirements for rural locations such as this site. The DPW requirements are detailed in their letter dated September 10, 2015. The required improvements are suitable for the rural character of the area and are consistent with the Town & Country Plan policies.

The appeal letter states that ñthe óTown & Countryô Plan specifically prohibits high-intensity commercial uses that serve freeway travelersò and also that ñthe RPC incorrectly concluded that the Taco Bell project was consistent with the óTown and Countryô Plan by wrongly finding that it is neither a óhigh intensityô nor a ófreeway servingôuseò The Town & Country Plan does not in fact prohibit all freeway-oriented commercial uses in Acton, only those that are high-intensity and regional uses. RPC finding No. 37 stated that it was not a high-intensity use and findings No. 37 and 38 stated that it was not a regional use. However, none of the findings stated that it was not a freeway-oriented use as claimed by the appellant.

In the findings it is noted that the project will not have significant traffic impacts or require urban-style off-site improvements and will be small in size, with an area of 2,029 square feet and a floor area ratio (ñFARò) of 0.04, well below the maximum FAR allowed of 0.5. The appeal letter claims that the FAR is the only metric used by DRP to assess whether the use is high-intensity, which is incorrect. The findings clearly stated that the Project was not considered high-intensity because of the fact that urban-style improvements were not required.

The appeal letter argues that the Taco Bell use is a high-intensity use based on the fact that fast food businesses have some of the highest trip generation rates per unit area according to the Institute of Traffic Engineers (ñITEò). The intensity of a use is affected by many factors, and trip generation rates, the type of use, noise, parking requirements,

size, off-site improvement requirements, and other factors need to be taken into consideration in analyzing the relative intensity of land uses.

According to the ITE Trip Generation Manual, 9th Edition, a fast food restaurant with a drive-through window generates approximately 32.65 trips per 1,000 square feet of building area during the PM peak hour. The Taco Bell Restaurant, with an area of 2,029 square feet, would generate approximately 66 trips during the PM peak hour according to this data. A quick analysis of the surrounding uses based on ITE PM Peak Hour trip estimates reveals that six existing properties within a 500-foot radius have higher trip generation rates than the proposed Taco Bell. These uses include the McDonaldôs drive-through restaurant (156 trips), Jack-in-the-Box drive-through restaurant (87 trips), the 17,152 square foot commercial center to the southeast (83 trips), the mixed commercial property to the west with buildings totaling 41,129 square feet (365 trips), the public library (79 trips), and the Shell Station/Convenience store to the southwest (166 trips). The Arco station/convenience store south of the freeway (108 trips) is more than 500 feet away, but it also has a higher trip generation rate based on the ITE PM peak hour figures. Even when accounting for the ITE trip generation rates, DRP has determined the proposed Taco Bell use is lesser in intensity than many of the existing uses in the immediate area.

A comparison of the project approved in 1992 under CUP 90-368 to the current Taco Bell Project using the current ITE PM trip generation standards was made by DRP staff. CUP 90-368 was approved for an 83,540 sf shopping center on 8.3 acres (which was not built), which included the current Taco Bell site and surrounding areas. Based on the uses listed on the project plans from 1992, the Ralphs supermarket alone would generate 440 trips during the PM peak hour (at 46,375 sf and 9.48 trips/1,000 sf). The 1992 plans listed up to 11,000 square feet of restaurant uses, which would generate approximately 82 trips using the rate for quality restaurants (7.49 trips/1,000 sf). The remaining shops would generate approximately 96 trips using the 3.71 trips/1,000 sf shopping center rate. The total for the property would be approximately 618 trips during the PM peak hour. The rate would be even higher if it included coffee shops, fast food restaurants, pharmacies, or other uses with relatively high trip generation rates. Even if only the two restaurant uses shown on the elevation plans were developed, and the remaining space was the supermarket and shops, the overall trip generation for the property would still be 590 trips during the PM peak hour. This does not include trips that would be generated on the 30,000 square foot corner parcel, which would have needed a separate CUP. This compares to approximately 66 PM peak hour trips for Taco Bell. The ITE rate calculations show a lower trip generation for the current Taco Bell project in comparison with the shopping center project approved in 1992. Although fast food restaurants have a relatively high trip generation rate, the relatively small size of the Taco Bell means that its overall trip generation estimate is significantly less than many other existing uses in the surrounding area and for the shopping center use that had previously been approved in the same location. It also will not exceed the thresholds to require urban-style improvements. Therefore, DRP staff does not consider the Project to be a high-intensity use.

A small restaurant such as the proposed Taco Bell is not a regional use. Even though it may attract customers travelling on the freeway between Santa Clarita and Palmdale, or from other more distant locations, such customers are not likely to take a long trip simply to stop at Taco Bell or a similar restaurant. They may stop there on the way to visiting another destination, but it would still not be considered a regional use. For example, a resident of Santa Clarita, Palmdale, or Lancaster would be unlikely to make a trip to Acton solely or primarily to purchase food at the Acton Taco Bell, since there are closer Taco Bell restaurants for residents of those cities. Someone travelling between a job in Santa Clarita and a home in Palmdale may choose to stop at the Acton Taco Bell if they want to purchase a meal on the way home from work, but they would not otherwise be likely to make the trip. The same person could easily visit other Taco Bell locations or other comparable restaurants in either Palmdale or Lancaster and would not likely make a trip to Acton simply to go to Taco Bell unless they were already planning to drive through Acton or to visit Acton for some other reason. Therefore, it is not truly a regional use. Because it will serve people driving on the freeway, it would be accurate to characterize the business as a predominantly highway-oriented business. Highway-oriented businesses are not necessarily regional uses. Some examples of regional uses would be large shopping centers designed to attract customers from a broad area or a large factory or office complex which draws employees from a wide area.

The appeal letter states that the 1980 General Plan and 1986 AV Plan donôt allow any commercial uses in Acton except for local commercial uses. This is not accurate, for reasons discussed more fully in the previous response to item # 2. The policies on pages III-34 and III-35 of the 1980 General Plan cited in the appeal letter are not applicable, for the reasons explained in the previous response to item # 2. The appeal letter fails to note that the Non-Urban land use category of the 1980 General Plan specifically allows for highway-oriented uses (page III-24), and that the referenced policies were superseded by the 1986 AV Plan for the Project area, or that the 1986 AV Plan allows for highway-oriented uses within the Community Commercial land use category (page VI-6).

Although the proposed Taco Bell will primarily serve customers arriving from the 14 Freeway, it appears that a significant percentage of customers will be residents of Acton and neighboring communities. Page 27 of the traffic study includes a diagram (Figure 3-A) showing the distribution of trips generated by the project, including both trips to and from the project site. It shows that 80% of the total trips would be to or from the freeway. The remaining 20% of trips would be to or from Acton or surrounding communities on other roads. According to this table, each of the following locations would generate 5% of total project trips: Crown Valley Road north of the site, Crown Valley Road South of the 14 Freeway, Sierra Highway west of Crown Valley Road, and Sierra Highway east of Crown Valley Road, for a cumulative total of 20%. Some of the trips from the west side of Sierra Highway may be from Agua Dulce or other communities beyond Acton, but it appears likely that Acton residents would generate a substantial part of the 20% of the trips that are not from the freeway. It also seems quite likely that at least some of the future drivers arriving at or departing from the Taco

Bell on the freeway will include Acton residents or employees who stop at Taco Bell after returning to Acton on the freeway from elsewhere or who stop there before heading somewhere else. Some equestrians, bicyclists, and pedestrians residing or working in Acton would also be likely to patronize the Taco Bell, which would not be reflected in the traffic study, so the percentage of Taco Bellôs customers who are Acton residents, or who work in Acton, could well exceed 20%.

According to the 2010 U.S. Census, the Acton Census Designated Place (ñCDPò) has a population of 7,596. It appears that the population of Acton is sufficiently large that Acton residents would likely make up a significant percentage of its overall customers, although still a minority. The percentage of Taco Bell customers who will be Acton residents is unclear, but 20% appears to be a fair estimate, based mainly on the trip distribution figures. U.S. Census figures show that the Acton CDPôs population increased from 1,471 in 1990 to 2,390 in 2000, and the population then more than tripled in the following decade to 7,596 in 2010. The Acton CDP expanded significantly in geographic area between 2000 and 2010, so the actual population growth of the area was not as dramatic as it would appear from these statistics. However, Census Tract 9108.04, which includes the Project Site, increased in population from 2,502 to 3,295 from 2000 to 2010, a gain of over 31%. The boundaries of this census tract did not change during this time period. No more recent population estimates are available, but it appears likely that the population of Acton has continued to grow and will continue to do so. Therefore, the percentage of customers who are local residents will probably increase over time. An estimated 25 to 30 jobs would be provided by the Taco Bell, according to the project applicant, and many, if not most of these positions could potentially be filled by Acton residents. The Taco Bell will provide job opportunities for residents in the Acton community as well as provide an additional restaurant choice. It will be a predominantly highway-oriented business, but will also serve the Acton community. Highway-oriented businesses and local community-serving businesses are not mutually exclusive, and any business located 200 feet from a freeway exit is likely to attract a substantial share of its customer base from people who arrive from the freeway. The Community Commercial category of the 1986 AV Plan allows both types of businesses, and those businesses that may rely on both categories of customers.

7. TRAFFIC STUDY

The appeal letter says that the ñtraffic study fails to properly consider all the county-approved projects within Acton located in the vicinity of the Taco Bell businessò and specifically mentions Tract Map No. 43526, Tract Map No. 52883 and the ñCountry Feedò commercial development. The final map for Tract Map No. 43526 was recorded in 1989 for 136 lots. Based on recent aerial images, these lots remain vacant and the streets shown on the recorded map have not been improved. This tract is located nearly a mile to the south of the Project and on the opposite side of the freeway. Itôs not known why these lots have not been developed. Tract Map No. 52883 was tentatively approved in 2001 for 71 lots on a 148-acre site nearly one mile north of the Project site, along with a hillside CUP (CUP 99-014). No final map has been recorded for this tract, but the tentative map is still active due to time extensions resulting from state

legislation. Records show that the next extension expires on April 23, 2016 unless it is further extended. It is unclear at this time whether the developer intends to seek a time extension or record a final map for this project, or if the state legislature will grant another blanket extension for such projects. It has been over 14 years since the tentative map was approved and the map could potentially expire in 2016 or be extended further.

The appeal letter refers to a ñCountry Feedò project which has been approved by the County but which was allegedly excluded from the traffic study. This appears to be a reference to Project R2014-00881, which includes a new 3,300 square foot Primo Burger drive-through restaurant and a 6,000 square foot feed store located west of Crown Valley Road on the south side of Sierra Highway. The feed store will replace the existing Country Club Feed and Supply store, which is currently located at the Taco Bell Project Site. In fact, this project was included in the traffic study. However, the Project has not been approved by the county and has not yet been scheduled for public hearing.

Since Tract No. 43526 remains undeveloped 26 years after the map was recorded and since Tract No. 52883 has gone over 14 years since tentative map approval without recording a final map, and since it does not appear likely to have a final map recorded anytime in the near future, it doesnôt appear likely that these projects will have any impact on traffic patterns in the area any time soon, if ever.

8. TRAILS

The multi-use (equestrian, hiking and mountain biking) trails on the Project Site were reviewed and approved by the Department of Parks and Recreation (ñDPRò) in its letter dated July 9, 2015, which set required conditions for the trails. Portions of the trails are narrower than the standard width, but DPR has flexibility in applying the guidelines depending on site-specific circumstances. DPR felt that a narrowing of the trail near the driveway entrance on Sierra Highway was appropriate in the interest of safety to help slow trail users down in that area as they approach the driveway crossing. The trails as proposed will be sufficient to meet the trail requirements of DPR and there is no need to redesign the trails.

9. CEQA EXEMPTION

The appeal letter claims the project does not qualify for a Class 3 categorical exemption, or any categorical exemption, under the California Environmental Quality Act (ñCEQAò). This is based on the claim that the Taco Bell Project will generate significant cumulative traffic impacts and create traffic levels beyond the point where traffic signals are required for mitigation. It also claims that the Taco Bell Project is inconsistent with virtually every General Plan and Area Plan policy adopted by the County over the last 35 years and is therefore ineligible for a categorical exemption under CEQA.

Categorical exemptions are discussed in Article 19 of the Guidelines for CEQA, in the California Code of Regulations, Title 14, Chapter 3 (Sections 15300 through 15387). A Class 3 categorical exemption for New Construction or Conversion of Small Structures applies to a restaurant or similar commercial structure not exceeding 2,500 square feet in floor area in nonurban areas that are not environmentally sensitive and where all necessary public services and facilities are available (Section 15303 (c)). The Project Site is not in an environmentally sensitive area and all necessary public services and facilities are available. In Section 15300.2 of the CEQA Guidelines there is a list of exceptions to the categorical exemptions. These include locations that have been mapped as environmentally sensitive areas, cumulative impacts, significant effects, scenic highways, hazardous waste sites and historical resources. None of these conditions is applicable to the Taco Bell Project, and therefore the project does qualify for a categorical exemption. The appellant claims that the cumulative impacts will be significant and that there will be significant effects from the traffic. However, this statement is not supported by the traffic study or by DPWôs review and subsequent concurrence with the findings of the traffic study. No significant traffic impacts were identified based on the established methodology currently in use by DPW and consistent with CEQA requirements. Therefore, no traffic mitigation measures were required of the project.

The statement that the Taco Bell Project is inconsistent with the applicable plan policies is false, as previously explained in detail in the responses to items #1 and 2 and in other sections of this response. The Taco Bell Project is consistent with the applicable land use policies contained in the 1986 AV Plan. It is also consistent with the 2015 Town & Country Plan policies, even though it is exempt from that plan, based on the fact that it was deemed complete prior to the effective date of the current plan. The Project will not result in significant effects on the environment, including cumulative impacts, based on the analyses that have been done for the Project by the various County departments. The Project is eligible for a Class 3 categorical exemption under CEQA.

10. SEPTIC SYSTEM

The Department of Public Health (ñDPHò) regulates septic systems. DPH has been consulted on the Project and issued a letter on April 15, 2015 recommending approval of the CUP. The design and installation of the on-site wastewater treatment system shall conform to the requirements of the Regional Water Quality Control Board (ñRWQCBò). The Project must obtain a Waste Discharge Requirement Permit from RWQCB prior to obtaining a building permit. The septic system must comply with all applicable DPH and RWQCB requirements before it can begin operating.

CONCLUSION

The appeal letter includes many errors and factually incorrect statements, as explained in the preceding detailed responses, and does not accurately reflect the policies of adopted County plans. A CUP is a discretionary permit, and the decision maker, which in this case was the RPC, needs to carefully and fairly weigh the evidence both for and

against a project, particularly when there is a significant difference of opinion or controversy surrounding a project. DRP staff believes the applicable Plan policies, Zoning Code requirements, CSD requirements, and all other applicable requirements are met by the Acton Taco Bell Project, and that the RPC made the correct decision in approving the Project and that the appeal should be denied by the Board of Supervisors and that the Project request should be approved.

For further information, please contact Richard Claghorn at (213) 974-6443 or at rclaghorn@planning.lacounty.gov.

Prepared by Richard Claghorn, Principal Regional Planning Assistant, Zoning Permits North Section
November 5, 2015

Reviewed by Robert Glaser, Supervising Regional Planner, Zoning Permits North Section

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

September 17, 2015

Chris Czyz @ First Street Development
2929 E. Camelback Rd., Suite #116
Phoenix, AZ 85016

REGARDING: **PROJECT NO. R2014-02996-(5)**
CUP NO. 201400142
3771 SIERRA HIGHWAY, ACTON (APN 3217-021-011)

The Regional Planning Commission, by its action of **September 16, 2015,** has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

Appeals:

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **September 30, 2015. Appeals must be delivered in person.**

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

For questions or for additional information, please contact Richard Claghorn of the Zoning Permits North Section at (213) 974-6443, or by email at rclaghorn@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Robert Glaser, Acting Supervising Regional Planner
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement

RG:RC

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • Fax: 213-626-0434 • TDD: 213-617-2292

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02996 - (5)
CONDITIONAL USE PERMIT NO. 201400142

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit ("CUP") No. 201400142, Project No. R2014-02996, on September 16, 2015.

2. The permittee, First Street Development ("permittee"), requests the CUP to authorize a Taco Bell fast food restaurant, including drive-through facilities ("Project"), on a property located at 3771 Sierra Highway in the unincorporated community of Acton ("Project Site") in the C-2-DP (Neighborhood Business-Development Program) zone pursuant to Los Angeles County Code ("County Code") sections 22.28.130 and 22.40.040.

3. The Project Site is 1.3 gross acres (1.15 net acres) in size and consists of one legal lot. The Project Site is nearly rectangular in shape with gently sloping topography and is currently developed with a feed and supply store with ancillary outside storage, which will be removed and replaced by the proposed restaurant.

4. The Project Site is located in the Acton Community Standards District ("CSD") and the Soledad Zoned District. The Project Site is currently zoned C-RU-DP (Rural Commercial-Development Program).

5. The Project Site was zoned C-2-DP at the time the application was filed. Because a complete application for this CUP was filed prior to the effective date of the updated Antelope Valley Area Plan adopted on June 16, 2015, and the related zone changes effective on July 16, 2015, this CUP is being reviewed under the C-2-DP zoning which was in effect at the time the application for the CUP was deemed complete on October 8, 2014, pursuant to Section 22.16.225.A.1 of the County Code. This code section allows the applicant to request that the Project be processed under the zoning regulations that were applicable to the project at the time the application was deemed complete, if it was deemed complete prior to the effective date of the 2015 Antelope Valley Ordinance Update. The applicant has opted to have the Project processed under the zoning regulations at the time the CUP application was deemed complete. The CUP is required because of the -DP combining zone, pursuant to Section 22.40.040 of the County Code, which allows any use permitted in the basic zone (C-2) if a CUP has been obtained.

6. The Project Site was located within the Community Commercial land use category of the 1986 Antelope Valley Areawide General Plan ("1986 Area Plan") Land Use Policy Map at the time of project submittal.

7. The project site is located within the Rural Commercial land use category of the recently adopted Antelope Valley Area Plan ("Town & Country Plan"), effective June 16, 2015. The Project is being reviewed under the 1986 Area Plan because the application was deemed complete prior to the effective date of the Town & Country

Plan and the applicant has chosen to have the review continue under the old requirements. Nevertheless, the Project is consistent with the policies of both plans.

8. Surrounding properties within 500 feet are currently zoned as follows:

   North: A-1-2 (Light Agricultural, One Acre Minimum Required Lot Area)
   South: C-RU-DP (Rural Commercial-Development Program)
   East: A-1-2
   West: C-RU-DP

9. Surrounding properties within a 500-foot radius were zoned as follows at the time of Project submittal:

   North: C-2-DP
   South: C-3 (Unlimited Commercial)
   East: C-2-DP
   West: C-3, R-3 (Limited Multiple Residence), C-3-DP (Unlimited Commercial-Development Program)

10. Surrounding land uses within a 500-foot radius include:

    North: library, ranger station
    South: restaurants, gas station
    East: single-family residence, retail
    West: retail, office, gas station, restaurants, single-family residence

11. Assessor's records show that the property contains a 1,248 square foot commercial structure built in 1924. Despite its age, the structure has the appearance of a relatively contemporary structure with no distinctive architectural or historical characteristics. This structure will be demolished as part of the current Project. The existing structure predates building permit records. It is currently used as a feed and supply store.

12. The Project Site was first zoned as M3 (Unclassified) as part of the Soledad Zoned District with the adoption of Ordinance 7091 on January 22, 1957. On September 30, 1958 Ordinance 7401 was adopted, changing the zone of the Project Site to C-4. The C-4 Zone was changed to C-3 under Ordinance 10,826, effective February 8, 1974. The zone was changed to C-2-DP through Ordinance 920080Z, adopted on August 6, 1992. This Zone Change was done as part of Project 90368, which included CUP 90-368, which was approved on March 25, 1992 for a 83,540 square foot retail center on an 8.3 acre site, including the current Project Site. CUP 90-368 was never used and the approved retail center was never built. The CUP expired due to failure to use the permit within the required time period, which was tied to the related Tract Map 49911, and both expired on March 25, 1998. CUP 93-118 was filed for a market with beer and wine sales at the current Project Site, but this permit was denied by the Commission on October 13, 1993 and appealed to the Board of Supervisors. The appeal was withdrawn on March 8, 1994.

13. An unconditional Certificate of Compliance (CC 9867) was recorded on the current Project Site on August 13, 1987. It is a legal lot.

14. The land use plan category of the Project Site changed to Rural Commercial with the adoption of the Town & Country Plan by the Los Angeles County Board of Supervisors on June 16, 2015. The zoning of the site changed to C-RU-DP (Rural Commercial-Development Program), effective July 16, 2015, as part of a set of zone changes related to the Town & Country Plan, which took effect 30 days after the plan's adoption. Because a complete application for the Project was submitted prior to adoption of the proposed zone change and the Town & Country Plan, it is being reviewed under the C-2-DP zone requirements pursuant to Section 22.16.225.A.1 of the County Code, and it is being reviewed under the policies of the 1986 Area Plan pursuant to the applicability provisions of the Town & Country Plan (Page I-9 of Town & Country Plan).

15. The site plan for the Project, which is dated June 25, 2015, depicts the Project Site, Assessor's Parcel Number ("APN") 3217-021-011, a nearly rectangular parcel with a gross area of 56,775 square feet (1.3 acres) and a net area, after street dedications, of 50,208 square feet (1.15 acres) located at the northeast corner of Sierra Highway and Crown Valley Road. The proposed restaurant is a 2,029 square foot building located in the southwest part of the parcel with a drive-thru lane on the west side. A total of 12 seats and 4 tables are provided in an outdoor dining area south of the restaurant building. The site includes a total of 29 parking spaces, including two Americans with Disabilities Act ("ADA") spaces and 22 standard spaces east of the building and five large angled spaces to the north of the building. Access to the property is provided from a 30-foot wide driveway in the northwest part of the parcel off Crown Valley Road and a 30-foot wide driveway from Sierra Highway on the south side. Landscaping area covers 23,431 square feet, or 46.67% of the net lot area. A septic system is depicted near the northeast corner of the Project Site. A trash enclosure is located to the south of the septic system. Proposed trails are located along Crown Valley Road at the west end of the Project Site and Sierra Highway along the south side. A hitching post near the property's northwest corner will provide a place for equestrian riders to leave their horses. Bicycle parking spaces are located southeast of the building and a bicycle locker is located north of the building. A retaining wall is shown south of the driveway for the drive-through north of the trail along Sierra Highway.

16. The grading plan for the Project, which is dated May 21, 2015, provides the estimated grading quantities for the project, including 3,000 cubic yards of cut and 614 cubic yards of fill. An estimated 2,386 cubic yards of graded material will be exported from the Project Site. The grading plan also depicts a bio-retention basin near the southeastern corner of the property, the proposed building location, parking area, driveways, trails, a retaining wall, the natural and finished grade contour lines, and other features. The retaining wall has an average height of approximately two feet and does not exceed four feet in height at any point.

17. The Project Site is accessible via Crown Valley Road to the west and Sierra Highway to the south. Primary access to the Project Site will be via an entrance/exit

on Crown Valley Road. Secondary access to the Project Site will be via an entrance/exit on Sierra Highway.

18. The Project will provide a total of 29 parking spaces. Five of the parking spaces are 12' x 40' angled spaces for large vehicles located at the north of the Project Site. Two 9' x 20' handicapped accessible parking spaces are located east of the restaurant near the building entrance with a 9' x 20' loading area between them. There are also a total of 22 standard parking spaces east of the restaurant building, each of which is 9'-6" x 20'. They are located in two rows separated by a 28' wide driveway aisle.

19. The Project site contains gently sloping land with a gradient of approximately 3.75% rising from south to north. The Project includes proposed grading of 3,000 cubic yards of cut and 614 cubic yards of fill. An estimated 2,386 cubic yards of graded material will be exported from the Project Site. The grading will include excavation for a proposed retention basin near the southeast corner of the site.

20. A Hydrology and Low Impact Development ("LID") Report was prepared by 3 Engineering and was approved by Public Works on May 28, 2015. This report determined that the Project will not result in significant off-site flows and that the proposed bio-retention basin will have a capacity of 3,775 cubic feet, which exceeds the 1,599 cubic feet capacity required to retain the first ¾" of storm water. The bio-retention basin will be located in the southeastern part of the Project Site. The Project's drainage impacts will be mitigated as demonstrated in the approved Hydrology and LID Report.

21. The permittee presented the Project to the Acton Town Council at their meeting on July 21, 2014. Concerns were raised at the meeting regarding the drive-through facilities and increased traffic coming from the freeway. The Town Council requested that the County of Los Angeles Department of Public Works ("Public Works") require a traffic study. Public Works required that a traffic study be done for the Project. The Town Council voted to oppose the project at their meeting on August 4, 2014. They expressed concerns about traffic, opposition to the drive-through, stated that the architectural style is not consistent with Acton's Western motif, and stated their belief that the project is in conflict with the Antelope Valley Area Plan requirement that uses in the area must be community-serving. The applicant revised the architectural plans after the meetings in order to comply with the Old West architectural standards. The CUP for the Project was submitted to the Department of Regional Planning ("DRP") on October 8, 2014. The Taco Bell Project was again discussed at the Acton Town Council meeting on July 6, 2015. The Town Council again expressed their opposition to the Project and unanimously approved a motion to write a letter to DRP against the drive-through and against freeway-oriented businesses in general. A letter from The Town Council, dated July 23, 2015 and signed by all council members, discussed their concerns with the Project, including traffic generated by the project, the adequacy of the traffic study, the drive-through facilities, the septic system, and the architectural style.

22. A traffic impact analysis study for the Project was completed by Trames Solutions Inc., which is dated December 22, 2014. It projected that the Project would generate approximately 906 net trip ends per day, with 83 vehicles per hour during the AM peak hour and 59 vehicles per hour during the PM peak hour. The existing levels of service at the intersections within the study area are operating at an acceptable level of service during the peak hours, and will remain within acceptable levels after the project is in operation. The study also took into account a proposed Primo Burger restaurant, which also included drive-through facilities, and retail use (Project R2014-00881) located approximately 500 feet west of the Project Site. The traffic study determined that no off-site mitigation measures are required. The queuing analysis showed that the stacking distances provided at the site should adequately accommodate the maximum queues, and that as a margin of safety, vehicles can also stack within the drive aisles, thereby minimizing the potential for vehicles to stack onto the public right-of-way. It provided on-site circulation recommendations, including providing stop sign control for vehicles exiting the site, on-site traffic signing and striping, and verification that minimum sight distance is provided at the project driveways. The Traffic and Lighting Division, Traffic Studies Section of Public Works reviewed the traffic report and agreed with the findings of the traffic study. Public Works provided a list of road requirements along with other Project requirements in a letter dated August 6, 2015, which recommended approval of the CUP.

23. The County of Los Angeles Department of Public Health recommended approval of the Project on April 15, 2015 and has recommended conditions of approval, including conditions related to the septic system (Onsite Wastewater Treatment System), an operating permit for the restaurant establishment, potable water supply, and noise, which are included in the CUP conditions.

24. The County of Los Angeles Fire Department recommended clearance of the project to proceed to public hearing on June 10, 2015 and provided conditions of approval related to access, the water system, and fuel modification, which are included with the CUP conditions.

25. The County of Los Angeles Department of Parks and Recreation recommended conditions of approval for the Project on July 9, 2015 regarding trail easement recordation and trail recordation. These conditions are included with the CUP conditions.

26. The County of Los Angeles Department of Public Works recommended approval of the Project on September 10, 2015 and has recommended conditions of approval, including conditions related to road requirements, drainage/grading, and water. These conditions are included with the CUP conditions.

27. Prior to the Commission's public hearing on the Project, Department of Regional Planning ("Regional Planning") staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, 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. The Project is less than the 2,500 square foot threshold for this exemption that pertains to restaurants and similar structures outside of urbanized areas. It is not located within an environmentally sensitive area, and the project will not result in any significant environmental impacts.

28. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

29. Staff received one letter of comment and three emails from Acton residents who are in favor of the Project and one email and six letters from residents who opposed the Project prior to the public hearing. Three other letters in opposition to the Project have been received from the Acton Town Council or members of the Acton Town Council. A member of the Acton Town Council provided an additional 132 letters of opposition from residents of Acton and surrounding communities during the public hearing. Two additional opposition letters were received after the public hearing. A petition was provided by the applicant during the public hearing which had been signed by 78 people from Acton and surrounding communities who support the Project. No other comments regarding the Project from the public have been received at this time.

30. A duly noticed public hearing was held on September 16, 2015 before the Commission. Commissioners Valadez, Louie, Pincetl, Pedersen, and Modugno were present. After a presentation by staff, the Project representative, SG Ellison of First Street Development, made a presentation in favor of the Project. He presented a petition signed by 78 people from Acton and surrounding communities who support approval of the Taco Bell drive-through. Jacqueline Ayer and Katherine Tucker of the Acton Town Council testified in opposition to the Project. They presented 132 letters from Acton area residents who oppose the Project. Staff answered a question from the Commission regarding the date of construction of the two other nearby drive-through restaurants, stating that the McDonald's was built in 1991 and the Jack-in-the-Box in 1994. Staff also clarified that the project qualified for a Class 3 Categorical Exemption under CEQA requirements for New Construction or Conversion of Small Structures. There being no further testimony, the Commission closed the public hearing, determined that the project is categorically exempt, and approved the Project subject to the findings and conditions. The vote was four to one in favor of the Project, with all commissioners voting in favor of the Project except for Modugno.

31. The Commission finds that the Project is consistent with the Community Commercial land use category of the 1986 Area Plan, which was the applicable plan at the time of project submittal. The Town & Country Plan allows the applicant to opt for a project to be reviewed under the 1986 Area Plan policies if the application was deemed complete prior to the effective date of the Town & Country Plan. Therefore, the Project is being reviewed under the 1986 Area Plan policies and the Project findings are based on this plan. Nevertheless, the Project is consistent with both plans. The Community Commercial designation allows for a broad range of

neighborhood-serving commercial uses, including small restaurants, and the subject Taco Bell restaurant is considered to be consistent with this land use category of the 1986 Area Plan.

32. The Commission finds that the proposed use for this location is considered to be consistent with the applicable policies of the 1986 Area Plan, including the land use category, because of the following reasons: the Project Site is located at the intersection of a Major Highway, Sierra Highway, and a Limited Secondary Highway, Crown Valley Road, and is located just over 200 feet from a freeway exit of the Antelope Valley Freeway, State Route 14; the Project is a small restaurant serving the local community and travelers from the adjacent freeway and highways; and there are other existing businesses, including two fast food restaurants with drive-through facilities (McDonald's and Jack-in-the-Box) and two automobile service stations in the immediate vicinity (Union 76 and Shell), which are also in the same land use category, and which serve both local residents and highway travelers. It is considered to be a low-intensity commercial use serving community residents, although it will also serve travelers on State Route 14, as do the other nearby existing businesses.

33. The Commission finds that the 1986 Area Plan contains policies specific to the Acton community (Pages IV-1 to IV-3), including a policy for commercial areas near the Antelope Valley Freeway and Sierra Highway. It states that many of the areas of Acton designated as commercial or industrial areas, including the areas along the Antelope Valley Freeway and Sierra Highway, feature an "Early California" or "Ranch Style" architecture and that "all future development of commercial and industrial lands in Acton should continue to reflect these features". It later states, "In keeping with Acton's rural setting, all future development shall be limited to a maximum height of two stories". The proposed restaurant will be one story in height and it will have an "Old West" or "Early California" inspired design.

34. The Commission finds that the 1986 Area Plan also states that "curbs, gutters and sidewalks will not be required in the Acton community if an acceptable alternative can be developed to the satisfaction of the Director of the Public Works Department to separate vehicular and pedestrian traffic". Standard rural major highway improvements are required by County of Los Angeles Department of Public Works ("Public Works") on Sierra Highway, including a four foot concrete inverted shoulder. Public Works also requires a standard rural section with asphalt concrete (AC) inverted shoulders and applicable pavement widening on Crown Valley Road and a 35-foot curb return radius consisting of barrier curb and gutter, and a curb ramp at the corner that meets with Americans with Disabilities Act requirements to the satisfaction of Public Works. Additionally, the project is required by Public Works to provide adequate curb and gutter transitions from the required AC inverted shoulder along Crown Valley Road to the full curb face around the curb return to concrete inverted shoulder along Sierra Highway, and to provide street lights on wood poles with overhead wiring at driveways and intersections along the property frontage on Sierra Highway and Crown Valley Road. The improvements required by Public Works for the Project are their standard requirements for rural locations such as this site, and no traffic signal is required. The Public Works requirements are detailed in

the letter dated September 10, 2015 from Public Works. The required improvements are suitable for the rural character of the area.

35. The Commission finds that the 1986 Area Plan also discusses the need for a Community Standards District ("CSD") to create the necessary development controls in order to assure that Acton retains its rural, low-density characteristics. The Acton CSD was adopted in 1995, and the Project is consistent with the CSD requirements.

36. The Commission finds that the Project is consistent with the Rural Commercial land use category of the recently adopted Town & Country Plan. The Rural Commercial land use category's purpose is for *"limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices"*. The proposed trail easements will provide linkages in the area's network of equestrian trails, which enhances the rural character of the area, and the use is low in intensity and small in scale.

37. The Commission finds that the Project is not a high-intensity regional commercial use. The Town & Country Plan prohibits "high-intensity regional commercial uses" within this area of Acton. However, the Project is not considered to be high-intensity or a regional use. Based on the traffic study, it will not exceed thresholds requiring traffic signals or urban-style off-site improvements. Moreover, it will be small in size, with the 2,029 square foot building occupying only four percent of the Project Site and with landscaping occupying nearly half of the total land area. The project's floor area ratio (FAR) is 0.04, compared with the maximum FAR of 0.5 allowed in the Rural Commercial category of the Town & Country Plan. The proposed use for this location is considered to be consistent with the applicable policies of the Town & Country Plan, including the land use category.

38. The Commission finds that the Project is not a regional use. The Project has an official occupant load of 45 and adjusted occupant load of 57, which is less than the occupant loads for the existing nearby McDonald's (125 occupant load) and Jack-in-the-Box (98 occupant load) drive-through restaurants. Due to the location near a freeway exit for State Route 14, it will inevitably be used by travelers from outside the local community. It will also serve the local community. It will provide amenities to the rural community such as trails and hitching posts for equestrian riders as well as bicycle amenities for bicyclists, and is designed at a smaller scale than the other existing fast food uses in the area. It is considered to be consistent with the policies of the Town & Country Plan.

39. The Commission finds that the existing commercial uses within 500 feet of the Project Site include other uses which are higher in intensity than the proposed Taco Bell. On the parcel to the west there is an existing two-story commercial building and detached building with a combined area of over 41,000 square feet, which also includes the aforementioned Union 76 station. That parcel contains a restaurant with an occupant load of 242, a smaller restaurant with an occupant load of 48, a coffee shop with an occupant load of 29, as well as office space, retail space, and other commercial uses. The parcel to the east of the McDonald's contains a commercial building with an area of over 17,000 square feet, which includes a sushi

restaurant having an occupant load of 77. The previously mentioned Shell station at the southwest corner of Sierra Highway and Crown Valley Road also contains a Subway sandwich shop and convenience store. The scale of the Taco Bell Project is much smaller than most of the other existing established uses in the immediate surrounding area and it would not be out of character for the area or significantly change the character of the area.

40. The Commission finds that the Project is consistent with the Town & Country Plan policies for Acton. The proposed building is only one story in height and includes Old West design elements. It is accessible to pedestrians and equestrians through trails along Sierra Highway and Crown Valley Road. Standard rural major highway improvements are required by Public Works. The required road improvements are suitable for the rural character of the area.

41. The Commission finds that the Project is consistent with the other applicable policies of the Town & Country Plan, including Land Use Policy LU 1.4, which is to "*ensure that there are appropriate lands for commercial and industrial services throughout the unincorporated Antelope Valley sufficient to serve the daily needs of rural residents and to provide local employment opportunities*", and Land Use Policy LU 4.1, *which is to "direct the majority of the unincorporated Antelope Valley's future growth to the economic opportunity areas and areas that are served by existing or planned infrastructure, public facilities, and public water systems, as indicated in the land use designations shown on the Land Use Policy Map (Map 2.1) of this Area Plan."* The Project Site is appropriate for the proposed use, given the existing uses in the immediate surrounding area and the location at a major intersection near a freeway entrance. It will help to meet the needs of rural residents by providing a new restaurant option and will provide local employment opportunities. The Project Site is suitable for the use due to the existing infrastructure already in place, including the highways and public water system. The Project Site is located within Los Angeles County Waterworks District No. 37, which has issued a conditional will serve letter for the Project.

42. The Commission finds that the Project is consistent with the policies of the Los Angeles County General Plan, including Land Use Element Policy 9 promoting neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and locational controls, and Land Use Element Policy 10 encouraging the clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations.

43. The Commission finds that the Project is compatible with the 1986 Area Plan, which is the applicable local plan for the Project because the application was deemed complete prior to the adoption of the Town & Country Plan. However, it is consistent with both plans, as well as the Los Angeles County General Plan, and with the existing land uses of the surrounding area.

44. The Commission finds that, based on the submitted plans, the Project is consistent with the requirements of the County Code for a use in the C-2-DP Zone, pursuant to

Sections 22.28.130.A.2, 22.28.170, and 22.40.040 of the County Code. A minimum of 10% of the net area is required to be landscaped, and the project proposes over 46% landscaping coverage. The proposed building height is 30'-7", which is less than the maximum allowable height of 35 feet. The outdoor dining area depicted on the site plan complies with the standards in Section 22.28.070.G of the County Code, including a landscaped buffer of more than five feet wide along the edge of the area. The proposed restaurant has an occupant load of 45 persons based on the Building and Safety determination done on August 20, 2014. This calculation did not include the outdoor dining area, which includes 12 seats. The adjusted occupant load with the outdoor seating is 57. Based on the adjusted occupant load, 19 parking spaces are required for this use. Parking for this use is calculated at a ratio of one parking space per 3 occupants, pursuant to Section 22.52.1110.A1b of the County Code. The site plan depicts 29 parking spaces on the Project Site. The Project provides two short-term bicycle parking spaces southeast of the building and two long-term bicycle parking spaces in bicycle lockers north of the building as required by Section 22.52.1225 of the County Code.

45. The Commission finds that Project is consistent with the applicable development standards of the Acton CSD in Section 22.44.126.C of the County Code. The CSD allows impervious area of up to 90% of the lot area for restaurants. The proposed impervious area is approximately 53%. The CSD requires commercial buildings to be designed in a "Western frontier village, circa 1890s style" in substantial conformance with the architectural guidelines accompanying the CSD. The building exterior has cement board siding with a wood texture and stone veneer with stucco parapet. Colors are light brown for the siding with dark brown trim and parapet. The stone veneer will consist of Coronado Stone and Idaho Drystack and will also be of a brownish color. Grey corrugated metal roof canopies are located on the south and east elevations and are supported by dark brown columns resembling wood posts. The exterior is intended to resemble an Old West style structure made of wood and stone. Parapet towers rising above the main roofline are located above the entrances on the south and east elevations add another Old West style architectural touch. Signage is externally lit as required by the CSD. The plans adequately comply with the architectural style and project design considerations of the CSD.

46. The Commission finds that the Project is located within a Rural Outdoor Lighting District. The Project will be required to comply with its requirements, which are designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 30 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass. The applicable standards are found in County Code sections 22.44.500 through 22.44.590.

47. The Commission finds that the proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The

proposed restaurant with drive through is suitable for the area, which is within 300 feet of a freeway exit, and there are two existing drive through restaurants within 300 feet of the Project Site. The building is designed to conform to the Acton CSD architectural style guidelines, and the Project will comply with the CSD requirements. It is surrounded by other commercial and government uses, and the proposed use will not substantially change the character of the area.

48. The Commission finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The project site is adequate in size to accommodate the parking spaces required for the use, and provides more than the number of spaces required. The amount of landscaping proposed is far in excess of the minimum requirement. There is also adequate room for the trails along Crown Valley Road and Sierra Highway required by the Department of Parks and Recreation.

49. The Commission finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. The subject restaurant is accessible from Crown Valley Road and Sierra Highway. A traffic study has been conducted, which determined that traffic impacts from the Project will not significantly affect the level of service of nearby intersections during peak hours. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate. The Traffic and Lighting Division, Traffic Studies Section of Public Works reviewed the traffic report dated December 22, 2014 and agreed with the findings of the traffic study. The Project Site is served by Los Angeles County Waterworks District No. 37, which has issued a conditional will serve letter regarding water availability. The Project Site will have a private septic system, and the Project will comply with the applicable requirements for an Onsite Wastewater Treatment System. Power will be provided by Southern California Edison. The public and private facilities serving the property will be adequate to serve the use.

50. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Acton Agua Dulce Library. On August 10, 2015, a total of 29 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 21 notices to those on the courtesy mailing list for the Soledad Zoned District and to any additional interested parties.

51. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional 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 Zoning Permits North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

A. The proposed use with the attached conditions will be consistent with the adopted General Plan and the 1986 Antelope Valley Areawide General Plan.

B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and

2. Approves Conditional Use Permit No. 201400142, subject to the attached conditions.

ACTION DATE: September 16, 2015

VOTE: Concurring:Dissenting:Abstaining:Absent 4:1:0:0
Concurring: Valadez, Pincetl, Louie, Pedersen
Dissenting: Modugno
Abstaining: 0
Absent: 0

RG:RC
9/17/15

c: Zoning Enforcement, Building and Safety

CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02996-(5)
CONDITIONAL USE PERMIT NO. 2014000142

PROJECT DESCRIPTION

The project is a fast food restaurant with drive-through facilities located at 3771 Sierra Highway in Acton. The project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional 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. 7, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.

4. 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.

5. 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 Regional 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 Regional 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.

6. 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.

7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). 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.

8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **$400.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **two (2)** inspections. Inspections shall be unannounced.

   If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the 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.

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 Regional 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 Regional 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 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A."

17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies 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.

PROJECT SITE SPECIFIC CONDITIONS

18. This grant shall authorize the establishment and operation of a fast food restaurant with drive-through facilities.

19. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of one space per 3 occupants. The restaurant has an adjusted occupant load of 57, including the outdoor seating area, and therefore 19 parking spaces are required. The project's site plan shows 29 proposed parking spaces. The total number of parking spaces provided on the Project Site shall remain greater than or equal to the total number of required parking spaces on the Project Site, unless otherwise authorized through a Minor Parking Deviation or Parking Permit.

20. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated April 15, 2015.

21. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated June 10, 2015.

22. The permittee shall comply with all conditions set forth in the attached County Parks and Recreation Department letter dated July 9, 2015.

23. The permittee shall comply with all conditions set forth in the attached County Public Works letter dated September 10, 2015.

Attachments: Letters from the Departments of Public Health, Fire, Parks and Recreation, and Public Works

COUNTY OF LOS ANGELES
Public Health

CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Director of Environmental Health

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April 15, 2015

TO: Richard Claghorn
Principal Regional Planning Assistant
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA (M.T)
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2014-02996/ CUP201402996
Acton Taco Bell
3771 Sierra Highway, Acton

☒ Public Health recommends approval of this CUP.
☐ Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the CUP request for the above referenced project. The CUP is for the construction of a new Taco Bell Restaurant with drive through service and related site improvement. The Department recommends approval of the CUP contingent upon the conditions mentioned below.

Restaurant Establishment

The applicant shall comply with all Public Health requirements relating to the construction and operation of a restaurant establishment. The applicant shall obtain a Public Health operating permit prior to the opening of the restaurant.

This condition shall be cleared at the building permit stage. For questions regarding this condition, please contact the Plan Check Program at (626) 430-5560.

Wastewater Disposal

The Land Use Program recommends approval of the CUP contingent upon the following requirements being satisfactorily fulfilled following Public Hearing.

New Onsite Wastewater Treatment System (OWTS) - A report to determine the feasibility of installing onsite wastewater treatment systems (OWTS) for the new proposed facilities shall be submitted to the DPH's Land Use Program for review and approval. The report shall be prepared in compliance with DPH's "A Professional Guide to Requirements and Procedures for Onsite Wastewater Treatment Systems (OWTS)". The referenced document is available on-line at www.lapublichealth.org/eh.

The report shall consists of a soil profile excavation, exploratory boring to determine historic and seasonal high groundwater mark and presence of subsurface water, and percolation testing to confirm that the soil on the property can support the use of OWTS. Testing shall be conducted in an area likely to be utilized as a disposal field.

Notes:

A. The design and installation of OWTS shall conform to the requirements of this Department and other applicable regulatory agencies. **The applicant shall contact the Regional Water Quality Control Board and file necessary document for Waste Discharge Requirement permit in order to obtain authorization before proceeding with this project.**

B. The required size and capacity of the proposed OWTS shall be determined based on the factors including fixture unit count, number of employees, the type of food facilities and number of customers and meals served in each room, number of parking spaces, restrooms, etc., either individually or in combination of one, two or more factors, whichever method results in the largest system capacity and in accordance with Table K-2 and K-3 of Appendix K of the Plumbing Code and requirements established in the Department's guidelines.

For questions regarding the above conditions, please contact Eric Edwards or Vicente Banada at (626) 430-5380 or at eedwards@ph.lacounty.gov, and vbanada@ph.lacounty.gov.

Potable Water Supply

The Drinking Water Program recommends approval of the CUP.

The Program has received a conditional will serve letter from the water purveyor (Los Angeles County Waterworks District No. 37) ensuring the availability of a sustainable potable water supply for the project.

For questions regarding the above conditions, please contact Lusi Mkhitaryan or Epifanio Braganza at (626) 430-5420 or at lmkhitaryan@ph.lacounty.gov, and ebraganza@ph.lacounty.gov.

Noise

The project shall adhere to the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12.

For questions regarding this report, please feel free to contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Parks Make Life Better!"
Russ Guiney, Director John Wicker, Chief Deputy Director

July 9, 2015

Sent via e-mail: rclaghorn@planning.lacounty.gov

TO: Richard Claghorn, Principal Planner
Department of Regional Planning
Zoning Permits North Section

FROM: Kathline J. King, Chief of Planning
Department of Parks and Recreation
Planning Division

SUBJECT: **CONDITIONAL USE PERMIT (CUP) NO. 201402996**
TACO BELL RESTAURANT PROJECT

NOTICE OF TRAIL CONDITIONS

The Department of Parks and Recreation (DPR) has completed the review of the proposed project located at the northeast corner of Sierra Highway and Crown Valley Road in the unincorporated County area of Acton. The proposed project includes development of a 2,029 square foot Taco Bell Restaurant with drive-thru. The project site is located within the Acton Community Standards District and is also within the sphere of the Adopted County Trails Master Plan (Trails Plan). Within the Trails Plan is an alignment for the "Vasquez Loop Trail", which is proposed on the west and south side of the project area (see attached "Vasquez Loop Trail" Map).

The "Vasquez Loop Trail" alignment as shown on the revised site plan is approved, releasing the previous trail hold. DPR is requiring the Subdivider to dedicate variable width 10-12 foot wide trail easement(s) and construct a variable-width five to eight foot (5-8)' wide multi-use (hiking, mountain biking, and equestrian) trail(s) to the satisfaction of DPR.

DPR requests that the Department of Regional Planning include the following trail conditions of approval as a component of the conditional use permit:

Trail Easement Recordation Conditions

1. Prior to grading plan approval, the Applicant shall:

    a. Dedicate by separate document to the County of Los Angeles, a twelve foot (12') wide multi-use (hiking, mountain biking, and equestrian) trail easement on

the west side of the project site adjacent to Crown Valley Road, and a ten foot (10') wide multi-use trail easement on the south side of the project site adjacent to Sierra Highway for purposes of the "Vasquez Loop Trail". The trail easement's shall be recorded within the same document and the plat map and legal description shall be attached and submitted to DPR for review and acceptance, prior to recordation.

b. Dedications and the following language must be shown for trail dedication(s) in the easement document:

We hereby dedicate to the County of Los Angeles a variable width twelve foot (12') wide to ten foot (10') wide multi-use (hiking, mountain biking and equestrian) trail easement, approximate length of 470 linear feet, for the "Vasquez Loop Trail," as legally described and depicted on Exhibit "A". Full public recreation and maintenance access shall be provided in perpetuity within the multi-use trail easement.

Trail Construction Conditions

1. Prior to issuance of any Building or Electrical Permits, the Applicant shall:

a. As shown on revised site plan, construct a variable-width five to eight foot (5-8)' wide trail within the ten to twelve foot (10-12)' wide easement in accordance with trail construction guidelines within the County of Los Angeles Trails Manual (Trails Manual). Significant deviation from the guidelines within the Trails Manual must be approved in writing by DPR. Trail tread to be minimum 4" deep stabilized decomposed granite (DG) with appropriate edge (borders) i.e. redwood, metal, or concrete.

b. Subdivider shall include DPR in the transmittal of the project grading plan when submitted to Regional Planning. Grading plan to include detailed grading information for the required segment of the "Vasquez Loop Trail". The detailed grading information for the trail construction, shall include all pertinent information required, per DPR's Trails Manual, and all applicable codes, but not limited to the following:

i. Cross slope gradients towards Crown Valley Road and Sierra Highway not to exceed five percent (5%), and longitudinal (running) slope gradients not to exceed twelve percent (12%) for more than fifty feet (50'). DPR will review and may allow running slopes slightly greater than twelve percent (12%), and cross slopes greater than five percent (5%) on a case by case basis.

ii. Bush Hammer (or equivalent) rough finish at minimum width of eight feet (8') at all driveway trail crossings if concrete surface.

iii. Install lodgepole fencing on each side of trail with openings for pedestrian crossflow at the intersection of Sierra Highway and Crown Valley Road, two vehicle driveways, and fence opening for access to the proposed hitching post located at the northwest corner of project site for user safety and property security.

Lodgepole pine posts to be treated with Alkaline Copper Quarterly (ACQ) compound wood preservative. The vertical posts are 7 feet in length by 6 ½ inch diameter. For rail installation, the post has 2 holes at 18 inches on center and the top rail is 6 inches from the post top to the centerline of the first rail. The rails are also ACQ treated and they are 8 feet in length by 4 ½ inch diameter with beveled ends. The vertical posts are positioned 54 inches above grade with 30 inches below grade. The posts are set in ¾ inch aggregate base layer at minimum 18 inches deep x 18 inch diameter with minimum 4 inches of compacted natural earth on top.

Note: Contact DPR Trail Section Planner prior to installation of trail fencing.

iv. Trail easement must be outside of the road right-of-way unless approved by the County Department of Public Works (DPW).

v. Any streetlight pole(s) must have cross-walk activation buttons at two heights to accommodate both pedestrian and equestrian traffic. Request coordination with DPW to address crosswalk design standards.

vi. Appropriate signage where deemed necessary, for motorist, trail user safety and property security, as approved by DPW.

2. Prior to initiation of trail construction, the Applicant shall:

a. Submit a preliminary construction schedule showing milestones for completing the trail. The Applicant's representative shall provide updated trail construction schedules to DPR on a monthly basis. Schedule submittals shall include a "Two Week Look-Ahead" schedule, to reflect any modifications to the original schedule.

b. Stake the centerline of the trail. The Applicant's representative shall then schedule a site meeting with a representative from DPR's Trails Planning Section for trail alignment inspection and approval.

3. Prior to DPR final acceptance of the constructed trail, the Applicant shall:

   a. Notify DPR for a Final Inspection "Trail Walk" within five (5) business days of completion of trail construction, including installation of all required amenities. Any portions of the constructed trail not approved, shall be corrected and brought into compliance with DPR's trail construction guidelines within thirty (30) calendar days. Upon completion of the punch list, the Applicant shall contact DPR to schedule another site inspection.

   b. Submit electronic copies on CD or DVD (AutoCAD 2005 or newer version) of the As-Built Trail, grading and construction drawings to DPR.

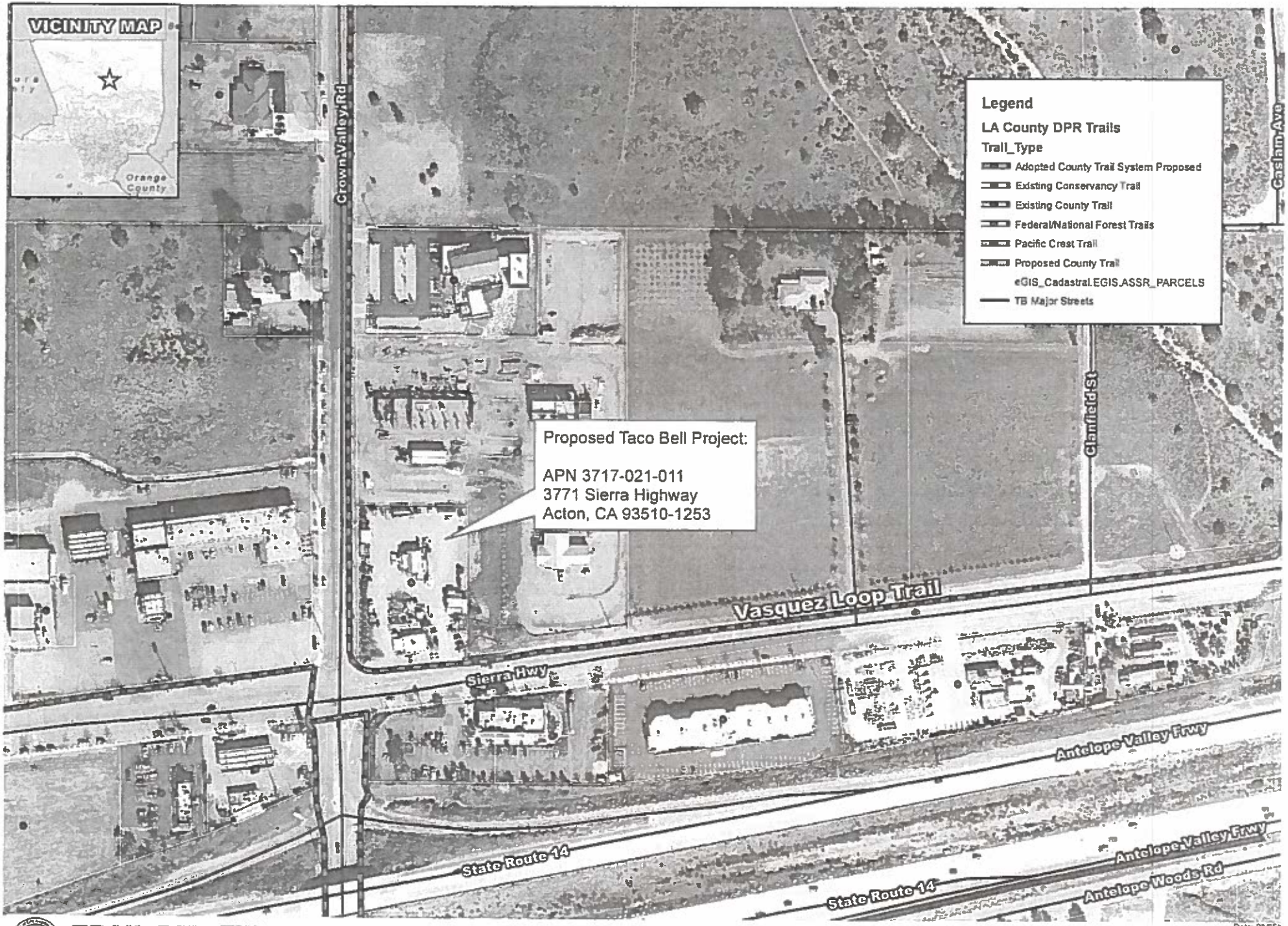
   c. Submit a letter to DPR requesting acceptance of the dedicated constructed trail. DPR will issue a trail acceptance letter only after receiving a written request for final trail approval and as-built trail drawings.

Note: DPR will install appropriate trail signage after final acceptance of the "Vasquez Loop Trail".

For any trail related questions or guidance, please contact Robert Ettleman, Park Planner at (213) 351-5134 or by e-mail at rettleman@parks.lacounty.gov.

KK:FM:RLE:cp R201402996-(5) Taco Bell Project Trail Report

c: Parks and Recreation: (F. Moreno, R. Ettleman. J. Yom)



TRAIL REVIEW: Project #2014-02996 (Taco Bell)

County of Los Angeles | Department of Parks & Recreation

370 Feet

Date: 03-05-
Prepared By: Planni
Aerial: LAR-4A
Trails: EGIS DPR_TRAIL
Parcels: EGIS ASSR_PARCEL

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

IN REPLY PLEASE
REFER TO FILE: LD-2

September 10, 2015

TO: Rob Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Richard Claghorn

FROM: Art Vander Vis
Land Development Division
Department of Public Works

TACO BELL ACTON–3771 SIERRA HIGHWAY
CONDITIONAL USE PERMIT (CUP) NO. 201400142
PROJECT NO. R2014-02996
ASSESSOR'S MAP BOOK NO. 3217, PAGE 21, PARCEL NO. 11
UNINCORPORATED COUNTY COMMUNITY OF ACTON

We reviewed the site plan for the proposed project located at the northeast corner of Sierra Highway and Crown Valley Road in the unincorporated County community of Acton. The proposed project consists of a 2,029-square-foot Taco Bell Restaurant with a drive-thru. The site is located within the Acton Community Standards District.

This memo will supersede our previous memo dated August 6, 2015 (attached), and is being issued to reflect the elimination of our original recommended street lighting conditions. The request to eliminate these conditions came from a member of the Acton Town Council, who indicated they did not feel the street lighting requirement was in keeping with the dark skies ordinance. After further review by Public Works' Traffic and Lighting Division, it was determined that street lights should no longer be a recommended requirement.

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

Upon approval of the CUP, we recommend the following conditions:

Road

1. Dedicate an additional 24 feet of right of way along the property frontage of Sierra Highway to achieve an ultimate width of 54 feet from the street centerline, to the satisfaction of Public Works. A processing fee will be required for the dedication.

2. Dedicate an adequate right-of-way corner cut-off, from the beginning-of-curb return to the end-of-curb return, based on a 35-foot curb return radius, at the northeast corner of Sierra Highway and Crown Valley Road to the satisfaction of Public Works. A processing fee will be required for the dedication.

3. Construct standard, rural, major highway improvements on Sierra Highway, easterly of the proposed catch basin. This section shall consist of a 4-foot concrete inverted shoulder located 42 feet from the street centerline to the edge of pavement/edge of gutter to the satisfaction of Public Works. Relocate all affected utilities.

4. Construct a standard, rural section with asphalt concrete inverted shoulders and applicable pavement widening on Crown Valley Road, 14 feet from the centerline to the flow line, to the satisfaction of Public Works.

5. Construct a 35-foot curb return radius consisting of barrier curb and gutter at the northeast corner of Crown Valley Road and Sierra Highway to the satisfaction of Public Works. Additionally, provide adequate curb and gutter transitions from the required asphalt concrete inverted shoulder along Crown Valley Road to the full-curb face around the curb return. The barrier curb and gutter shall then extend easterly along Sierra Highway to the proposed catch basin located approximately 40 feet from the curb return. Adequate curb and gutter transitions shall also be provided from the proposed catch basin to the concrete inverted shoulder along Sierra Highway.

6. Construct a curb ramp at the northeast corner of Crown Valley Road and Sierra Highway to meet current Americans with Disability Act (ADA) guidelines and to the satisfaction of Public Works.

7. Submit street improvement plans and acquire street plan approval before obtaining a grading permit.

8. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

9. Comply with all the requirements listed in the attached letter dated August 5, 2015, from Public Works' Traffic and Lighting Division.

10. Submit a detailed signing and striping plan (scale: 1"=40') for review and approval on Sierra Highway and Crown Valley Road in the vicinity of the property location and acquire approval before obtaining a grading permit.

For questions regarding road conditions Nos. 1 through 8, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4953 or egerlits@dpw.lacounty.gov.

For questions regarding road conditions Nos. 9 and 10, please contact Jeff Pletyak of Traffic and Lighting Division at (626) 300-4721 or jpletyk@dpw.lacounty.gov.

Drainage/Grading

1. Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated May 28, 2015 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating the sheet overflow, ponding, and high-velocity scouring action to protect the lots. The plans need to call out the construction of at least all drainage devices and details and paved driveways; elevation of all pads, water quality devices, Low-Impact Development (LID) features; and any existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.

2. Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.

3. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.

4. Comply with the approved hydrology study dated May 28, 2015 (or latest revision), for the design of all drainage facilities to the satisfaction of Public Works.

5. Provide a maintenance agreement/covenant for any privately maintained drainage devices.

6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.

7. Provide permits and/or letters of nonjurisdiction from all applicable State and Federal agencies. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

8. Provide a concrete liner or other suitable material approved by Public Works within the proposed on-site detention basin to protect the integrity of Sierra Highway.

9. Submit storm drain plans for review and approval for the proposed catch basin and appurtenant storm drain facilities on Sierra Highway.

10. Execute a maintenance agreement/covenant for the overflow pipe from the proposed retention basin to its junction with the proposed storm drain system on Sierra Highway.

For questions regarding the drainage/grading conditions, please contact Mr. Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

Water

1. Comply with all the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by the Los Angeles County Waterworks District No. 37 will expire on April 13, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Land Development Division at (626) 458-4921 or tkhalkhal@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Mr. Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

ECG:tb
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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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

IN REPLY PLEASE
REFER TO FILE: T-4

August 5, 2015

Mr. Scott Sato, P.E.
Trames Solutions Inc.
Suite 400
100 East San Marcos Boulevard
San Marcos, CA 92069

Dear Mr. Sato:

ACTON TACO BELL PROJECT
CROWN VALLEY ROAD AT SIERRA HIGHWAY
TRAFFIC IMPACT ANALYSIS (MARCH 2, 2015)
UNINCORPORATED ACTON AREA

As requested, we reviewed your Traffic Impact Analysis (TIA) for the proposed Acton Taco Bell project located at 3771 Sierra Highway in the unincorporated Acton area.

According to the TIA the traffic generated by the project alone, as well as cumulatively with other related projects will not have a significant transportation impact to County roadways or intersections in the area based on our TIA Guidelines. We generally agree with the findings of your TIA.

Currently, the existing painted median at the proposed project driveway on Crown Valley Road would prohibit left-turn ingress and egress movements. Therefore, the project shall modify the roadway striping at this location to accommodate full site access. Accordingly, the project shall submit detailed signing and striping plans to Public Works for review and approval.

We recommend the applicant consult with the State of California Department of Transportation to obtain concurrence with any potential California Environmental Quality Act impacts within its jurisdiction.

If you have any questions regarding the review of this document, please contact Mr. Kent Tsujii of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4776.

Very truly yours,

GAIL FARBER
Director of Public Works

for DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

MD:mrb
P:\TLPUB\STUDIES\EIR 14-0275 Acton Taco Bell.docx

LOS ANGELES COUNTY WATERWORKS DISTRICTS *

P. O. Box 1460
Alhambra, CA 91802
Telephone: (626) 300-3306

260 East Avenue K-8
Lancaster, CA 93535
Telephone: (661) 942-1157

23533 Civic Center Way
Malibu, CA 90265
Telephone: (310) 317-1388

TO:

☒ Los Angeles County
Department of Health Services
Environmental Health: Mtn. & Rural/
Water, Sewage & Subdivision Program
5050 Commerce Drive
Baldwin Park, CA 91706-1423

☒ Los Angeles County
Department of Public Works
Building & Safety Division

☒ Los Angeles County
Fire Department

RE: 3771 W Sierra Hwy (Address) Acton, CA (City) 93510 (Zip Code)

3127-021-011
Assessor's Parcel Number

Los Angeles County Waterworks District No. 37, Acton

Conditional Will serve **water to the above *single lot* property subject to the following:**

☐ Annexation of the property into Los Angeles County Waterworks District is required. Water service to this property will not be issued until the annexation is completed.

☒ The appropriate fees must be paid to the District and other related water agencies.

☐ The appropriate connection fees have been paid to Waterworks Districts.

☒ Water system improvements will be required to be installed by the developer subject to the requirements set by the Fire Department and the District, **which at this time have not been specifically set**. As a condition of receiving water service, the developer shall install such facilities at his expense, pay the District's applicable charges and fees, and dedicate/transfer any necessary right of way to the Waterworks District for ownership upon satisfactory completion of construction.

☒ Owner may be required to participate in an existing water system improvement per Specs WWD 37-243(PC) installed by others.

☒ The service connection and water meter serving the property must be installed in accordance with Waterwork's District standards.

☐ The property has an existing service connection and water meter.

☒ Public water system and sewage disposal system must be in compliance with Health Department separation requirements.

☒ A portion of the existing fronting water main may be required to be replaced if the water service tap cannot be made or if damage occurs to the water main.

☐ Property may experience low water pressure and / or shortage in high demand periods.

☐ The District **CAN NOT** serve water to this property at this time.

By: Aracely Jaramillo (Signature) Aracely Jaramillo (Print Name) 626-300-3353 (Phone Number) 4/13/15 (Date)

Rev. 04/15

**** THIS CONDITIONAL WILL SERVE LETTER WILL EXPIRE ONE YEAR AFTER THE DATE OF ISSUANCE.***

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02996 MAP DATE: 04/15/15 FD

LOCATION: 3771 Sierra Highway, Acton

PLANNER: Richard Claghorn

REVISED CONDITIONS: Supersedes Fire Dept. Conditions Dated 04/15/15

THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

CONDITIONS OF APPROVAL – ACCESS

1. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

2. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

3. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.

4. The edge of the fire access roadway shall be located a minimum of 5 feet from the building or any projections there from.

5. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

6. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2

7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1

Reviewed by: Wally Collins Date: June 10, 2015

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02996 MAP DATE: 04/15/15 FD

LOCATION: 3771 Sierra Highway, Acton

PLANNER: Richard Claghorn

---

8. Fire Department vehicular access roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4

9. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 37 ½ tons and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3

10. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

11. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

12. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Fire Code 503.4

13. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1

14. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

Reviewed by: Wally Collins Date: June 10, 2015

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02996 MAP DATE: 04/15/15 FD

LOCATION: 3771 Sierra Highway, Acton

PLANNER: Richard Claghorn

---

15. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

CONDITIONS OF APPROVAL – WATER STSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.

2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

3. The fire flow for the proposed project is adequate per the flow test of two (2) existing public fire hydrants performed by the Los Angeles County Water Works dated 04/01/15.

CONDITION OF APPROVAL – FUEL MODIFICATION

1. This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone. The "Preliminary Fuel Modification Plan" has been "approved" by the Department's Fuel Modification Unit. The Final Fuel Modification Plan will be reviewed by the Fuel Modification Unit during the building plan check process.

The building plans shall be submitted to the Department's Lancaster Fire Prevention Office, (661) 949-6319, for review.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.

Reviewed by: Wally Collins Date: June 10, 2015

Regional Planning Commission Transmittal Checklist

Hearing Date
9/16/15
Agenda Item No.
TBD 7

Project Number: R2014-02996-(5)

Case(s): Conditional Use Permit Case No. 201400142

Planner: Richard Claghorn

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☒ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☐ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By: _____

Department *of* Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER
R2014-02996 - (5)

HEARING DATE
September 16, 2015

REQUESTED ENTITLEMENTS
Conditional Use Permit No. 201400142
Environmental Assessment No. 201400237

PROJECT SUMMARY

OWNER / APPLICANT
Brevidoro Family Partnership/First Street Development

MAP/EXHIBIT DATE
June 25, 2015

PROJECT OVERVIEW

The applicant, First Street Development, is requesting authorization for a Conditional Use Permit ("CUP") to establish a proposed Taco Bell restaurant, including drive-through facilities, in the C-2-DP (Neighborhood Business-Development Program) Zone. A CUP is required for the use because it is in a -DP special purpose zone, which requires a CUP for uses listed as permitted uses in the basic zone (C-2), pursuant to Sections 22.28.130 and 22.40.040 of the Los Angeles County Code.

LOCATION
3771 Sierra Highway, Acton

ACCESS
Sierra Highway & Crown Valley Road

ASSESSORS PARCEL NUMBER(S)
3217-021-011

SITE AREA
1.15 Acres (Net)

GENERAL PLAN / LOCAL PLAN
Antelope Valley

ZONED DISTRICT
Soledad

LAND USE DESIGNATION
Community Commercial

ZONE
C-2-DP (Neighborhood Business-Development Program)

PROPOSED UNITS
N/A

MAX DENSITY/UNITS
N/A

COMMUNITY STANDARDS DISTRICT (CSD)
Acton

ENVIRONMENTAL DETERMINATION (CEQA)
Class 3 Categorical Exemption – New Construction or Conversion of Small Structures

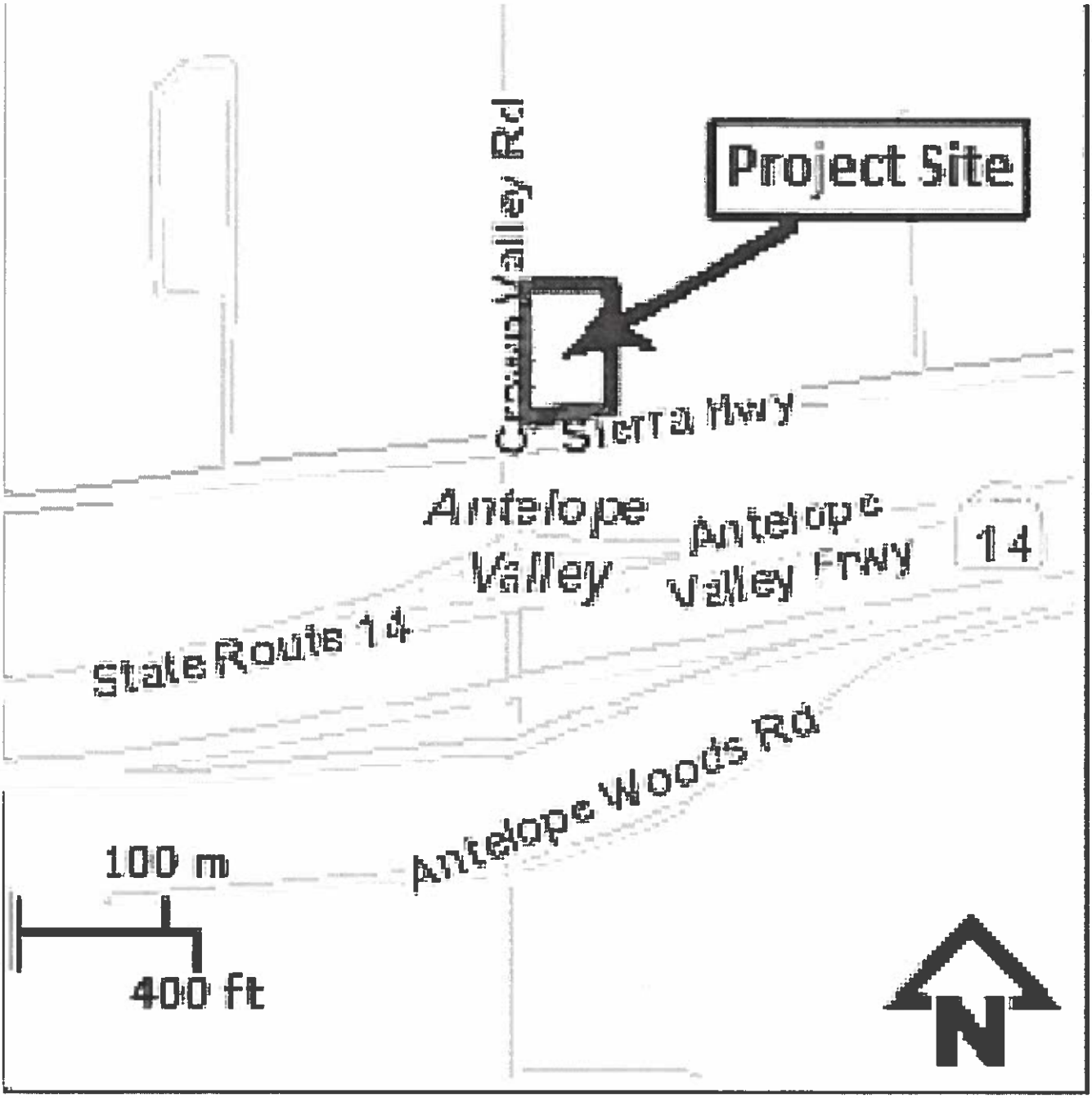
KEY ISSUES

- Consistency with the Los Angeles County General Plan and Antelope Valley Areawide General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.126 (Acton Community Standards District)
  - 22.28.170 (C-2 Zone Development Standards)

CASE PLANNER:
Richard Claghorn

PHONE NUMBER:
(213) 974 – 6443

E-MAIL ADDRESS:
rclaghorn@planning.lacounty.gov


Project Site
Crown Valley Rd
Sierra Hwy
Antelope Valley
Antelope Valley Fwy
14
State Route 14
Antelope Woods Rd
100 m
400 ft
N

ENTITLEMENTS REQUESTED

Conditional Use Permit ("CUP") 201400142 is required for the establishment of a proposed restaurant in the C-2-DP (Neighborhood Business-Development Program) Zone. A CUP is required for the use because it is in a -DP combining zone, which requires a CUP for uses listed as permitted uses in the basic zone (C-2), pursuant to Sections 22.28.130 and 22.40.040 of the Los Angeles County Code. Since the application was deemed complete prior to the adoption of the 2015 Antelope Valley Area Plan ("Town & Country Plan"), the Project will be processed under the previous Zoning and the 1986 Antelope Valley Areawide General Plan land use policy.

PROJECT DESCRIPTION

The permittee, First Street Development ("permittee"), is requesting authorization for a new Taco Bell fast food restaurant, including drive-through facilities ("Project"), located at 3771 Crown Valley Road ("Project Site"), in the unincorporated community of Acton, within the C-2-DP Zone. A CUP is required in the C-2-DP Zone for a restaurant, pursuant to Sections 22.28.130 and 22.40.040 of the Los Angeles County ("County") Code. The Project Site is located in the Soledad Zoned District and is within the Acton Community Standards District ("CSD").

SITE PLAN DESCRIPTION

The site plan for the Project, which is dated June 25, 2015, depicts the Project Site, Assessor's Parcel Number ("APN") 3217-021-011, a nearly rectangular parcel with a gross area of 56,775 square feet (1.3 acres) and a net area, after street dedications, of 50,208 square feet (1.15 acres) located at the northeast corner of Sierra Highway and Crown Valley Road. The proposed restaurant is a 2,029 square foot building located in the southwest part of the parcel with a drive-thru lane on the west side. A total of 12 seats and 4 tables are provided in an outdoor dining area south of the restaurant building. The site includes a total of 29 parking spaces, including two Americans with Disabilities Act ("ADA") spaces and 22 standard spaces east of the building and five large angled spaces to the north of the building. Access to the property is provided from a 30-foot wide driveway in the northwest part of the parcel off Crown Valley Road and a 30-foot wide driveway from Sierra Highway on the south side. Landscaping area covers 23,431 square feet, or 46.67% of the net lot area. A septic system is depicted near the northeast corner of the Project Site. A trash enclosure is located to the south of the septic system. Proposed trails are located along Crown Valley Road at the west end of the Project Site and Sierra Highway along the south side. A hitching post near the property's northwest corner will provide a place for equestrian riders to leave their horses. Bicycle parking spaces are located southeast of the building and a bicycle locker is located north of the building. A retaining wall is shown south of the driveway for the drive-through north of the trail along Sierra Highway.

The grading plan, which is dated May 21, 2015, provides the estimated grading quantities for the project, including 3,000 cubic yards of cut and 614 cubic yards of fill. An estimated 2,386 cubic yards of graded material will be exported from the Project Site. The grading plan also depicts a bio-retention basin near the southeastern corner of the property, the proposed building location, parking area, driveways, trails, a retaining wall, the natural and finished grade contour lines, and other features. The

retaining wall has an average height of approximately two feet and does not exceed four feet in height at any point.

EXISTING ZONING

The Project Site was zoned C-2-DP at the time the application was filed, but it was changed to C-RU-DP (Rural Commercial-Development Program) effective July 16, 2015. Because a complete application for this CUP was filed prior to the effective date of the updated Antelope Valley Area Plan adopted on June 16, 2015, and the related zone changes effective on July 16, 2015, this CUP is being reviewed under the C-2-DP zoning which was in effect at the time the application for the CUP was deemed complete on October 8, 2014, pursuant to Section 22.16.225.A.1 of the County Code. This code section allows the applicant to request that the Project be processed under the zoning regulations that were applicable to the project at the time the application was deemed complete, if it was deemed complete prior to the effective date of the 2015 Antelope Valley Ordinance Update. The applicant has opted to have the Project processed under the zoning regulations at the time the CUP application was deemed complete. The CUP is required because of the -DP combining zone, pursuant to Section 22.40.040 of the County Code, which allows any use permitted in the basic zone (C-2) if a CUP has been obtained.

Surrounding properties within 500 feet were zoned, at the time of the CUP application, as follows:

North: C-2-DP
South: C-3 (Unlimited Commercial)
East: C-2-DP
West: C-3, R-3 (Limited Multiple Residence), C-3-DP (Unlimited Commercial-Development Program)

Surrounding properties within 500 feet are currently zoned as follows:

North: A-1-2 (Light Agricultural, One Acre Minimum Required Lot Area)
South: C-RU-DP
East: A-1-2
West: C-RU-DP

EXISTING LAND USES

The Project Site is developed with a small commercial building.

Surrounding properties within 500 feet are developed as follows:

North: library, ranger station
South: restaurants, gas station
East: single-family residence, retail
West: retail, office, gas station, restaurants, single-family residence

PREVIOUS CASES/ZONING HISTORY

Assessor's records show that the property contains a 1,248 square foot commercial structure built in 1924. Despite its age, the structure has the appearance of a relatively contemporary structure with no distinctive architectural or historical characteristics. This structure will be demolished as part of the current Project. The existing structure predates building permit records. It is currently used as a feed and supply store.

The Project Site was first zoned as M3 (Unclassified) as part of the Soledad Zoned District with the adoption of Ordinance 7091 on January 22, 1957. On September 30, 1958 Ordinance 7401 was adopted, changing the zone of the Project Site to C-4. The zone was changed to C-2-DP through Ordinance 920080Z, adopted on August 6, 1992. This Zone Change was done as part of Project 90368, which included CUP 90-368, which was approved on March 25, 1992 for a 30,000 square foot retail center on an 8.3 acre site, including the current Project Site. CUP 90-368 was never used and the approved retail center was never built. The CUP expired due to failure to use the permit within the required time period, which was tied to the related Tract Map 49911, and both expired on March 25, 1998. CUP 93-118 was filed in 1993 for a market with beer and wine sales at the current Project Site, but this permit was withdrawn on March 8, 1994.

An unconditional Certificate of Compliance (CC 9867) was recorded on the current Project Site on August 13, 1987. It is a legal lot.

The land use plan category of the Project Site changed to Rural Commercial with the adoption of the 2015 Antelope Valley Area Plan ("Town & Country Plan") by the Los Angeles County Board of Supervisors on June 16, 2015. The zoning of the site changed to C-RU-DP (Rural Commercial-Development Program), effective July 16, 2015, as part of a set of zone changes related to the Town & Country Plan, which took effect 30 days after the plan's adoption. The new C-RU Zone will allow restaurants as a permitted use, and drive-through services will be a use allowed through a CUP in this zone. However, because of the –DP combining zone, a CUP is still required for all uses in the C-RU-DP zone, as it is in the C-2-DP zone. Because a complete application for the Project was submitted prior to adoption of the proposed zone change and the Town & Country Plan, it is being reviewed under the C-2-DP zone requirements.

ENVIRONMENTAL DETERMINATION

County Staff recommends that this project qualifies for a Class 3, New Construction or Conversion of Small Structures, 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. The proposed building area is less than the 2,500 square foot threshold for this exemption that pertains to restaurants and similar structures outside of urbanized areas. It is not located within an environmentally sensitive area, and the project will not result in any significant environmental impacts.

STAFF EVALUATION

General Plan/Community Plan Consistency

1986 Antelope Valley Areawide General Plan Consistency

The project site was located within the Community Commercial land use category of the 1986 Antelope Valley Areawide General Plan ("1986 Area Plan") at the time of project submittal. The Town & Country Plan allows the applicant to opt for a project to be reviewed under the 1986 Area Plan policies if the application was deemed complete prior to the effective date of the Town & Country Plan. Therefore, the Project is being reviewed under the 1986 Area Plan policies and the Project findings are based on this plan. Nevertheless, the Project is consistent with both plans. The Community Commercial designation allows for a broad range of neighborhood-serving commercial uses, including small restaurants, and the subject Taco Bell restaurant is considered to be consistent with this land use category of the 1986 Area Plan.

The proposed use for this location is considered to be consistent with the applicable policies of the 1986 Area Plan, including the land use category, because of the following reasons: the Project Site is located at the intersection of a Major Highway, Sierra Highway, and a Limited Secondary Highway, Crown Valley Road, and is located just over 200 feet from a freeway exit of the Antelope Valley Freeway, State Route 14; the Project is a small restaurant serving the local community and travelers from the adjacent freeway and highways; and there are other existing businesses, including two fast food restaurants with drive-through facilities (McDonald's and Jack-in-the-Box) and two automobile service stations in the immediate vicinity (Union 76 and Shell), which are also in the same land use category, and which serve both local residents and highway travelers. It is considered to be a low-intensity commercial use serving community residents, although it will also serve travelers on State Route 14, as do the other nearby existing businesses.

The 1986 Area Plan contains policies specific to the Acton community (Pages IV-1 to IV-3), including a policy for commercial areas near the Antelope Valley Freeway and Sierra Highway. It states that many of the areas of Acton designated as commercial or industrial areas, including the areas along the Antelope Valley Freeway and Sierra Highway, feature an "Early California" or "Ranch Style" architecture and that "all future development of commercial and industrial lands in Acton should continue to reflect these features". It later states, "In keeping with Acton's rural setting, all future development shall be limited to a maximum height of two stories". The proposed restaurant will be one story in height and it will have an "Old West" or "Early California" inspired design.

The 1986 Area Plan also states that "curbs, gutters and sidewalks will not be required in the Acton community if an acceptable alternative can be developed to the satisfaction of the Director of the Public Works Department to separate vehicular and pedestrian traffic". Standard rural major highway improvements are required by County of Los Angeles Department of Public Works ("Public Works") on Sierra Highway, including a four foot concrete inverted shoulder. Public Works also requires a standard rural section with asphalt concrete (AC) inverted shoulders and applicable pavement widening on Crown Valley Road and a 35-foot curb return radius consisting of barrier

curb and gutter, and a curb ramp at the corner that meets with Americans with Disabilities Act requirements to the satisfaction of Public Works. Additionally, the project is required by Public Works to provide adequate curb and gutter transitions from the required AC inverted shoulder along Crown Valley Road to the full curb face around the curb return to concrete inverted shoulder along Sierra Highway, and to provide street lights on wood poles with overhead wiring at driveways and intersections along the property frontage on Sierra Highway and Crown Valley Road. The improvements required by Public Works for the Project are their standard requirements for rural locations such as this site, and no traffic signal is required. The Public Works requirements are detailed in the letter dated August 6, 2015 from Public Works. The required improvements are suitable for the rural character of the area.

The 1986 Area Plan also discusses the need for a Community Standards District ("CSD") to create the necessary development controls in order to assure that Acton retains its rural, low-density characteristics. The Acton CSD was adopted in 1995, and the Project is consistent with the CSD requirements.

The 1986 Area Plan is the applicable area plan for the Project because it was in effect at the time the application for the Project was deemed complete. However, the Project is also consistent with the policies of the Town & Country Plan.

2015 Antelope Valley Area Plan ("Town & Country Plan") Consistency
The Project Site is located within the Rural Commercial ("CR") land use category of the recently adopted Town & Country Plan, effective June 16, 2015. The CR land use category's purpose is for "Limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices". The proposed restaurant use is consistent with this category. The proposed trail easements will provide linkages in the area's network of equestrian trails, which enhances the rural character of the area, and the use is low in intensity and small in scale.

Land Use Policy LU 1.1 of the Town & Country Plan says:

"Direct the majority of the unincorporated Antelope Valley's future growth to rural town center areas and identified economic opportunity areas, through appropriate land use designations, as indicated on the Land Use Policy Map (Map 2.1) of this Area Plan."

The Project Site is not located within the rural town center or economic opportunity area designations according to the land use policy map. The Acton rural town center is defined as the area along Crown Valley Road between Soledad Canyon Road and Gillespie Avenue. The Acton town center area is located approximately 1.6 miles south of the Project Site.

Chapter 7 of the Town & Country Plan contains community-specific land use concepts for many different communities in the Antelope Valley, including Acton. The section regarding the Acton community states:

"Some areas outside the rural town center area have also been designated as Rural Commercial (CR) to acknowledge existing uses and to provide additional commercial services and employment opportunities. The intent of these designations is to allow low-intensity local commercial uses that serve community residents and to prohibit high-intensity regional commercial uses that serve travelers along State Route 14."

The Town & Country Plan prohibits "high-intensity regional commercial uses" within this area of Acton. However, the Project is not considered to be high-intensity or a regional use. Based on the traffic study, which is dated December 22, 2014, it will not exceed thresholds requiring traffic signals or urban-style off-site improvements. Moreover, it will be small in size, with the 2,029 square foot building occupying only four percent of the Project Site and with landscaping occupying nearly half of the total land area. The project's floor area ratio (FAR) is 0.04, compared with the maximum FAR of 0.5 allowed in the Rural Commercial category of the Town & Country Plan. The proposed use for this location is considered to be consistent with the applicable policies of the Town & Country Plan, including the land use category.

The existing McDonald's restaurant across the street has an approved occupant load of 125 (Plot Plan 40281 approved March 13, 1991) and the existing Jack-in-the-Box restaurant to the southwest was approved with an occupant load of 98 (Plot Plan 42542 approved October 28, 1992). The Taco Bell has an occupant load of 45 persons based on the Building and Safety determination done on August 20, 2014. This calculation did not include the outdoor dining area, which includes 12 seats. The adjusted occupant load with the outdoor seating is 57. It is not a regional use, although due to the location near a freeway exit for State Route 14 it will inevitably be used by travelers from outside the local community. It will also serve the local community. It will provide amenities to the rural community such as trails and hitching posts for equestrian riders as well as bicycle amenities for bicyclists, and is designed at a smaller scale than the other existing fast food uses in the area. It is considered to be consistent with the policies of the Town & Country Plan.

In addition to the previously mentioned fast food restaurants and automobile service stations, the existing surrounding commercial uses within 500 feet include other uses which are much higher in intensity than the proposed Taco Bell. On the parcel to the west there is an existing two-story commercial building and detached building with a combined area of over 41,000 square feet, which also includes the aforementioned Union 76 station. That parcel contains a restaurant with an occupant load of 242, a smaller restaurant with an occupant load of 48, a coffee shop with an occupant load of 29, as well as office space, retail space, and other commercial uses. The parcel to the east of the McDonald's contains a commercial building with an area of over 17,000 square feet, which includes a sushi restaurant having an occupant load of 77. The previously mentioned Shell station at the southwest corner of Sierra Highway and Crown Valley Road also contains a Subway sandwich shop and convenience store. The scale of the Taco Bell Project is much smaller than most of the other existing established uses in the immediate surrounding area and it would not be out of character for the area or significantly change the character of the area.

Chapter 7 of the Town & Country Plan also contains the following policies for the CR area of the Acton community outside the town center:

"New buildings in these CR designations shall also be limited to two stories in height, shall include Old West design elements with earth tone colors at a pedestrian-oriented scale, and shall be linked to surrounding rural town areas through trails and pedestrian routes. Pedestrian routes shall have permeable paving, consistent with rural community character, instead of concrete sidewalks. Development in these CR designations that would require the installation of urban infrastructure, such as concrete curbs and gutters, street lights, and traffic signals, shall be discouraged, as this does not fit with the community's unique rural character and identity."

The proposed building is only one story in height and includes Old West design elements. It is accessible to pedestrians and equestrians through trails along Sierra Highway and Crown Valley Road. The road improvement requirements for the Project required by Public Works are based on rural highway standards.

Other applicable policies of the Town & Country Plan include:

Land Use Policy LU 1.4: "Ensure that there are appropriate lands for commercial and industrial services throughout the unincorporated Antelope Valley sufficient to serve the daily needs of rural residents and to provide local employment opportunities.

The Project Site is appropriate for the proposed use, given the existing uses in the immediate surrounding area and the location at a major intersection near a freeway entrance. It will help to meet the needs of rural residents by providing a new restaurant option and will provide local employment opportunities.

Land Use Policy LU 4.1: "Direct the majority of the unincorporated Antelope Valley's future growth to the economic opportunity areas and areas that are served by existing or planned infrastructure, public facilities, and public water systems, as indicated in the land use designations shown on the Land Use Policy Map (Map 2.1) of this Area Plan."

The Project Site is suitable for the use due to the existing infrastructure already in place, including the highways and public water system. The Project Site is located within Los Angeles County Waterworks District No. 37, which has issued a conditional will serve letter for the Project.

Countywide General Plan Consistency
The following policies of the Los Angeles County General Plan are applicable to the proposed project:

General Plan Land Use Element Policy 9: "Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and locational controls." (Page III-12)

The subject restaurant will provide a convenient place for residents of Acton to purchase and eat affordable fast food in a location that is well-suited for this purpose and which is in the midst of similar existing uses. It is designed to conform to the Acton CSD requirements and to blend in with the community. It will increase the dining options available to community residents.

General Plan Land Use Element Policy 10: "Encourage the clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations." (Page III-12)

The location of the facility at the intersection of two highways located in close proximity to a freeway exit is appropriate for the intended use and zoned for this type of use. It will serve residents and workers of the Acton community as well as travelers passing through on State Highway 14, Sierra Highway, and Crown Valley Road and is designed to fit in with the Old West architecture of the Acton CSD.

The Project is designed to comply with current standards. The proposed restaurant use is compatible with the Town & Country Plan, the old Antelope Valley Areawide General Plan which was in effect at the time of Project submittal, the Los Angeles County General Plan, and with the existing land uses of the surrounding area.

<u>Zoning Ordinance and Development Standards Compliance</u>
Restaurants and other uses allowed in the C-2 Zone are allowed within the C-2-DP zone with approval of a CUP, pursuant to Sections 22.28.130 and 22.40.040 of the County Code. The proposed restaurant has an occupant load of 45 persons based on the Building and Safety determination done on August 20, 2014. This calculation did not include the outdoor dining area, which includes 12 seats. The adjusted occupant load with the outdoor seating is 57. Based on the adjusted occupant load, 19 parking spaces are required for this use. Parking for this use is calculated at a ratio of one parking space per 3 occupants, pursuant to Section 22.52.1110.A1b of the County Code. The site plan depicts 29 parking spaces on the Project Site. A minimum of 10% of the lot area must be landscaped, pursuant to Section 22.28.170 of the County Code. More than 46% of the Project Site contains landscaping area according to the site plan. The outdoor dining area depicted on the site plan complies with the standards in Section 22.28.070.G of the County Code, including a landscaped buffer of more than five feet wide along the edge of the area.

The Project provides two short-term bicycle parking spaces southeast of the building and two long-term bicycle parking spaces in bicycle lockers north of the building as required by Section 22.52.1225 of the County Code.

The Acton CSD requires that all commercial uses shall have a height not exceeding 35 feet. The highest point of the structure is 30'-7" in height. The CSD allows impervious area of up to 90% of the lot area for restaurants. The proposed impervious area is approximately 53%. The CSD requires commercial buildings to be designed in a "Western frontier village, circa 1890s style" in substantial conformance with the architectural guidelines accompanying the CSD. The building exterior has cement

board siding with a wood texture and stone veneer with stucco parapet. Colors are light brown for the siding with dark brown trim and parapet. The stone veneer will consist of Coronado Stone and Idaho Drystack and will also be of a brownish color. Grey corrugated metal roof canopies are located on the south and east elevations and are supported by dark brown columns resembling wood posts. The exterior is intended to resemble an Old West style structure made of wood and stone. Parapet towers rising above the main roofline are located above the entrances on the south and east elevations add another Old West style architectural touch. Signage is externally lit as required by the CSD. Staff believes the plans adequately comply with the architectural style and project design considerations of the CSD.

The Project Site is located within a Rural Outdoor Lighting District. The Project will be required to comply with its requirements, which are designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 30 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass. The applicable standards are found in County Code sections 22.44.500 through 22.44.590.

Site Visit

A site visit was conducted on February 5, 2015 by Los Angeles County Department of Regional Planning ("DRP") staff. The Project Site is currently developed with a feed and supply store and incidental outside storage. The existing building and storage will be removed and replaced with the proposed restaurant. Photographs from the site visit are included in the hearing package, as well as additional photographs provided by the applicant.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof statements with the applicant's responses are attached. Staff is of the opinion that the applicant has met the burden of proof requirements. The proposed restaurant with drive-through facilities is suitable for the area, which is within 300 feet of a freeway exit, and there are two existing drive-through restaurants within 300 feet of the Project Site. The building is designed to conform to the Acton CSD architectural style guidelines, and the Project will comply with the CSD requirements. It is surrounded by other commercial and government uses, and will not substantially change the character of the area. Therefore, the proposed restaurant will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The project site is adequate in size to accommodate the parking spaces required for the use, and provides more than the number of spaces required. The amount of landscaping proposed is far in excess of the minimum requirement. The site is

adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area. There is also adequate room for the trails along Crown Valley Road and Sierra Highway required by the Department of Parks and Recreation.

The subject restaurant is accessible from Crown Valley Road and Sierra Highway. A traffic study has been conducted, which determined that traffic impacts from the Project will not significantly affect the level of service of nearby intersections during peak hours. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate. The Traffic and Lighting Division, Traffic Studies Section of Public Works reviewed the traffic report dated December 22, 2014 and agreed with the findings of the traffic study. The Project Site is served by Los Angeles County Waterworks District No. 37, which has issued a conditional will serve letter regarding water availability. The Project Site will have a private septic system, and the Project will comply with the applicable requirements for an Onsite Wastewater Treatment System. Power will be provided by Southern California Edison. The public and private facilities serving the property will be adequate to serve the use.

Neighborhood Impact/Land Use Compatibility

The proposed restaurant use is consistent with the C-2-DP zoning and the land use plan category of Community Commercial of the 1986 Area Plan. It is also consistent with surrounding existing land uses within 500 feet, which include McDonald's and Jack-in-the-Box fast food restaurants, both of which have drive-through facilities. These existing uses serve residents of the local community as well as customers travelling on the Antelope Valley Freeway. The location at a major intersection surrounded by other commercial uses and near a freeway exit is well-suited to the restaurant use and will not have any significant adverse effects on the community.

The permittee presented the Project to the Acton Town Council at their meeting on July 21, 2014. Concerns were raised at the meeting regarding the drive-through facilities and increased traffic coming from the freeway. The Town Council requested that the County of Los Angeles Department of Public Works ("Public Works") require a traffic study. Public Works required that a traffic study be done for the Project. The Town Council voted to oppose the project at their meeting on August 4, 2014. They expressed concerns about traffic, opposition to the drive-through, stated that the architectural style is not consistent with Acton's Western motif, and stated their belief that the project is in conflict with the Antelope Valley Area Plan requirement that uses in the area must be community-serving. The applicant revised the architectural plans after the meetings in order to comply with the Old West architectural standards of the CSD. The CUP for the Project was submitted to DRP on October 8, 2014. The Taco Bell Project was again discussed at the Acton Town Council meeting on July 6, 2015. The Town Council again expressed their opposition to the Project and unanimously approved a motion to write a letter to DRP against the drive-through and against freeway-oriented businesses in general. A letter from The Town Council, dated July 23, 2015 and signed by all council members, discussed their concerns with the Project,

including traffic generated by the project, the adequacy of the traffic study, the drive-through facilities, the septic system, and the architectural style. A copy of the Town Council's letter is attached with this report.

A traffic impact analysis study for the Project was completed by Trames Solutions Inc., which is dated December 22, 2014. It projected that the Project would generate approximately 906 net trip ends per day, with 83 vehicles per hour during the AM peak hour and 59 vehicles per hour during the PM peak hour. The existing levels of service at the intersections within the study area are operating at an acceptable level of service during the peak hours, and will remain within acceptable levels after the project is in operation. The study also took into account a proposed Primo Burger restaurant, which also included drive-through facilities, and retail use (Project R2014-00881) located approximately 500 feet west of the Project Site. The traffic study determined that no off-site mitigation measures are required. The queuing analysis showed that the stacking distances provided at the site should adequately accommodate the maximum queues, and that as a margin of safety, vehicles can also stack within the drive aisles, thereby minimizing the potential for vehicles to stack onto the public right-of-way. It provided on-site circulation recommendations, including providing stop sign control for vehicles exiting the site, on-site traffic signing and striping, and verification that minimum sight distance is provided at the project driveways. The Traffic and Lighting Division, Traffic Studies Section of Public Works reviewed the traffic report and agreed with the findings of the traffic study. Public Works provided a list of road requirements along with other Project requirements in a letter dated August 6, 2015, which recommended approval of the CUP.

A Hydrology and Low Impact Development ("LID") Report was prepared by 3 Engineering and was approved by Public Works on May 28, 2015. This report determined that the Project will not result in significant off-site flows and that the proposed bio-retention basin will have a capacity of 3,775 cubic feet, which exceeds the 1,599 cubic feet capacity required to retain the first ¾" of storm water. The bio-retention basin will be located in the southeastern part of the Project Site. The Project's drainage impacts will be mitigated as demonstrated in the approved Hydrology and LID Report. The August 6, 2015 letter from Public Works includes conditions related to drainage and grading, which are applicable to the Project and are to be required conditions of the CUP.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff received a letter from the County of Los Angeles Department of Public Health ("Public Health") dated April 15, 2015 which recommended approval of the CUP. The project will need to obtain Public Health approval for the septic system (Onsite Wastewater Treatment System), comply with the Noise Ordinance requirements, obtain and obtain a Public Health operating permit prior to the opening of the restaurant. The conditions in the letter from Public Health shall be included with the project's conditions of approval.

Staff received a letter from the County of Los Angeles Fire Department dated June 10, 2015 which recommended clearance of the project to proceed to public hearing. The letter contains conditions of approval related to access, the water system, and fuel

modification. These conditions shall be included with the project's conditions of approval.

Staff received a letter from the County of Los Angeles Department of Parks and Recreation dated July 9, 2015 which contains conditions of approval for trail easement recordation and trail construction. These conditions shall be included with the project's conditions of approval.

Staff received a letter from the County of Los Angeles Department of Public Works dated August 6, 2015 which recommended approval of the CUP. The letter contains conditions of approval related to road requirements, drainage, grading, and water. These conditions shall be included with the project's conditions of approval.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting. All neighboring property owners within 1,000 feet of the Project Site were notified by mail, including 29 different owners. Additionally, the case materials were available on DRP's website and at the Acton Agua Dulce Library. Notices of Public Hearing were also mailed to 21 persons on the courtesy mailing list for the Soledad Zoned District.

PUBLIC COMMENTS

Staff has received one written letter of comment and one email from two Acton residents who are in favor of the Project and one email from a resident who is an opponent of the Project. No other comments regarding the Project from the general public have been received at this time, although the Acton Town Council has submitted a letter raising concerns about the project, as discussed in the Neighborhood Impact section of this report.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF 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:

Staff recommends **APPROVAL** of Project Number R2014-02996, Conditional Use Permit Number 201400142, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400142 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Richard Claghorn, Principal Regional Planning Assistant, Zoning Permits North Section
Reviewed by Robert Glaser, Acting Supervising Regional Planner, Zoning Permits North Section

Attachments:
Draft Findings, Draft Conditions of Approval
Clearance letters from Fire, Public Works, Public Health, and Parks and Recreation
Applicant's Burden of Proof statement
Site Photographs, Aerial Image
Site Plan, Land Use Map

RG:RC
8/19/15

DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02996 - (5)
CONDITIONAL USE PERMIT NO. 201400142

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit ("CUP") No. 201400142, Project No. R2014-02996, on September 16, 2015.

2. The permittee, First Street Development ("permittee"), requests the CUP to authorize a Taco Bell fast food restaurant, including drive-through facilities ("Project"), on a property located at 3771 Sierra Highway in the unincorporated community of Acton ("Project Site") in the C-2-DP (Neighborhood Business-Development Program) zone pursuant to Los Angeles County Code ("County Code") sections 22.28.130 and 22.40.040.

3. The Project Site is 1.3 gross acres (1.15 net acres) in size and consists of one legal lot. The Project Site is nearly rectangular in shape with gently sloping topography and is currently developed with a feed and supply store with ancillary outside storage, which will be removed and replaced by the proposed restaurant.

4. The Project Site is located in the Acton Community Standards District ("CSD") and the Soledad Zoned District. The Project Site is currently zoned C-RU-DP (Rural Commercial-Development Program).

5. The Project Site was zoned C-2-DP at the time the application was filed. Because a complete application for this CUP was filed prior to the effective date of the updated Antelope Valley Area Plan adopted on June 16, 2015, and the related zone changes effective on July 16, 2015, this CUP is being reviewed under the C-2-DP zoning which was in effect at the time the application for the CUP was deemed complete on October 8, 2014, pursuant to Section 22.16.225.A.1 of the County Code. This code section allows the applicant to request that the Project be processed under the zoning regulations that were applicable to the project at the time the application was deemed complete, if it was deemed complete prior to the effective date of the 2015 Antelope Valley Ordinance Update. The applicant has opted to have the Project processed under the zoning regulations at the time the CUP application was deemed complete. The CUP is required because of the -DP combining zone, pursuant to Section 22.40.040 of the County Code, which allows any use permitted in the basic zone (C-2) if a CUP has been obtained.

6. The Project Site was located within the Community Commercial land use category of the 1986 Antelope Valley Areawide General Plan ("1986 Area Plan") Land Use Policy Map at the time of project submittal.

7. The project site is located within the Rural Commercial land use category of the recently adopted Antelope Valley Area Plan ("Town & Country Plan"), effective June 16, 2015. The Project is being reviewed under the 1986 Area Plan because the application was deemed complete prior to the effective date of the Town & Country

Plan and the applicant has chosen to have the review continue under the old requirements. Nevertheless, the Project is consistent with the policies of both plans.

8. Surrounding properties within 500 feet are currently zoned as follows:

   North: A-1-2 (Light Agricultural, One Acre Minimum Required Lot Area)
   South: C-RU-DP (Rural Commercial-Development Program)
   East: A-1-2
   West: C-RU-DP

9. Surrounding properties within a 500-foot radius were zoned as follows at the time of Project submittal:

   North: C-2-DP
   South: C-3 (Unlimited Commercial)
   East: C-2-DP
   West: C-3, R-3 (Limited Multiple Residence), C-3-DP (Unlimited Commercial-Development Program)

10. Surrounding land uses within a 500-foot radius include:

    North: library, ranger station
    South: restaurants, gas station
    East: single-family residence, retail
    West: retail, office, gas station, restaurants, single-family residence

11. Assessor's records show that the property contains a 1,248 square foot commercial structure built in 1924. Despite its age, the structure has the appearance of a relatively contemporary structure with no distinctive architectural or historical characteristics. This structure will be demolished as part of the current Project. The existing structure predates building permit records. It is currently used as a feed and supply store.

12. The Project Site was first zoned as M3 (Unclassified) as part of the Soledad Zoned District with the adoption of Ordinance 7091 on January 22, 1957. On September 30, 1958 Ordinance 7401 was adopted, changing the zone of the Project Site to C-4. The zone was changed to C-2-DP through Ordinance 920080Z, adopted on August 6, 1992. This Zone Change was done as part of Project 90368, which included CUP 90-368, which was approved on March 25, 1992 for a 30,000 square foot retail center on an 8.3 acre site, including the current Project Site. CUP 90-368 was never used and the approved retail center was never built. The CUP expired due to failure to use the permit within the required time period, which was tied to the related Tract Map 49911, and both expired on March 25, 1998. CUP 93-118 was filed for a market with beer and wine sales at the current Project Site, but this permit was withdrawn on March 8, 1994.

13. An unconditional Certificate of Compliance (CC 9867) was recorded on the current Project Site on August 13, 1987. It is a legal lot.

14. The land use plan category of the Project Site changed to Rural Commercial with the adoption of the Town & Country Plan by the Los Angeles County Board of Supervisors on June 16, 2015. The zoning of the site changed to C-RU-DP (Rural Commercial-Development Program), effective July 16, 2015, as part of a set of zone changes related to the Town & Country Plan, which took effect 30 days after the plan's adoption. Because a complete application for the Project was submitted prior to adoption of the proposed zone change and the Town & Country Plan, it is being reviewed under the C-2-DP zone requirements pursuant to Section 22.16.225.A.1 of the County Code, and it is being reviewed under the policies of the 1986 Area Plan pursuant to the applicability provisions of the Town & Country Plan (Page I-9 of Town & Country Plan).

15. The site plan for the Project, which is dated June 25, 2015, depicts the Project Site, Assessor's Parcel Number ("APN") 3217-021-011, a nearly rectangular parcel with a gross area of 56,775 square feet (1.3 acres) and a net area, after street dedications, of 50,208 square feet (1.15 acres) located at the northeast corner of Sierra Highway and Crown Valley Road. The proposed restaurant is a 2,029 square foot building located in the southwest part of the parcel with a drive-thru lane on the west side. A total of 12 seats and 4 tables are provided in an outdoor dining area south of the restaurant building. The site includes a total of 29 parking spaces, including two Americans with Disabilities Act ("ADA") spaces and 22 standard spaces east of the building and five large angled spaces to the north of the building. Access to the property is provided from a 30-foot wide driveway in the northwest part of the parcel off Crown Valley Road and a 30-foot wide driveway from Sierra Highway on the south side. Landscaping area covers 23,431 square feet, or 46.67% of the net lot area. A septic system is depicted near the northeast corner of the Project Site. A trash enclosure is located to the south of the septic system. Proposed trails are located along Crown Valley Road at the west end of the Project Site and Sierra Highway along the south side. A hitching post near the property's northwest corner will provide a place for equestrian riders to leave their horses. Bicycle parking spaces are located southeast of the building and a bicycle locker is located north of the building. A retaining wall is shown south of the driveway for the drive-through north of the trail along Sierra Highway.

16. The grading plan for the Project, which is dated May 21, 2015, provides the estimated grading quantities for the project, including 3,000 cubic yards of cut and 614 cubic yards of fill. An estimated 2,386 cubic yards of graded material will be exported from the Project Site. The grading plan also depicts a bio-retention basin near the southeastern corner of the property, the proposed building location, parking area, driveways, trails, a retaining wall, the natural and finished grade contour lines, and other features. The retaining wall has an average height of approximately two feet and does not exceed four feet in height at any point.

17. The Project Site is accessible via Crown Valley Road to the west and Sierra Highway to the south. Primary access to the Project Site will be via an entrance/exit on Crown Valley Road. Secondary access to the Project Site will be via an entrance/exit on Sierra Highway.

18. The Project will provide a total of 29 parking spaces. Five of the parking spaces are 12' x 40' angled spaces for large vehicles located at the north of the Project Site. Two 9' x 20' handicapped accessible parking spaces are located east of the restaurant near the building entrance with a 9' x 20' loading area between them. There are also a total of 22 standard parking spaces east of the restaurant building, each of which is 9'-6" x 20'. They are located in two rows separated by a 28' wide driveway aisle.

19. The Project site contains gently sloping land with a gradient of approximately 3.75% rising from south to north. The Project includes proposed grading of 3,000 cubic yards of cut and 614 cubic yards of fill. An estimated 2,386 cubic yards of graded material will be exported from the Project Site. The grading will include excavation for a proposed retention basin near the southeast corner of the site.

20. A Hydrology and Low Impact Development ("LID") Report was prepared by 3 Engineering and was approved by Public Works on May 28, 2015. This report determined that the Project will not result in significant off-site flows and that the proposed bio-retention basin will have a capacity of 3,775 cubic feet, which exceeds the 1,599 cubic feet capacity required to retain the first ¾" of storm water. The bio-retention basin will be located in the southeastern part of the Project Site. The Project's drainage impacts will be mitigated as demonstrated in the approved Hydrology and LID Report.

21. The permittee presented the Project to the Acton Town Council at their meeting on July 21, 2014. Concerns were raised at the meeting regarding the drive-through facilities and increased traffic coming from the freeway. The Town Council requested that the County of Los Angeles Department of Public Works ("Public Works") require a traffic study. Public Works required that a traffic study be done for the Project. The Town Council voted to oppose the project at their meeting on August 4, 2014. They expressed concerns about traffic, opposition to the drive-through, stated that the architectural style is not consistent with Acton's Western motif, and stated their belief that the project is in conflict with the Antelope Valley Area Plan requirement that uses in the area must be community-serving. The applicant revised the architectural plans after the meetings in order to comply with the Old West architectural standards. The CUP for the Project was submitted to the Department of Regional Planning ("DRP") on October 8, 2014. The Taco Bell Project was again discussed at the Acton Town Council meeting on July 6, 2015. The Town Council again expressed their opposition to the Project and unanimously approved a motion to write a letter to DRP against the drive-through and against freeway-oriented businesses in general. A letter from The Town Council, dated July 23, 2015 and signed by all council members, discussed their concerns with the Project, including traffic generated by the project, the adequacy of the traffic study, the drive-through facilities, the septic system, and the architectural style.

22. A traffic impact analysis study for the Project was completed by Trames Solutions Inc., which is dated December 22, 2014. It projected that the Project would generate approximately 906 net trip ends per day, with 83 vehicles per hour during the AM

peak hour and 59 vehicles per hour during the PM peak hour. The existing levels of service at the intersections within the study area are operating at an acceptable level of service during the peak hours, and will remain within acceptable levels after the project is in operation. The study also took into account a proposed Primo Burger restaurant, which also included drive-through facilities, and retail use (Project R2014-00881) located approximately 500 feet west of the Project Site. The traffic study determined that no off-site mitigation measures are required. The queuing analysis showed that the stacking distances provided at the site should adequately accommodate the maximum queues, and that as a margin of safety, vehicles can also stack within the drive aisles, thereby minimizing the potential for vehicles to stack onto the public right-of-way. It provided on-site circulation recommendations, including providing stop sign control for vehicles exiting the site, on-site traffic signing and striping, and verification that minimum sight distance is provided at the project driveways. The Traffic and Lighting Division, Traffic Studies Section of Public Works reviewed the traffic report and agreed with the findings of the traffic study. Public Works provided a list of road requirements along with other Project requirements in a letter dated August 6, 2015, which recommended approval of the CUP.

23. The County of Los Angeles Department of Public Health recommended approval of the Project on April 15, 2015 and has recommended conditions of approval, including conditions related to the septic system (Onsite Wastewater Treatment System), an operating permit for the restaurant establishment, potable water supply, and noise, which are included in the CUP conditions.

24. The County of Los Angeles Fire Department recommended clearance of the project to proceed to public hearing on June 10, 2015 and provided conditions of approval related to access, the water system, and fuel modification, which are included with the CUP conditions.

25. The County of Los Angeles Department of Parks and Recreation recommended conditions of approval for the Project on July 9, 2015 regarding trail easement recordation and trail recordation. These conditions are included with the CUP conditions.

26. The County of Los Angeles Department of Public Works recommended approval of the Project on August 6, 2015 and has recommended conditions of approval, including conditions related to road requirements, drainage/grading, and water. These conditions are included with the CUP conditions.

27. Prior to the Commission's public hearing on the Project, Department of Regional Planning ("Regional Planning") staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, 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. The Project is less than the 2,500 square foot threshold for this exemption that pertains to restaurants and similar structures outside of urbanized areas. It is not located within an

environmentally sensitive area, and the project will not result in any significant environmental impacts.

28. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

29. Staff has received one written letter of comment and one email from two Acton residents who are in favor of the Project and one email from a resident who is an opponent of the Project. Another letter in opposition to the Project has been received from the Acton Town Council. No other comments regarding the Project from the public have been received at this time.

30. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*

31. The Commission finds that the Project is consistent with the Community Commercial land use category of the 1986 Area Plan, which was the applicable plan at the time of project submittal. The Town & Country Plan allows the applicant to opt for a project to be reviewed under the 1986 Area Plan policies if the application was deemed complete prior to the effective date of the Town & Country Plan. Therefore, the Project is being reviewed under the 1986 Area Plan policies and the Project findings are based on this plan. Nevertheless, the Project is consistent with both plans. The Community Commercial designation allows for a broad range of neighborhood-serving commercial uses, including small restaurants, and the subject Taco Bell restaurant is considered to be consistent with this land use category of the 1986 Area Plan.

32. The Commission finds that the proposed use for this location is considered to be consistent with the applicable policies of the 1986 Area Plan, including the land use category, because of the following reasons: the Project Site is located at the intersection of a Major Highway, Sierra Highway, and a Limited Secondary Highway, Crown Valley Road, and is located just over 200 feet from a freeway exit of the Antelope Valley Freeway, State Route 14; the Project is a small restaurant serving the local community and travelers from the adjacent freeway and highways; and there are other existing businesses, including two fast food restaurants with drive-through facilities (McDonald's and Jack-in-the-Box) and two automobile service stations in the immediate vicinity (Union 76 and Shell), which are also in the same land use category, and which serve both local residents and highway travelers. It is considered to be a low-intensity commercial use serving community residents, although it will also serve travelers on State Route 14, as do the other nearby existing businesses.

33. The Commission finds that the 1986 Area Plan contains policies specific to the Acton community (Pages IV-1 to IV-3), including a policy for commercial areas near the Antelope Valley Freeway and Sierra Highway. It states that many of the areas of Acton designated as commercial or industrial areas, including the areas along the Antelope Valley Freeway and Sierra Highway, feature an "Early California" or

"Ranch Style" architecture and that "all future development of commercial and industrial lands in Acton should continue to reflect these features". It later states, "In keeping with Acton's rural setting, all future development shall be limited to a maximum height of two stories". The proposed restaurant will be one story in height and it will have an "Old West" or "Early California" inspired design.

34. The Commission finds that the 1986 Area Plan also states that "curbs, gutters and sidewalks will not be required in the Acton community if an acceptable alternative can be developed to the satisfaction of the Director of the Public Works Department to separate vehicular and pedestrian traffic". Standard rural major highway improvements are required by County of Los Angeles Department of Public Works ("Public Works") on Sierra Highway, including a four foot concrete inverted shoulder. Public Works also requires a standard rural section with asphalt concrete (AC) inverted shoulders and applicable pavement widening on Crown Valley Road and a 35-foot curb return radius consisting of barrier curb and gutter, and a curb ramp at the corner that meets with Americans with Disabilities Act requirements to the satisfaction of Public Works. Additionally, the project is required by Public Works to provide adequate curb and gutter transitions from the required AC inverted shoulder along Crown Valley Road to the full curb face around the curb return to concrete inverted shoulder along Sierra Highway, and to provide street lights on wood poles with overhead wiring at driveways and intersections along the property frontage on Sierra Highway and Crown Valley Road. The improvements required by Public Works for the Project are their standard requirements for rural locations such as this site, and no traffic signal is required. The Public Works requirements are detailed in the letter dated August 6, 2015 from Public Works. The required improvements are suitable for the rural character of the area.

35. The Commission finds that the 1986 Area Plan also discusses the need for a Community Standards District ("CSD") to create the necessary development controls in order to assure that Acton retains its rural, low-density characteristics. The Acton CSD was adopted in 1995, and the Project is consistent with the CSD requirements.

36. The Commission finds that the Project is consistent with the Rural Commercial land use category of the recently adopted Town & Country Plan. The Rural Commercial land use category's purpose is for *"limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices"*. The proposed trail easements will provide linkages in the area's network of equestrian trails, which enhances the rural character of the area, and the use is low in intensity and small in scale.

37. The Commission finds that the Project is not a high-intensity regional commercial use. The Town & Country Plan prohibits "high-intensity regional commercial uses" within this area of Acton. However, the Project is not considered to be high-intensity or a regional use. Based on the traffic study, it will not exceed thresholds requiring traffic signals or urban-style off-site improvements. Moreover, it will be small in size, with the 2,029 square foot building occupying only four percent of the Project Site and with landscaping occupying nearly half of the total land area. The project's floor area ratio (FAR) is 0.04, compared with the maximum FAR of 0.5 allowed in the

Rural Commercial category of the Town & Country Plan. The proposed use for this location is considered to be consistent with the applicable policies of the Town & Country Plan, including the land use category.

38. The Commission finds that the Project is not a regional use. The Project has an official occupant load of 45 and adjusted occupant load of 57, which is less than the occupant loads for the existing nearby McDonald's (125 occupant load) and Jack-in-the-Box (98 occupant load) drive-through restaurants. Due to the location near a freeway exit for State Route 14, it will inevitably be used by travelers from outside the local community. It will also serve the local community. It will provide amenities to the rural community such as trails and hitching posts for equestrian riders as well as bicycle amenities for bicyclists, and is designed at a smaller scale than the other existing fast food uses in the area. It is considered to be consistent with the policies of the Town & Country Plan.

39. The Commission finds that the existing commercial uses within 500 feet of the Project Site include other uses which are higher in intensity than the proposed Taco Bell. On the parcel to the west there is an existing two-story commercial building and detached building with a combined area of over 41,000 square feet, which also includes the aforementioned Union 76 station. That parcel contains a restaurant with an occupant load of 242, a smaller restaurant with an occupant load of 48, a coffee shop with an occupant load of 29, as well as office space, retail space, and other commercial uses. The parcel to the east of the McDonald's contains a commercial building with an area of over 17,000 square feet, which includes a sushi restaurant having an occupant load of 77. The previously mentioned Shell station at the southwest corner of Sierra Highway and Crown Valley Road also contains a Subway sandwich shop and convenience store. The scale of the Taco Bell Project is much smaller than most of the other existing established uses in the immediate surrounding area and it would not be out of character for the area or significantly change the character of the area.

40. The Commission finds that the Project is consistent with the Town & Country Plan policies for Acton. The proposed building is only one story in height and includes Old West design elements. It is accessible to pedestrians and equestrians through trails along Sierra Highway and Crown Valley Road. Standard rural major highway improvements are required by Public Works. The required road improvements are suitable for the rural character of the area.

41. The Commission finds that the Project is consistent with the other applicable policies of the Town & Country Plan, including Land Use Policy LU 1.4, which is to "*ensure that there are appropriate lands for commercial and industrial services throughout the unincorporated Antelope Valley sufficient to serve the daily needs of rural residents and to provide local employment opportunities*", and Land Use Policy LU 4.1, *which is to "direct the majority of the unincorporated Antelope Valley's future growth to the economic opportunity areas and areas that are served by existing or planned infrastructure, public facilities, and public water systems, as indicated in the land use designations shown on the Land Use Policy Map (Map 2.1) of this Area Plan."* The Project Site is appropriate for the proposed use, given the existing uses

in the immediate surrounding area and the location at a major intersection near a freeway entrance. It will help to meet the needs of rural residents by providing a new restaurant option and will provide local employment opportunities. The Project Site is suitable for the use due to the existing infrastructure already in place, including the highways and public water system. The Project Site is located within Los Angeles County Waterworks District No. 37, which has issued a conditional will serve letter for the Project.

42. The Commission finds that the Project is consistent with the policies of the Los Angeles County General Plan, including Land Use Element Policy 9 promoting neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and locational controls, and Land Use Element Policy 10 encouraging the clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations.

43. The Commission finds that the Project is compatible with the 1986 Area Plan, which is the applicable local plan for the Project because the application was deemed complete prior to the adoption of the Town & Country Plan. However, it is consistent with both plans, as well as the Los Angeles County General Plan, and with the existing land uses of the surrounding area.

44. The Commission finds that, based on the submitted plans, the Project is consistent with the requirements of the County Code for a use in the C-2-DP Zone, pursuant to Sections 22.28.130.A.2, 22.28.170, and 22.40.040 of the County Code. A minimum of 10% of the net area is required to be landscaped, and the project proposes over 46% landscaping coverage. The proposed building height is 30'-7", which is less than the maximum allowable height of 35 feet. The outdoor dining area depicted on the site plan complies with the standards in Section 22.28.070.G of the County Code, including a landscaped buffer of more than five feet wide along the edge of the area. The proposed restaurant has an occupant load of 45 persons based on the Building and Safety determination done on August 20, 2014. This calculation did not include the outdoor dining area, which includes 12 seats. The adjusted occupant load with the outdoor seating is 57. Based on the adjusted occupant load, 19 parking spaces are required for this use. Parking for this use is calculated at a ratio of one parking space per 3 occupants, pursuant to Section 22.52.1110.A1b of the County Code. The site plan depicts 29 parking spaces on the Project Site. The Project provides two short-term bicycle parking spaces southeast of the building and two long-term bicycle parking spaces in bicycle lockers north of the building as required by Section 22.52.1225 of the County Code.

45. The Commission finds that Project is consistent with the applicable development standards of the Acton CSD in Section 22.44.126.C of the County Code. The CSD allows impervious area of up to 90% of the lot area for restaurants. The proposed impervious area is approximately 53%. The CSD requires commercial buildings to be designed in a "Western frontier village, circa 1890s style" in substantial conformance with the architectural guidelines accompanying the CSD. The building exterior has cement board siding with a wood texture and stone veneer with stucco

parapet. Colors are light brown for the siding with dark brown trim and parapet. The stone veneer will consist of Coronado Stone and Idaho Drystack and will also be of a brownish color. Grey corrugated metal roof canopies are located on the south and east elevations and are supported by dark brown columns resembling wood posts. The exterior is intended to resemble an Old West style structure made of wood and stone. Parapet towers rising above the main roofline are located above the entrances on the south and east elevations add another Old West style architectural touch. Signage is externally lit as required by the CSD. The plans adequately comply with the architectural style and project design considerations of the CSD.

46. The Commission finds that the Project is located within a Rural Outdoor Lighting District. The Project will be required to comply with its requirements, which are designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 30 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass. The applicable standards are found in County Code sections 22.44.500 through 22.44.590.

47. The Commission finds that the proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The proposed restaurant with drive through is suitable for the area, which is within 300 feet of a freeway exit, and there are two existing drive through restaurants within 300 feet of the Project Site. The building is designed to conform to the Acton CSD architectural style guidelines, and the Project will comply with the CSD requirements. It is surrounded by other commercial and government uses, and the proposed use will not substantially change the character of the area.

48. The Commission finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The project site is adequate in size to accommodate the parking spaces required for the use, and provides more than the number of spaces required. The amount of landscaping proposed is far in excess of the minimum requirement. There is also adequate room for the trails along Crown Valley Road and Sierra Highway required by the Department of Parks and Recreation.

49. The Commission finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. The subject restaurant is accessible from Crown Valley Road and Sierra Highway. A traffic study has been conducted, which determined that traffic impacts from the Project will not significantly affect the level of service of nearby intersections during peak hours. Therefore, the proposed site is adequately served

by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate. The Traffic and Lighting Division, Traffic Studies Section of Public Works reviewed the traffic report dated December 22, 2014 and agreed with the findings of the traffic study. The Project Site is served by Los Angeles County Waterworks District No. 37, which has issued a conditional will serve letter regarding water availability. The Project Site will have a private septic system, and the Project will comply with the applicable requirements for an Onsite Wastewater Treatment System. Power will be provided by Southern California Edison. The public and private facilities serving the property will be adequate to serve the use.

50. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Acton Agua Dulce Library. On August 10, 2015, a total of 29 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 21 notices to those on the courtesy mailing list for the Soledad Zoned District and to any additional interested parties.

51. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional 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 Zoning Permits North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

A. The proposed use with the attached conditions will be consistent with the adopted General Plan and the 1986 Antelope Valley Areawide General Plan.

B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and

2. Approves Conditional Use Permit No. 201400142, subject to the attached conditions.

ACTION DATE: September 16, 2015

RG:RC
8/19/15

c: Zoning Enforcement, Building and Safety

DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02996-(5)
CONDITIONAL USE PERMIT NO. 2014000142

PROJECT DESCRIPTION

The project is a fast food restaurant with drive-through facilities located at 3771 Sierra Highway in Acton. The project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional 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. 7, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.

4. 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.

5. 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 Regional 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 Regional 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.

6. 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.

7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). 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.

8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **$400.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **two (2)** inspections. Inspections shall be unannounced.

   If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the 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.

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 Regional 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 Regional 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 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **four (4) copies of** a modified Exhibit "A" shall be submitted to Regional Planning by **December 1, 2015**.

17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies 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.

PROJECT SITE SPECIFIC CONDITIONS

18. This grant shall authorize the establishment and operation of a fast food restaurant with drive-through facilities.

19. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of one space per 3 occupants. The restaurant has an adjusted occupant load of 57, including the outdoor seating area, and therefore 19 parking spaces are required. The project's site plan shows 29 proposed parking spaces. The total number of parking spaces provided on the Project Site shall remain greater than or equal to the total number of required parking spaces on the Project Site, unless otherwise authorized through a Minor Parking Deviation or Parking Permit.

20. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated April 15, 2015.

21. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated June 10, 2015.

22. The permittee shall comply with all conditions set forth in the attached County Parks and Recreation Department letter dated July 9, 2015.

23. The permittee shall comply with all conditions set forth in the attached County Public Works letter dated August 6, 2015.

COUNTY OF LOS ANGELES
Public Health

CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Director of Environmental Health

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April 15, 2015

TO: Richard Claghorn
Principal Regional Planning Assistant
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA (M.T)
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2014-02996/ CUP201402996
Acton Taco Bell
3771 Sierra Highway, Acton

☒ Public Health recommends approval of this CUP.
☐ Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the CUP request for the above referenced project. The CUP is for the construction of a new Taco Bell Restaurant with drive through service and related site improvement. The Department recommends approval of the CUP contingent upon the conditions mentioned below.

Restaurant Establishment

The applicant shall comply with all Public Health requirements relating to the construction and operation of a restaurant establishment. The applicant shall obtain a Public Health operating permit prior to the opening of the restaurant.

This condition shall be cleared at the building permit stage. For questions regarding this condition, please contact the Plan Check Program at (626) 430-5560.

Wastewater Disposal

The Land Use Program recommends approval of the CUP contingent upon the following requirements being satisfactorily fulfilled following Public Hearing.

New Onsite Wastewater Treatment System (OWTS) - A report to determine the feasibility of installing onsite wastewater treatment systems (OWTS) for the new proposed facilities shall be submitted to the DPH's Land Use Program for review and approval. The report shall be prepared in compliance with DPH's "A Professional Guide to Requirements and Procedures for Onsite Wastewater Treatment Systems (OWTS)". The referenced document is available on-line at www.lapublichealth.org/eh.

The report shall consists of a soil profile excavation, exploratory boring to determine historic and seasonal high groundwater mark and presence of subsurface water, and percolation testing to confirm that the soil on the property can support the use of OWTS. Testing shall be conducted in an area likely to be utilized as a disposal field.

Notes:

A. The design and installation of OWTS shall conform to the requirements of this Department and other applicable regulatory agencies. **The applicant shall contact the Regional Water Quality Control Board and file necessary document for Waste Discharge Requirement permit in order to obtain authorization before proceeding with this project.**

B. The required size and capacity of the proposed OWTS shall be determined based on the factors including fixture unit count, number of employees, the type of food facilities and number of customers and meals served in each room, number of parking spaces, restrooms, etc., either individually or in combination of one, two or more factors, whichever method results in the largest system capacity and in accordance with Table K-2 and K-3 of Appendix K of the Plumbing Code and requirements established in the Department's guidelines.

For questions regarding the above conditions, please contact Eric Edwards or Vicente Banada at (626) 430-5380 or at eedwards@ph.lacounty.gov, and vbanada@ph.lacounty.gov.

Potable Water Supply

The Drinking Water Program recommends approval of the CUP.

The Program has received a conditional will serve letter from the water purveyor (Los Angeles County Waterworks District No. 37) ensuring the availability of a sustainable potable water supply for the project.

For questions regarding the above conditions, please contact Lusi Mkhitaryan or Epifanio Braganza at (626) 430-5420 or at lmkhitaryan@ph.lacounty.gov, and ebraganza@ph.lacounty.gov.

Noise

The project shall adhere to the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12.

For questions regarding this report, please feel free to contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02996 MAP DATE: 04/15/15 FD

LOCATION: 3771 Sierra Highway, Acton

PLANNER: Richard Claghorn

REVISED CONDITIONS: Supersedes Fire Dept. Conditions Dated 04/15/15

THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

CONDITIONS OF APPROVAL – ACCESS

1. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

2. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

3. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.

4. The edge of the fire access roadway shall be located a minimum of 5 feet from the building or any projections there from.

5. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

6. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2

7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02996 MAP DATE: 04/15/15 FD

LOCATION: 3771 Sierra Highway, Acton

PLANNER: Richard Claghorn

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8. Fire Department vehicular access roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4

9. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 37 ½ tons and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3

10. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

11. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

12. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Fire Code 503.4

13. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1

14. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

Reviewed by: Wally Collins Date: June 10, 2015

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02996 MAP DATE: 04/15/15 FD

LOCATION: 3771 Sierra Highway, Acton

PLANNER: Richard Claghorn

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15. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

CONDITIONS OF APPROVAL – WATER STSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.

2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

3. The fire flow for the proposed project is adequate per the flow test of two (2) existing public fire hydrants performed by the Los Angeles County Water Works dated 04/01/15.

CONDITION OF APPROVAL – FUEL MODIFICATION

1. This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone. The "Preliminary Fuel Modification Plan" has been "approved" by the Department's Fuel Modification Unit. The Final Fuel Modification Plan will be reviewed by the Fuel Modification Unit during the building plan check process.

The building plans shall be submitted to the Department's Lancaster Fire Prevention Office, (661) 949-6319, for review.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.

Reviewed by: Wally Collins Date: June 10, 2015

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Parks Make Life Better!"
Russ Guiney, Director John Wicker, Chief Deputy Director

July 9, 2015

Sent via e-mail: rclaghorn@planning.lacounty.gov

TO: Richard Claghorn, Principal Planner
Department of Regional Planning
Zoning Permits North Section

FROM: Kathline J. King, Chief of Planning
Department of Parks and Recreation
Planning Division

SUBJECT: **CONDITIONAL USE PERMIT (CUP) NO. 201402996**
TACO BELL RESTAURANT PROJECT

NOTICE OF TRAIL CONDITIONS

The Department of Parks and Recreation (DPR) has completed the review of the proposed project located at the northeast corner of Sierra Highway and Crown Valley Road in the unincorporated County area of Acton. The proposed project includes development of a 2,029 square foot Taco Bell Restaurant with drive-thru. The project site is located within the Acton Community Standards District and is also within the sphere of the Adopted County Trails Master Plan (Trails Plan). Within the Trails Plan is an alignment for the "Vasquez Loop Trail", which is proposed on the west and south side of the project area (see attached "Vasquez Loop Trail" Map).

The "Vasquez Loop Trail" alignment as shown on the revised site plan is approved, releasing the previous trail hold. DPR is requiring the Subdivider to dedicate variable width 10-12 foot wide trail easement(s) and construct a variable-width five to eight foot (5-8)' wide multi-use (hiking, mountain biking, and equestrian) trail(s) to the satisfaction of DPR.

DPR requests that the Department of Regional Planning include the following trail conditions of approval as a component of the conditional use permit:

Trail Easement Recordation Conditions

1. Prior to grading plan approval, the Applicant shall:

    a. Dedicate by separate document to the County of Los Angeles, a twelve foot (12') wide multi-use (hiking, mountain biking, and equestrian) trail easement on

the west side of the project site adjacent to Crown Valley Road, and a ten foot (10') wide multi-use trail easement on the south side of the project site adjacent to Sierra Highway for purposes of the "Vasquez Loop Trail". The trail easement's shall be recorded within the same document and the plat map and legal description shall be attached and submitted to DPR for review and acceptance, prior to recordation.

b. Dedications and the following language must be shown for trail dedication(s) in the easement document:

We hereby dedicate to the County of Los Angeles a variable width twelve foot (12') wide to ten foot (10') wide multi-use (hiking, mountain biking and equestrian) trail easement, approximate length of 470 linear feet, for the "Vasquez Loop Trail," as legally described and depicted on Exhibit "A". Full public recreation and maintenance access shall be provided in perpetuity within the multi-use trail easement.

Trail Construction Conditions

1. Prior to issuance of any Building or Electrical Permits, the Applicant shall:

a. As shown on revised site plan, construct a variable-width five to eight foot (5-8)' wide trail within the ten to twelve foot (10-12)' wide easement in accordance with trail construction guidelines within the County of Los Angeles Trails Manual (Trails Manual). Significant deviation from the guidelines within the Trails Manual must be approved in writing by DPR. Trail tread to be minimum 4" deep stabilized decomposed granite (DG) with appropriate edge (borders) i.e. redwood, metal, or concrete.

b. Subdivider shall include DPR in the transmittal of the project grading plan when submitted to Regional Planning. Grading plan to include detailed grading information for the required segment of the "Vasquez Loop Trail". The detailed grading information for the trail construction, shall include all pertinent information required, per DPR's Trails Manual, and all applicable codes, but not limited to the following:

i. Cross slope gradients towards Crown Valley Road and Sierra Highway not to exceed five percent (5%), and longitudinal (running) slope gradients not to exceed twelve percent (12%) for more than fifty feet (50'). DPR will review and may allow running slopes slightly greater than twelve percent (12%), and cross slopes greater than five percent (5%) on a case by case basis.

ii. Bush Hammer (or equivalent) rough finish at minimum width of eight feet (8') at all driveway trail crossings if concrete surface.

iii. Install lodgepole fencing on each side of trail with openings for pedestrian crossflow at the intersection of Sierra Highway and Crown Valley Road, two vehicle driveways, and fence opening for access to the proposed hitching post located at the northwest corner of project site for user safety and property security.

Lodgepole pine posts to be treated with Alkaline Copper Quarterly (ACQ) compound wood preservative. The vertical posts are 7 feet in length by 6 ½ inch diameter. For rail installation, the post has 2 holes at 18 inches on center and the top rail is 6 inches from the post top to the centerline of the first rail. The rails are also ACQ treated and they are 8 feet in length by 4 ½ inch diameter with beveled ends. The vertical posts are positioned 54 inches above grade with 30 inches below grade. The posts are set in ¾ inch aggregate base layer at minimum 18 inches deep x 18 inch diameter with minimum 4 inches of compacted natural earth on top.

Note: Contact DPR Trail Section Planner prior to installation of trail fencing.

iv. Trail easement must be outside of the road right-of-way unless approved by the County Department of Public Works (DPW).

v. Any streetlight pole(s) must have cross-walk activation buttons at two heights to accommodate both pedestrian and equestrian traffic. Request coordination with DPW to address crosswalk design standards.

vi. Appropriate signage where deemed necessary, for motorist, trail user safety and property security, as approved by DPW.

2. Prior to initiation of trail construction, the Applicant shall:

a. Submit a preliminary construction schedule showing milestones for completing the trail. The Applicant's representative shall provide updated trail construction schedules to DPR on a monthly basis. Schedule submittals shall include a "Two Week Look-Ahead" schedule, to reflect any modifications to the original schedule.

b. Stake the centerline of the trail. The Applicant's representative shall then schedule a site meeting with a representative from DPR's Trails Planning Section for trail alignment inspection and approval.

3. Prior to DPR final acceptance of the constructed trail, the Applicant shall:

    a. Notify DPR for a Final Inspection "Trail Walk" within five (5) business days of completion of trail construction, including installation of all required amenities. Any portions of the constructed trail not approved, shall be corrected and brought into compliance with DPR's trail construction guidelines within thirty (30) calendar days. Upon completion of the punch list, the Applicant shall contact DPR to schedule another site inspection.

    b. Submit electronic copies on CD or DVD (AutoCAD 2005 or newer version) of the As-Built Trail, grading and construction drawings to DPR.

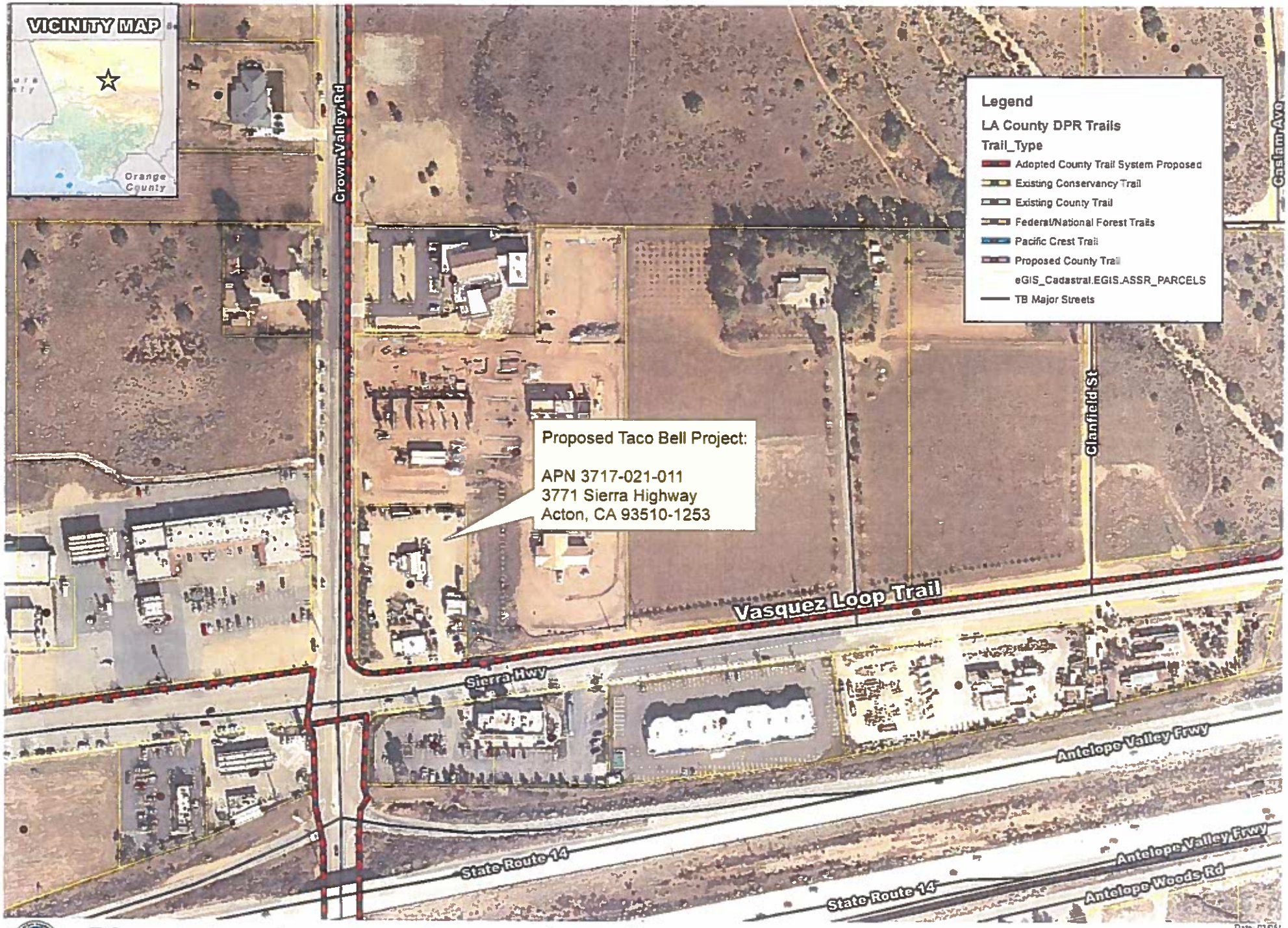
    c. Submit a letter to DPR requesting acceptance of the dedicated constructed trail. DPR will issue a trail acceptance letter only after receiving a written request for final trail approval and as-built trail drawings.

Note: DPR will install appropriate trail signage after final acceptance of the "Vasquez Loop Trail".

For any trail related questions or guidance, please contact Robert Ettleman, Park Planner at (213) 351-5134 or by e-mail at rettleman@parks.lacounty.gov.

KK:FM:RLE:cp R201402996-(5) Taco Bell Project Trail Report

c: Parks and Recreation: (F. Moreno, R. Ettleman. J. Yom)



TRAIL REVIEW: Project #2014-02996 (Taco Bell)

County of Los Angeles | Department of Parks & Recreation

370 Feet

Date: 03/05/
Prepared By: Planne
Aerial: LAR-IA(
Trails: EGIS.DPR_TRAIL
Parcels: EGIS.ASSR_PARCEL

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

GAIL FARBER, Director

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

August 6, 2015

IN REPLY PLEASE
REFER TO FILE: LD-2

TO: Rob Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Richard Claghorn

FROM: Art Vander Vis
Land Development Division
Department of Public Works

TACO BELL ACTON–3771 SIERRA HIGHWAY
CONDITIONAL USE PERMIT (CUP) NO. 201400142
PROJECT NO. R 2014-02996
ASSESSOR'S MAP BOOK NO. 3217, PAGE 21, PARCEL NO. 11
UNINCORPORATED COUNTY COMMUNITY OF ACTON

We reviewed the site plan for the proposed project located at the northeast corner of Sierra Highway and Crown Valley Road in the unincorporated County community of Acton. The proposed project consists of a 2,029-square-foot Taco Bell Restaurant with a drive-thru. The site is located within the Acton Community Standards District.

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

Upon approval of the CUP, we recommend the following conditions:

Road

1. Dedicate an additional 24 feet of right of way along the property frontage of Sierra Highway to achieve an ultimate width of 54 feet from the street centerline, to the satisfaction of Public Works. A processing fee will be required for the dedication.

2. Dedicate an adequate right-of-way corner cut-off, from the beginning-of-curb return to the end-of-curb return, based on a 35-foot curb return radius, at the northeast corner of Sierra Highway and Crown Valley Road to the satisfaction of Public Works. A processing fee will be required for the dedication.

3. Construct standard, rural, major highway improvements on Sierra Highway, easterly of the proposed catch basin. This section shall consist of a 4-foot concrete inverted shoulder located 42 feet from the street centerline to the edge of pavement/edge of gutter to the satisfaction of Public Works. Relocate all affected utilities.

4. Construct a standard, rural section with asphalt concrete inverted shoulders and applicable pavement widening on Crown Valley Road, 14 feet from the centerline to the flow line, to the satisfaction of Public Works.

5. Construct a 35-foot curb return radius consisting of barrier curb and gutter at the northeast corner of Crown Valley Road and Sierra Highway to the satisfaction of Public Works. Additionally, provide adequate curb and gutter transitions from the required asphalt concrete inverted shoulder along Crown Valley Road to the full curb face around the curb return. The barrier curb and gutter shall then extend easterly along Sierra Highway to the proposed catch basin located approximately 40 feet from the curb return. Adequate curb and gutter transitions shall also be provided from the proposed catch basin to the concrete inverted shoulder along Sierra Highway.

6. Construct a curb ramp at the northeast corner of Crown Valley Road and Sierra Highway to meet current Americans with Disability Act (ADA) guidelines and to the satisfaction of Public Works.

7. Submit street improvement plans and acquire street plan approval before obtaining a grading permit.

8. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

9. Comply with all the requirements listed in the attached Public Works' Traffic and Lighting Division letter dated August 5, 2015.

10. Submit a detailed signing and striping plan (scale: 1"=40') for review and approval on Sierra Highway and Crown Valley Road in the vicinity of the property location and acquire approval before obtaining a grading permit.

11. Provide street lights on wood poles with overhead wiring at driveways and intersections along the property frontage on Sierra Highway and Crown Valley Road to the satisfaction of Public Works. Where curb and gutter is present, concrete poles with underground wiring may be required. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to Traffic and Lighting Division's Street Lighting Section to allow the maximum time for processing and approval.

12. The proposed project, or portions of the proposed project, are not within an existing lighting district. Annexation to a street lighting district is required.

    The applicant shall comply with the conditions of annexation listed below (12.1 and 12.2) in order for the lighting districts to pay for the future operation and maintenance of the street lights. The annexation and the levy of assessment require the approval of the Board of Supervisors prior to Public Works approving street lighting plans. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the issuance of building permits or road construction permits, whichever occurs first. The required street lighting improvements must be accepted, per approved plans, prior to the issuance of a Certificate of Occupancy.

    12.1 Provide the business/property owner name, mailing address, site address, Assessor's parcel number, and parcel boundaries in either Micro Station or Auto CADD format of territory to be developed to the Street Lighting Section.

    12.2 Submit a map of the proposed project, including any roadways conditioned for street lights, to the Street Lighting Section.

The annexation and assessment balloting process takes approximately 12 months or more to complete once the above information is received and approved. Untimely compliance with the above conditions will result in delay in the annexation of street lighting.

13. The following are conditions of acceptance for street light transfer of billing:

    13.1 All street lights in the project, or current project phase, must be constructed according to Public Works-approved plans.

    13.2 The contractor shall submit one complete set of As-built plans.

    The lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year provided the above conditions have been met; all street lights in the project, or approved project phase, have been energized; and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.

For questions regarding road conditions 1 through 8, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4953 or egerlits@dpw.lacounty.gov.

For questions regarding road conditions 9 through 10, please contact Jeff Pletyak of Traffic and Lighting Division at (626) 300-4721 or jplety@dpw.lacounty.gov.

For questions regarding road conditions 11 through 13, please contact Jeff Chow of Traffic and Lighting Division at (626) 300-4753 or jchow@dpw.lacounty.gov.

Drainage/Grading

1. Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated May 28, 2015 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating the sheet overflow, ponding, and high-velocity scouring action to protect the lots. The plans need to call out the construction of at least all drainage devices and details, paved driveways, elevation of all pads, water quality devices, Low-Impact Development (LID) features, and existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.

2. Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.

3. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.

4. Comply with the approved hydrology study dated May 28, 2015 (or latest revision), for the design of all drainage facilities to the satisfaction of Public Works.

5. Provide a maintenance agreement/covenant for any privately maintained drainage devices.

6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.

7. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

8. Provide a concrete liner or other suitable material approved by Public Works within the proposed on-site detention basin to protect the integrity of Sierra Highway.

9. Submit storm drain plans for review and approval for the proposed catch basin and appurtenant storm drain facilities on Sierra Highway.

10. Execute a maintenance agreement/covenant for the overflow pipe from the proposed retention basin to its junction with the proposed storm drain system on Sierra Highway.

For questions regarding the drainage/grading conditions, please contact Ed Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

Water

1. Comply with all the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by the Los Angeles County Waterworks District No. 37 will expire on April 13, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Public Works' Land Development Division at (626) 458-4921 or tkhalkhal@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ed Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

ECG:tb
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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

IN REPLY PLEASE
REFER TO FILE: T-4

August 5, 2015

Mr. Scott Sato, P.E.
Trames Solutions Inc.
Suite 400
100 East San Marcos Boulevard
San Marcos, CA 92069

Dear Mr. Sato:

ACTON TACO BELL PROJECT
CROWN VALLEY ROAD AT SIERRA HIGHWAY
TRAFFIC IMPACT ANALYSIS (MARCH 2, 2015)
UNINCORPORATED ACTON AREA

As requested, we reviewed your Traffic Impact Analysis (TIA) for the proposed Acton Taco Bell project located at 3771 Sierra Highway in the unincorporated Acton area.

According to the TIA the traffic generated by the project alone, as well as cumulatively with other related projects will not have a significant transportation impact to County roadways or intersections in the area based on our TIA Guidelines. We generally agree with the findings of your TIA.

Currently, the existing painted median at the proposed project driveway on Crown Valley Road would prohibit left-turn ingress and egress movements. Therefore, the project shall modify the roadway striping at this location to accommodate full site access. Accordingly, the project shall submit detailed signing and striping plans to Public Works for review and approval.

We recommend the applicant consult with the State of California Department of Transportation to obtain concurrence with any potential California Environmental Quality Act impacts within its jurisdiction.

If you have any questions regarding the review of this document, please contact Mr. Kent Tsujii of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4776.

Very truly yours,

GAIL FARBER
Director of Public Works

Emily Thompson

for DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

MD:mrb
P:\TLPUB\STUDIES\EIR 14-0275 Action Taco Bell.docx

LOS ANGELES COUNTY WATERWORKS DISTRICTS *

P. O. Box 1460
Alhambra, CA 91802
Telephone: (626) 300-3306

260 East Avenue K-8
Lancaster, CA 93535
Telephone: (661) 942-1157

23533 Civic Center Way
Malibu, CA 90265
Telephone: (310) 317-1388

TO:

☒ Los Angeles County
Department of Health Services
Environmental Health: Mtn. & Rural/
Water, Sewage & Subdivision Program
5050 Commerce Drive
Baldwin Park, CA 91706-1423

☒ Los Angeles County
Department of Public Works
Building & Safety Division

☒ Los Angeles County
Fire Department

RE: 3771 W Sierra Hwy (Address) — Acton, CA (City) — 93510 (Zip Code)

3127-021-011
Assessor's Parcel Number

Los Angeles County Waterworks District No. 37, Acton

Conditional Will serve **water to the above *single lot* property subject to the following:**

- ☐ Annexation of the property into Los Angeles County Waterworks District is required. Water service to this property will not be issued until the annexation is completed.
- ☒ The appropriate fees must be paid to the District and other related water agencies.
- ☐ The appropriate connection fees have been paid to Waterworks Districts.
- ☒ Water system improvements will be required to be installed by the developer subject to the requirements set by the Fire Department and the District, **which at this time have not been specifically set**. As a condition of receiving water service, the developer shall install such facilities at his expense, pay the District's applicable charges and fees, and dedicate/transfer any necessary right of way to the Waterworks District for ownership upon satisfactory completion of construction.
- ☒ Owner may be required to participate in an existing water system improvement per Specs WWD 37-243(PC) installed by others.
- ☒ The service connection and water meter serving the property must be installed in accordance with Waterwork's District standards.
- ☐ The property has an existing service connection and water meter.
- ☒ Public water system and sewage disposal system must be in compliance with Health Department separation requirements.
- ☒ A portion of the existing fronting water main may be required to be replaced if the water service tap cannot be made or if damage occurs to the water main.
- ☐ Property may experience low water pressure and / or shortage in high demand periods.
- ☐ The District CAN NOT serve water to this property at this time.

By: Aracely Jaramillo (Signature) — Aracely Jaramillo (Print Name) — 626-300-3353 (Phone Number) — 4/13/15 (Date)

Rev. 04/15

**** THIS CONDITIONAL WILL SERVE LETTER WILL EXPIRE ONE YEAR AFTER THE DATE OF ISSUANCE.***

Taco Bell Acton
Burden of Proof

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area,

The property is located in the C2 Commercial Zone of the County of Los Angeles, which allows drive through restaurants. The project is surrounded by commercial uses. The property to the south, across Sierra Highway is a drive through Mc Donald's Restaurant, approximately 3,000 sf, the property to the west, across Crown Valley Road is a two story commercial building with a mix of restaurant, retail and businesses. The property to the north and west of the subject lot is occupied by the US Forestry Department. There are no residential zones abutting the property. The comfort and welfare of the persons residing or working in the surrounding area is not adversely affected by the proposed development.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site

The proposed use is of commercial nature in a commercial zone. It is located in the primary intersection of the town on Acton and surrounded by similar uses. The proposed restaurant will provide another dining option to the drive-by traffic of the neighborhood, and develop the only under-developed lot in said intersection, therefore being an asset to the properties in the vicinity of the site.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The Taco Bell restaurant will be located in a site currently used for a retail operation. The proposed use is consistent with the adjacent uses, no alcohol or entertainment will be provided at the premises. The project does not jeopardize, endanger or constitute a menace to the community.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project is located in the C2-DP zone of the County of Los Angeles, and it meets the development requirements set in Title 22.

Please see development analysis below

	Required	Proposed
Permitted use		Yes, with CUP
Min. Required Area	No requirement	Complies
Max. height limit	35 feet	30'-7"
Parking Required	17 spaces	30
Building Setback Side Street	0	32'-0"
Building Setback Street	0	47'-10"
Max. Lot Coverage	90%	4.04%
Min. Landscape Area	10%	47.66%

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and

The site is located at the intersection of Sierra Highway and Crown Valley Road, which is the main intersection and freeway 14 exit in the City of Acton. The intersection has an average daily traffic of 3,697 according to the Los Angeles County Department of Public Works machine count traffic volumes, dated January 15, 2013.

Sierra Highway is 2 lanes each way at the intersection and

Taco Bell is not considered a "destination restaurant" and it is typically used by the existing drive-by traffic incidental to the adjacent uses.

2. By other public or private service facilities as are required.

The property is served by the Los Angeles County Waterworks Department. There is no water meter for the property. A new water meter is proposed for the development.

There is no city sewer in the area. A septic tank is proposed.

Power will be provided by Southern California Edison.

ACTON TOWN COUNCIL
P.O. BOX 810, ACTON CA. 93510

Richard Claghorn, Planner
Los Angeles County Department of Regional Planning
Electronic Submittal of seven (7) pages
(sent to RClaghorn@planning.lacounty.gov)

July 23, 2015

and

The Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012
Electronic Submittal of seven (7) pages
(sent to Commission Secretary rruiz@planning.lacounty.gov)

Subject: Taco Bell/First Street development proposal in Acton

Reference: Project Number R2014-02996; RCUP # T2014-00142
Assessor Parcel No: 3217-021-11

Dear Commissioners and Mr. Claghorn;

It appears from the file that has been compiled by the Department of Regional Planning ("DRP") for the referenced project that no input regarding this project has been received from the Acton Town Council. This letter seeks to rectify the situation.

BACKGROUND

In 1992, the Los Angeles County Board of Supervisors approved a Plan Amendment and Zone Change for the referenced parcel. As part of this action, the zoning on the referenced parcel was downgraded from C-3 ("unlimited commercial") to C-2-DP to ensure that any commercial development on this particular parcel would be community-focused and community-based. Among other things, the Regional Planning Commission made the following findings:

> "The use of the recommended "DP" addendum along with the required conditional use permit and the recommended change from C-3 on a portion of the property to C-2-DP will ensure development in a manner that is compatible with the surrounding land uses and in accord with the needs and desires of the community." [RPC Zone Change Finding 9]

> "The specific use and development of the subject property will be controlled through the related zoning, conditional use permit and tentative tract map, ensuring development in a manner that is compatible with the surrounding land uses and is in accord with the needs and desires of the community." [RPC Plan Amendment Finding 13].

In addition, the Board of Supervisors made a specific finding regarding the General Plan Amendment which states:

> "The recommended zoning including the "DP" addendum and the required conditional use permit will ensure development of the project in a manner that will be compatible with surrounding land uses and will not result in a significant environmental impact on the general area." [Finding 9].

Taken together, these findings leave no doubt that any commercial development proposed for the referenced parcel must proceed in a manner that does not pose a significant environmental impact on the area, and must be in accord with the "needs and desires" of the community of Acton. Over the last 10 years, the Acton Community's "needs and desires" have been clearly enumerated throughout the "Antelope Valley [Town and Country] Plan" development process, and are firmly set forth in Chapter 7 of the "Antelope Valley [Town and Country] Plan" that was adopted by the Board of Supervisors just four weeks ago (June 16, 2015). Regarding commercial development near Sierra Highway and the 14 Freeway, the new plan specifically states (with emphasis added):

> "The intent of these (CR) designations is to allow low-intensity local commercial uses that serve community residents and to *prohibit high-intensity regional commercial uses that serve travelers along State Route 14*."

and:

> "Development in these CR designations that would require the installation of urban infrastructure, such as concrete curbs and gutters, street lights and ***traffic signals***, shall be discouraged as this does not fit with the community's unique rural character and identity."

To facilitate these stated objectives, the new Plan explicitly provides for the implementation of additional commercial development restrictions pertaining to drive-thru developments, Floor-Area Ratios ("FAR") limits, etc.

The "needs and desires" of the Community were also recently affirmed by a community-wide survey that overwhelmingly established Acton's resolved intent to remain an entirely rural community ***as a whole***, and to discourage highway- or freeway- serving commercial development everywhere in Acton, particularly along Crown Valley Road between the County library and the High Desert Middle School. The survey was sent to all homes in

Acton; 85 percent of responses indicated opposition to expanding the number of "fast food" restaurants in Acton, and 87 percent opposed additional "drive-through" service in Acton.

THE PROPOSED PROJECT

On July 21, 2014, the referenced project (also referred to as the "Taco Bell" Project) was unveiled to the community of Acton at an Acton Town Council meeting. During the meeting, the developer heard numerous concerns about the proposed project, including architectural deficiencies, traffic impacts and the lack of projected traffic estimates, parking stall size and configuration issues, and the inclusion of a "drive-thru" window.

The project was placed on the agenda for the Acton Town Council meeting for August 4, 2014, and the developer was informed of the schedule. The developer did not provide feedback on proposed project changes before the August 4 meeting, nor did the developer attend the August 4 meeting. Therefore, the Acton Town Council voted to not support the project as proposed, with the proviso that the Acton Town Council would reconsider this position if the developer returned to the community with a modified project that addressed these concerns.

On August 11, 2014, the developer telephoned Mr. Michael Hughes (the then-president of the Acton Town Council) and asked him to refrain from sending the Acton Town Council letter until after a second presentation to the community is made. The developer followed up with a letter sent via email on August 13, 2014, which 1) Requested that the Council refrain from sending a letter to the County of Los Angeles; 2) Clarified that no application had yet been submitted to the County; and 3) Committed to a second presentation to the community within 60 days. Notwithstanding this request, the Acton Town Council sent an email to DRP identifying various project concerns (see attached).

The developer has never returned to the community of Acton, nor has the developer bothered to communicate with the Acton Town Council or provide any additional information after August 13, 2014. The developer failed to meet the 60 day follow-up presentation commitment he made, and (worse yet) it appears that he did in fact submit the project to DRP ***before*** he informed the Acton Town Council that the application had not yet been submitted. Nonetheless, and despite the absence of Acton Town Council input in the record of the proposed Taco Bell project, the Department of Regional Planning has recommended a hearing be scheduled before the Regional Planning Commission.

COMMUNITY CONCERNS WITH THE PROJECT

The Community of Acton has voiced a number of concerns with the proposed project, including:

1) The vast majority of the customers served by the project will be travelers/ commuters on the 14 Freeway. The project will draw an estimated 1,006 cars per day off the freeway and into the community in precisely the same location where

traffic is already heavy. Additionally, the Taco Bell project and the freeway ramps are located between the middle school and the local library, which will further endanger the safety of our children. The use of traffic signals to "mitigate" these traffic impacts is contrary to our rural profile and in utter conflict with the stated "Intent and Purpose" of the Acton Community Standards District [see for example section A of Zoning Code Section 22.44.126].

2) The inclusion of a "drive thru" window amplifies the commuter/freeway traveler serving aspect of the proposed project. It is also contrary to the community's "needs and desires" that were clearly enumerated in the recent community-wide survey which established that freeway oriented, drive-thru fast food restaurants are not consistent with Acton's rural and equestrian profile.

3) The architectural aspects of the project are not consistent with the "western" motif required by the Acton CSDs.

4) Commercial restaurant septic systems in the vicinity of the proposed project have very high failure rates, and have even caused area restaurants to shut down. These systems pose significant water quality risks in the community.

5) The traffic study was conducted in accordance with the County's standard "Traffic Impact Analysis Report Guidelines" which relies on "Institute of Transportation Engineers Trip Generation" estimates and allows reduction for "pass-by" trips. "Pass-by" trips are made by traffic already using adjacent roadways and enter the site as an intermediate stop on the way from another destination rate. The County allows developers to deduct "pass-by" trips from the total traffic load. However, this approach does not properly represent the traffic circumstances that will be created by the Taco Bell Development. The fact is, nearly all the customers will be "pass-by" customers because they will be commuters and other freeway/highway travelers, and it is precisely these "pass-by customers" that will generate all the traffic problems in the community and endanger the lives of Acton equestrian and pedestrians. The notion that these "pass-by" customer trips are actually ***subtracted*** from the total traffic load is ABSURD; particularly since they are responsible for the traffic problems in the first place. Another problem is that the generic traffic estimation method is based entirely on the square footage of the fast food drive-thru restaurant, and it fails to consider other key factors such as project location. There is no doubt that a drive-thru Taco Bell located adjacent to a heavily traveled freeway and a major highway will have a much higher trip generation rate than a Taco Bell located in a quiet suburban community. Yet, the County's trip estimation method fails to account for this fact. This matter is of particular concern for the proposed Taco Bell Drive thru project, which will be located within 250 feet of the on- and off-ramps for the 14 Freeway where on average of 100,000 vehicles travel every day. Yet, the County's trip estimation method accounts for none of this. It also appears

that the Taco Bell traffic study was modeled in part based on a Taco Bell development in San Clemente. It is not clear the extent to which the San Clemente Taco Bell project informed the Acton Taco Bell traffic study, however, it must be noted that the San Clemente Taco Bell is nothing like the Taco Bell project proposed in Acton; it is not visible from the freeway, it predominantly serves the surrounding suburban community, it is not located between a school and a library, and it is not in a rural, equestrian community. These are not the circumstances surrounding the proposed Acton Taco Bell project, which will be highly visible from both the 14 freeway and Sierra Highway, will predominantly serve the commuting/traveling public, is located between the middle school and the library, and is in the heart of a rural, equestrian community.

CONCLUSIONS

For all these reasons, the Community of Acton requests that the Regional Planning Commission not approve the proposed Taco Bell project until the pedestrian safety concerns and traffic impacts are properly addressed without traffic signals, the drive-thru is eliminated, and the architectural style is commensurate with the conditions established in the Acton Community Standards District. This letter was authorized by a unanimous vote of the Acton Town Council.

Sincerely;

Christopher Croisdale, President

Tom Costan, Vice President

Jacqueline Ayer, Member

Ray Billet, Member

Michael Hughes, Member

Thor Merich, Member

Kelly Tenb, Member

Katherine Tucker, Member

Pam Wolter, Member

ATTACHMENT – PRIOR CORRESPONDENCE SUBMITTED TO THE

DEPARTMENT OF REGIONAL PLANNING REGARDING THE PROPOSED TACO BELL/FIRST STREET DEVELOPMENT.

Note from Michael Hughes:

The Taco Bell project was presented to the Acton Town Council on July 21, 2014. At that presentation the Council and residents of Acton who were present at the meeting, pointed out numerous areas of the project that were not acceptable to the Community of Acton. The representatives from First Street were notified that the project, along with another project also discussed on the 21st, would be placed on the agenda for the next Council meeting on August 4, 2014. First Street indicated they would return to the Council and present an updated project proposal that addressed our concerns.

First Street/Taco Bell did not return on August 4th. During the meeting on the 4th, the Council voted to oppose the project as it was presented and requested that I submit a letter of opposition to Regional Planning stating our opposition. Subsequently the developer called me on August 11, 2014 and asked that we hold off on sending the letter until they returned to do a 2nd presentation. I explained to them that a letter would be sent as the Council had directed that it be done. The specific language in the letter was reviewed with the Council at out August 18, 2014 meeting and the letter (in e-mail format) was sent on August 20, 2014. This is the letter that seems to be missing from the file. Please see the

From: m_r_hughes@earthlink.net

To: Mitch Glaser

Cc: ATC <atc@actontowncouncil.org>, Ray Billet <BlumRanch@aol.com>, RJ Acosta <rjacosta@actontowncouncil.org>, "Katherine.Tucker@ngc.com" <Katherine.Tucker@ngc.com>, Fred Miller <fredmilleremt@aol.com>, DARVIN WHITE <bluebarnranch@roadrunner.com>, Tami Lambe <lambestew@gmail.com>, Thor Merich <thorx655@earthlink.net>, Mike Hainline <mhainline@earthlink.net>

Subject: Taco Bell project at 3771 Sierra Hwy., Acton, CA 93510

Date: Aug 20, 2014 4:16 PM

Mitch,

On July 21, 2014 Chris Czyz from First Street Development made a presentation to the Acton Town Council regarding the placement of a Taco Bell at the above address (corner of Sierra Hwy and Crown Valley Road). During that presentation several areas were addressed as areas of concern to the Community of Acton. Some, but not all, of the areas of concern we identified were: parking space size and configuration, traffic flow, increase in overall traffic congestion, safety issues relating to pedestrian and automobile traffic, the plan for a drive through, the style/look of the building, and significant septic problems in the area, the project is located on US Senic Hwy. 6.

It is our understanding that Mr. Czyz will be returning to the Council at a future meeting to discuss his proposed changes to the project. At the July 21st meeting I indicated that his and one other project would be put on the Agenda of the August 4, 2014 Council meeting so the Council could take a position on the projects.

At the August 4th meeting the Council voted to oppose the project as it was proposed on July 21, 2014 and I was directed to submit a letter to Regional Planning stating our position. This e-mail shall serve as that letter.

If you have any additional questions please let me know.

Thank you,

Michael

Michael R. Hughes
President, Acton Town Council

Richard Claghorn

From: Teresa Spencer [californiahorsebarns@gmail.com]
Sent: Sunday, July 12, 2015 4:19 PM
To: Richard Claghorn; Rosie Ruiz
Subject: Taco Bell & Primo Burger in Acton, CA

It has come to my attention that "THE COUNTY REGIONAL PLANNING DEPARTMENT" does not consider Sierra Highway (Route 6) corridor at Crown Valley as part of Acton.

Well, Regional planning is in DIRECT conflict with the citizens of Acton. The citizens of Acton that I am aware of consider the Entire Corridor of Sierra Highway from Ward Road to Angeles Forest "PART OF ACTON".

The approval of these projects and others in accordance with the CURRENT - Acton Community Standards is in direct conflict with "Community Serving" businesses. Both of these project are looking to derive business from "passors by" off the 14 Fwy. These businesses will ALSO conflict with the "Country Lifestyle" of Acton and it's ability to remain rural without "Stop lights".

In the last business proposal of a "Drive thru" in this area, Regional planning proposed 4 stop lights in less than 300' (on/off ramps - both north & south bound, Sierra Hwy and Crown Valley AND Antelope Woods and Crown Valley). The congestion that this would cause local residents, the Middle School traffic and "passors by" on the 14 fwy is insurmountable.

How the County Regional planners can even consider the Sierra Hwy corridor as "Not part of Action" seems ludicrous to me. IF you are considering "Acton" as the area where the Store/ post office etc. exists currently on Crown Valley and Smith, then I surmise that this area be called "OleTowne Acton"

Because if you consider Acton as only this small part of the area, then you can ONLY consider Lancaster as Lancaster Blvd. the remaining area then is not Lancaster. This is how I would equate your ludicrous statement.

As a resident of Acton for over 10 years, I am not adverse to business, business growth, however when Government steps in an strong arms a small community, that's when we stand up and fight. Just because the "whole" of Los Angeles county is "overrun" with Chain store businesses does not mean that Regional planning can force these types of businesses on areas that DO NOT want them, just as a whim.

IF anyone in Regional planning understood our "Lifestyle" and bothered to even consider communicating with the Town Council, they would in fact see that when forced, this little community will voice it's opinion and very loudly.

DO NOT CONSIDER THE PRIMO BURGER "OR" TACO BELL PROJECT FOR OUR TOWN ! WE WILL USE OUR VOICES as has been done in the past.

Teresa Spencer
Very Concerned Citizen !
661-269-1375

Richard Claghorn

From: Laura Sickler [lynnspo@att.net]
Sent: Friday, August 07, 2015 9:04 AM
To: Richard Claghorn
Subject: Re: Acton Taco Bell project

Thank you. I hope Regional Planning approve the Taco Bell. Numerous people in Acton want the drive thru in Acton. They have horse trailers or animals in their vehicles and can't leave the vehicle to get food, one woman has drug babies foster children who couldn't take them into a restaurant. I'm so disgusted with ATC and the fighting between members I haven't attended a meeting since my meeting with you. The attendance of the meetings have declined to what it was before the Primo Burger issue, maybe 6 or 7 people in the audience.....also added to the equation of ATC, I know my issue to rezone my property was treated improperly by ATC members elect Jacki Ayers, Pam Wolter, etc.
Thank you again for the Taco Bell notification. Lynne Sickler

On Thursday, August 6, 2015 4:44 PM, Richard Claghorn <rclaghorn@planning.lacounty.gov> wrote:

Hello Lynne,

When we spoke at your One-Stop meeting in April, I said I would notify you when the Acton Taco Bell project was scheduled for public hearing. The project has been scheduled for a hearing on September 16, 2015 with the Regional Planning Commission. Details can be found on our website at the following link:

http://planning.lacounty.gov/case/view/r2014-02996/

The staff report and additional information will be posted about two weeks before the hearing date or earlier.

Richard Claghorn
Principal Regional Planning Assistant
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443

Los Angeles County Regional Planning Department
320 West Temple Street
Los Angeles, California 90012

RECEIVED
OCT 20 2014
BY:_____

October 16, 2014

Regarding Doug and Joanna Gaudi's Project #R2014-00881-(5)
CUP 201400037 APN Vacant 3217-021-022

To Whom it may concern:

I want the County of Los Angeles to know that **I and many others** who choose to remain silent **would like the Gaudi's project to be approved** as they request with a drive thru for the restaurant and the necessary signage to properly advertise their enterprise. I support new business ventures such as the Gaudi's because it serves the residents of Acton and brings jobs to our community. The property they own is zoned C-3 (Unlimited Commercial), surrounded by other businesses, and is adjacent to the 14 Freeway. I do not believe these requests would be detrimental to Acton's rural atmosphere in any way, nor would it set an imaginary precedent for more future development. There already exists a McDonald's and a Jack in the Box, both of which have Drive Thrus and our community shows no obvious signs of harm!

The following is a letter I wrote to our community newspaper last month in regard to the constant road blocks our Town Council continues to put up to block new restaurants from opening. It appears these efforts are directed by mainly one person who is no longer a Council Member, but is very vocal and determined on this matter. Please don't block reasonable projects because of the loud objections of a handful of residents.

Thank You,

Melvin J. Shikato
Acton Resident

My letter to the Country Journal:

As I read the Country Journal each week, I have been very interested in the new businesses that are attempting to open in our fine little town. Of particular interest is the plight of the several restaurants that are seeking the blessings of the Town Council. I appreciate the hard work and dedication of the council members who seek to protect the rural atmosphere of our unique community. However, it is my opinion that the council is too anti-business-especially towards restaurants.

Since I moved here in 2007, I have followed the struggle of the Panda restaurant that wanted to open in town. Today, no Panda. They must have given up. I welcome them as I do the proposed Primo Burger and Taco Bell. I believe any or all of these would be a great addition to our town-benefiting residents and freeway travelers alike. More local jobs and restaurant choices are just two benefits I see. Especially since Don Cucco has closed it's doors. I personally don't care if these establishments attract freeway traffic in order to be sustainable. I expect that they must. I also expect that the Town Council will require their buildings to look western and not contribute to light pollution-all of which I agree with.

Those of us who have ever ran a business or built something in Los Angeles County know that this is one of the most anti-business and restrictive places in the country. The Acton Town Council should not contribute to this and allow these restaurants to open and enhance our community.

Melvin J. Chikato

Acton

PHOTO KEY

marks architects

Note: Photos #11-14 taken by DRP staff on 2/5/15.

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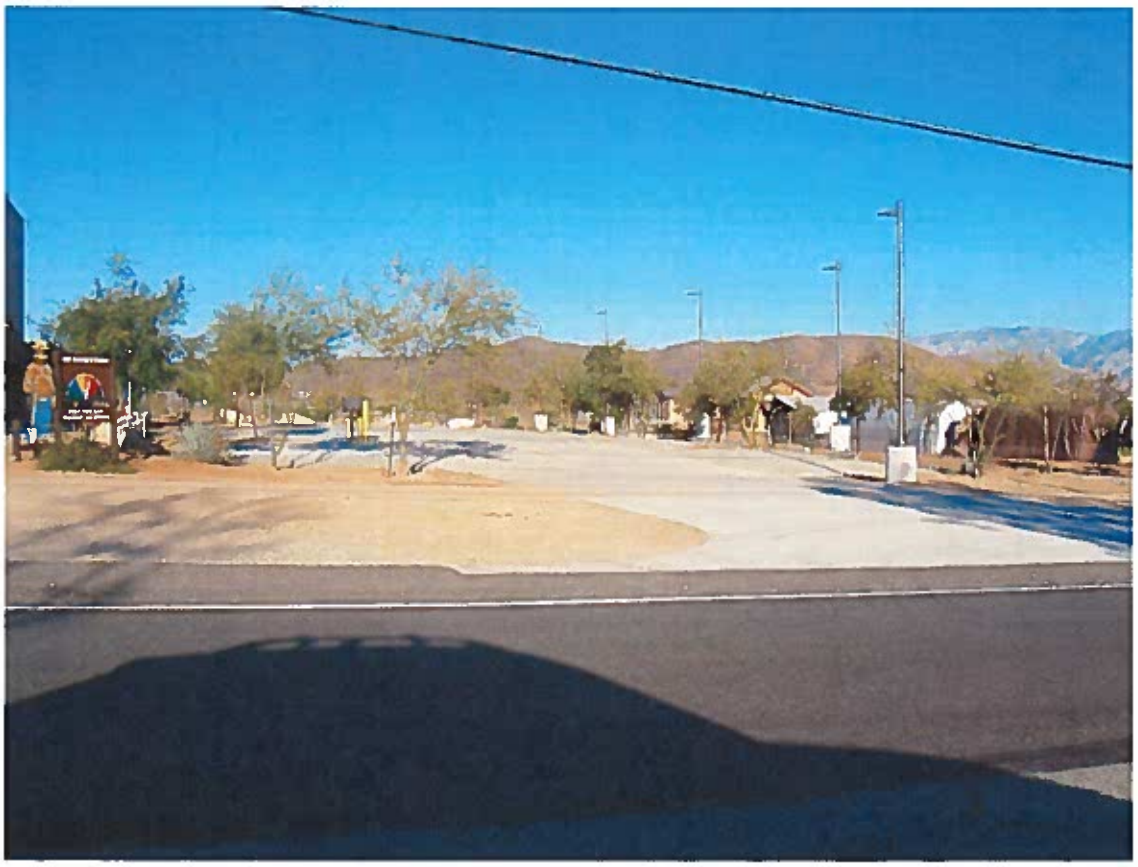

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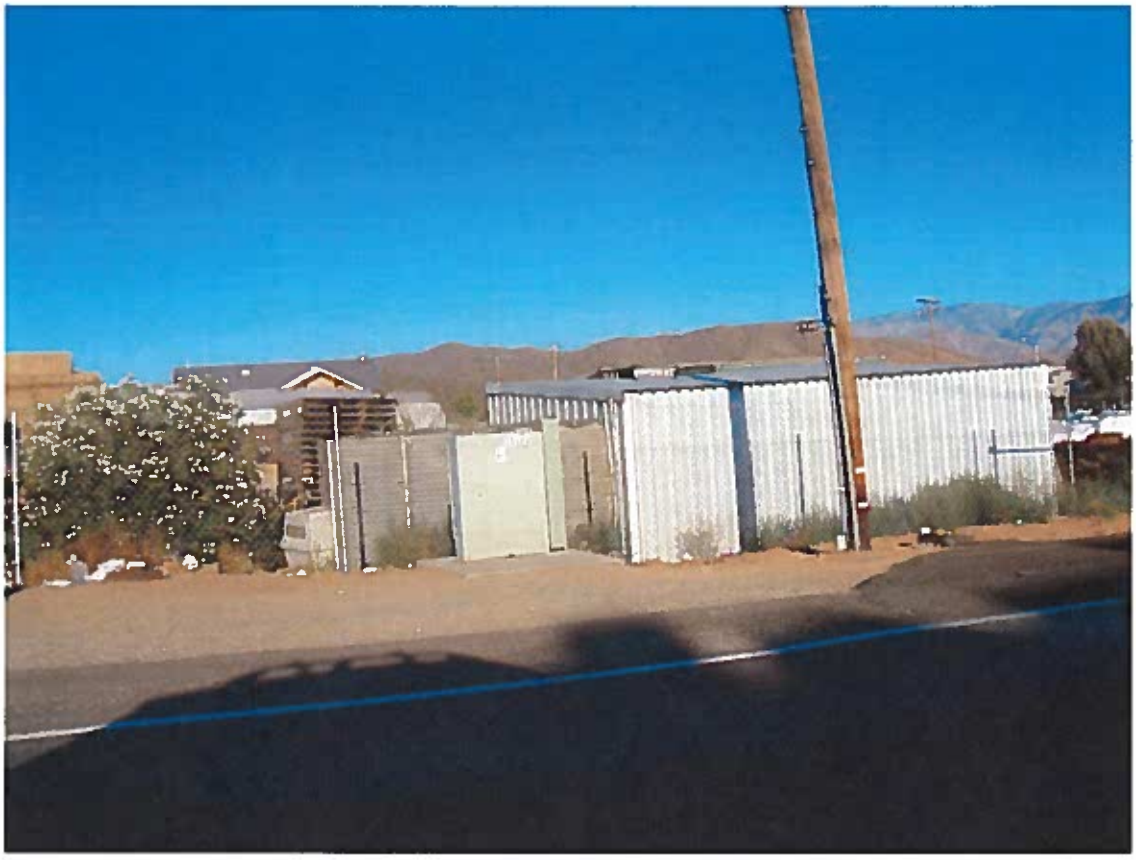

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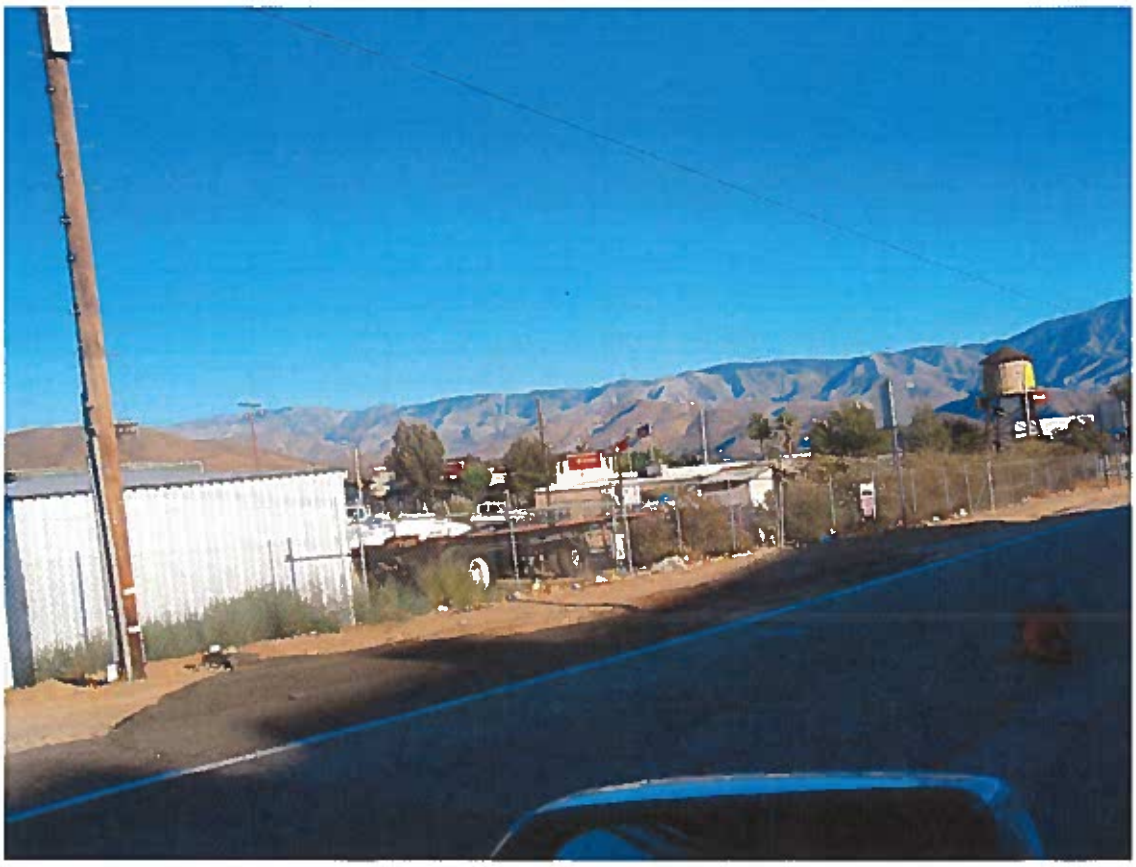

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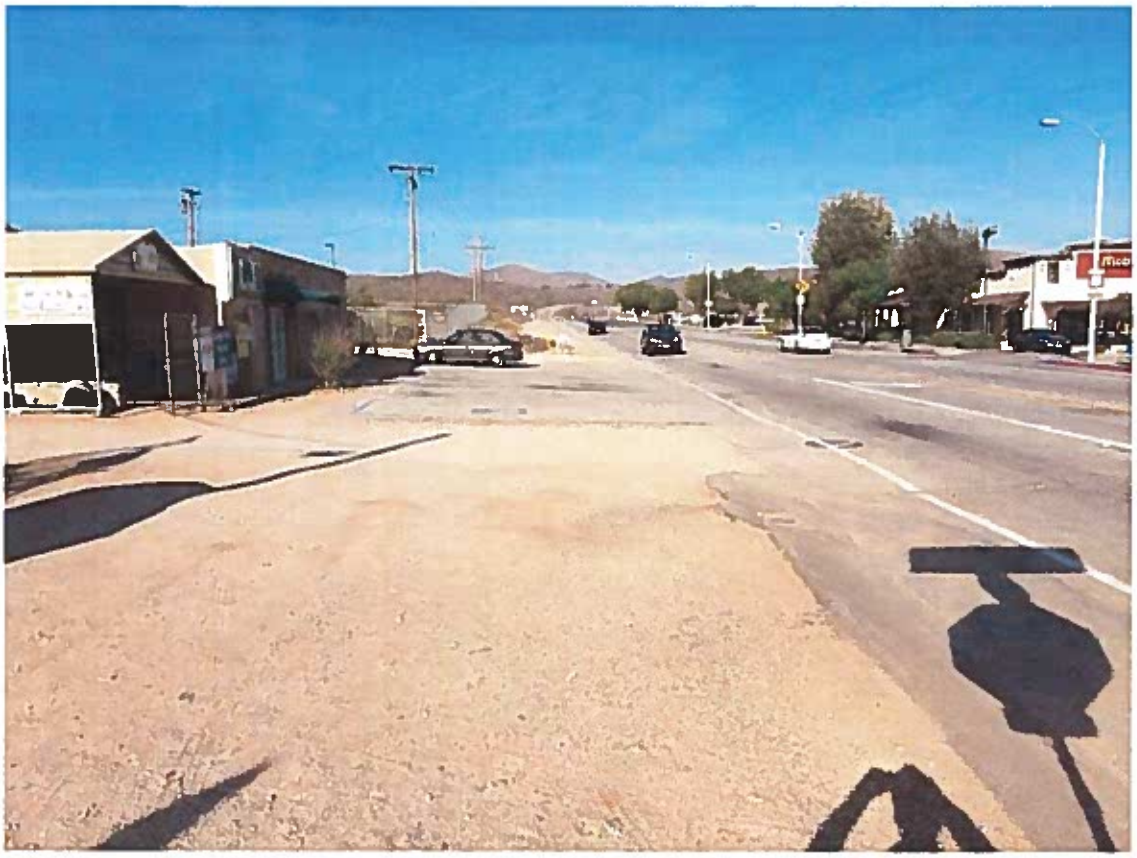

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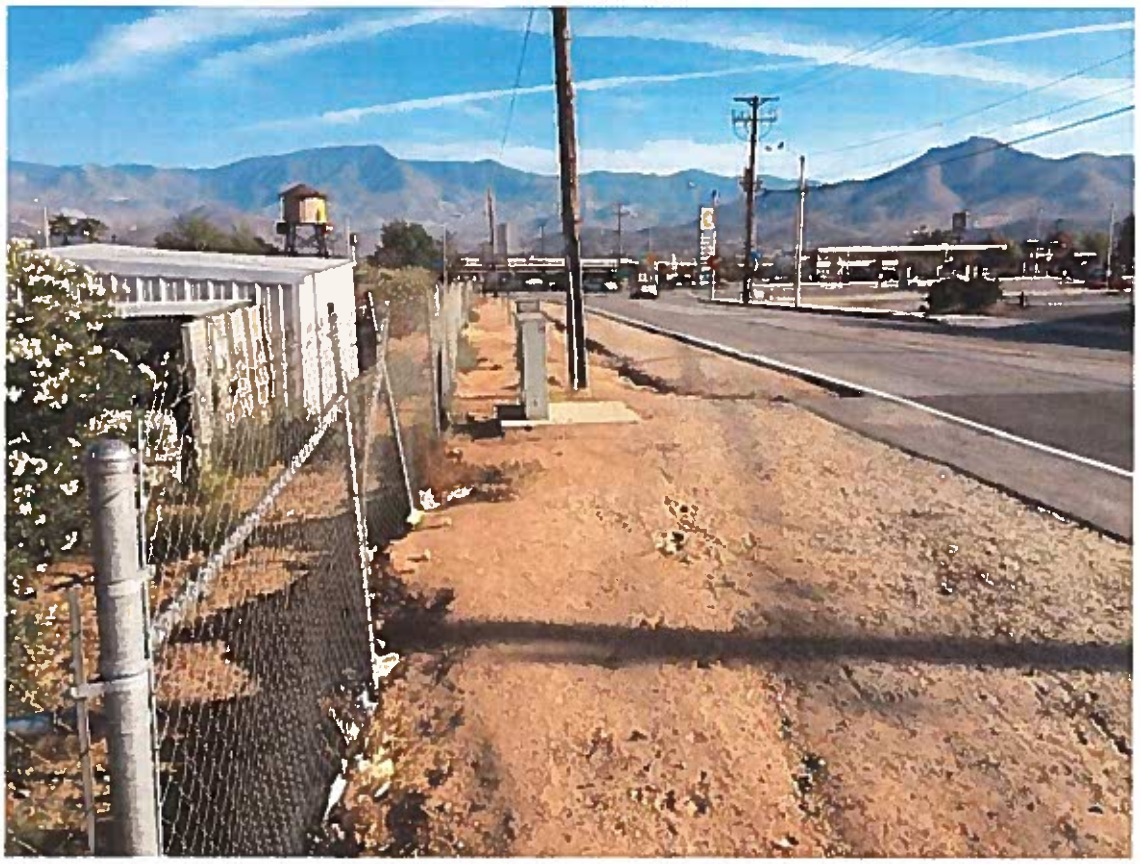

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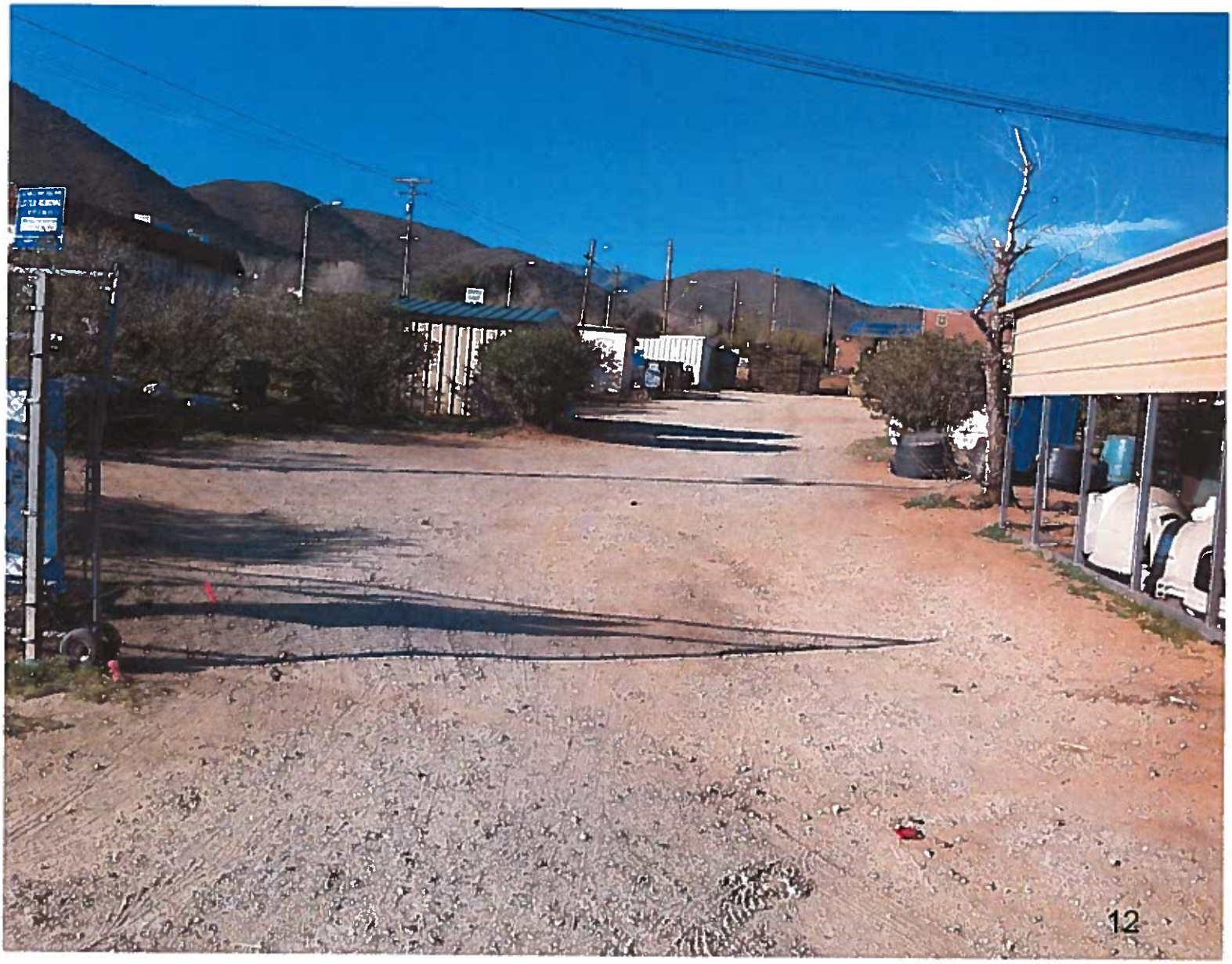

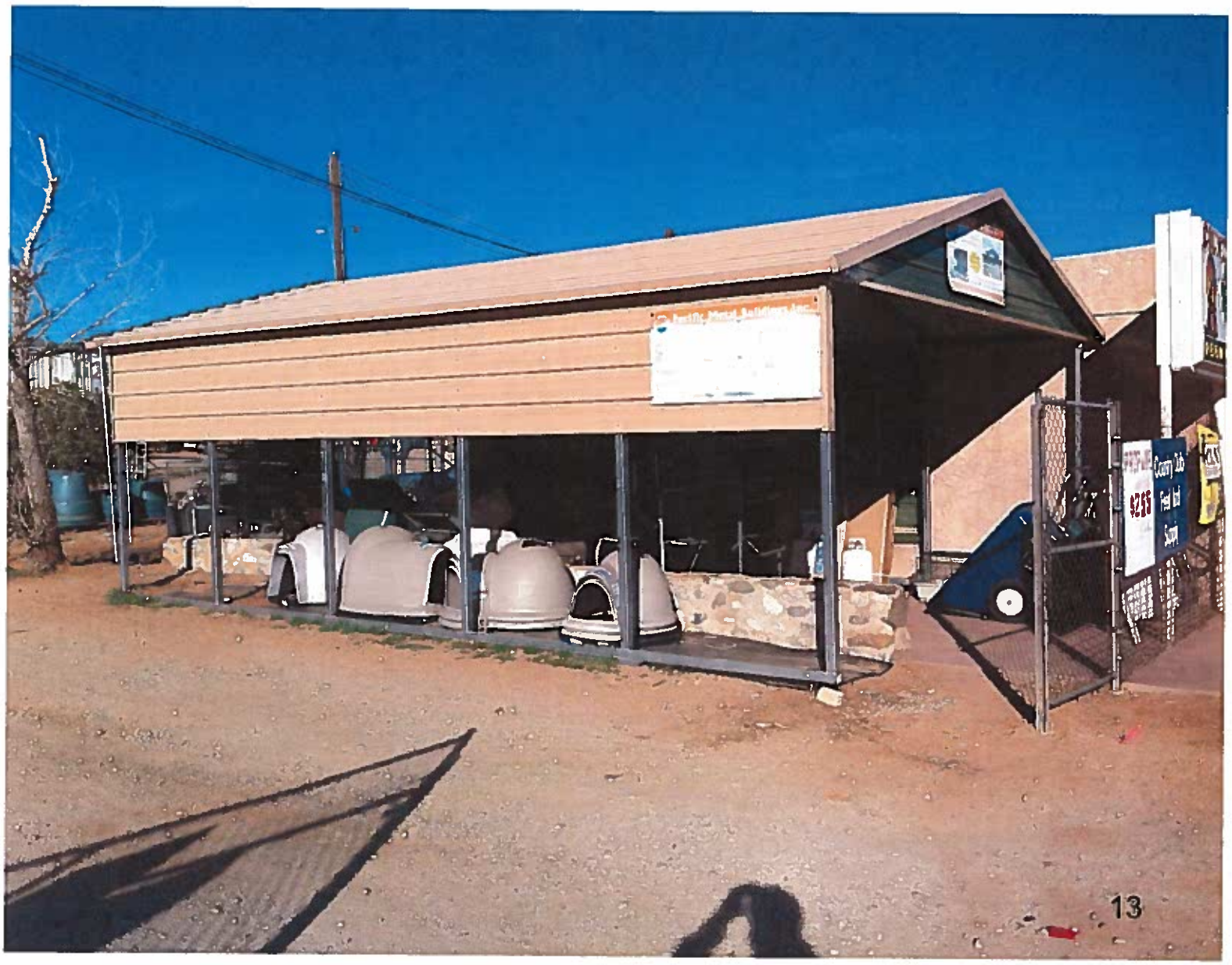
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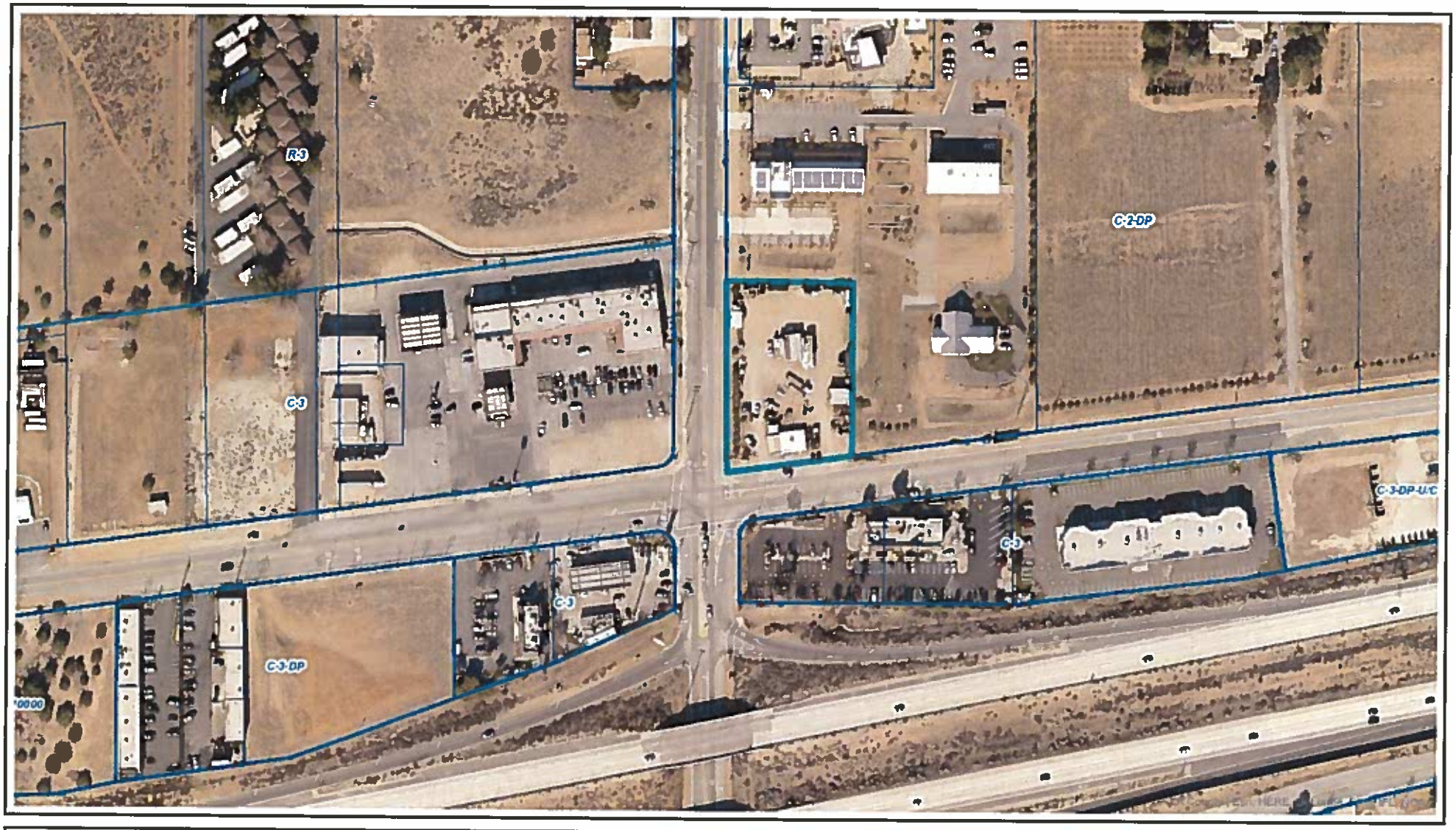

Created in GIS-NET3

Acton Taco Bell

Printed: Jul 15, 2015

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Feet

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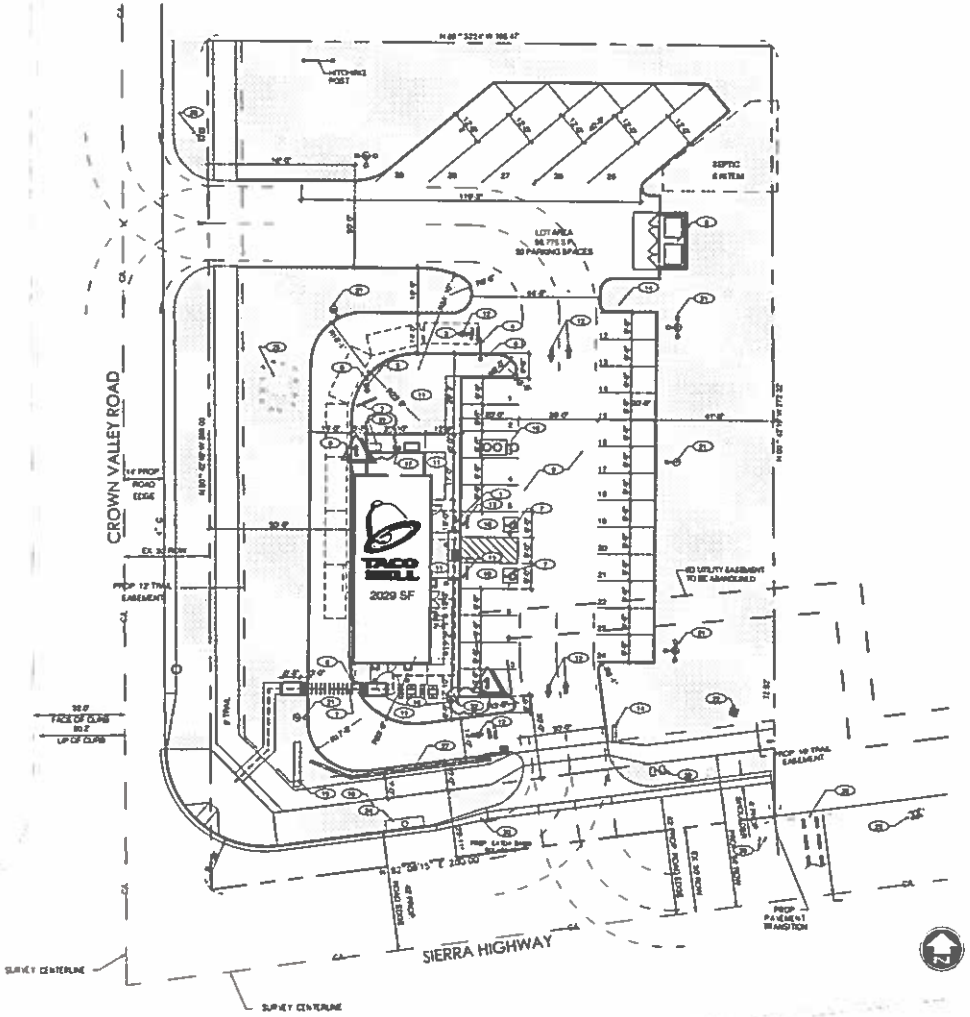

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BUILDING AREA	[illegible] SF	[illegible] %
LANDSCAPE AREA	[illegible] SF	[illegible] %
PAVING AREA	[illegible] SF	[illegible] %

SITE BREAKDOWN NTS | 1

1. NEW ACCESSIBLE PATH OF TRAVEL, MINIMUM [illegible] WIDE, [illegible] MAXIMUM SLOPE
2. NEW MENU BOARD
3. NEW DRIVE THRU LANE
4. NEW CLEARANCE BAR 12" TO FRONT OF CURB
5. NEW ORDER CONFIRMATION BOARD
6. NEW BOLLARD. PROVIDE PLASTIC COVER
7. NEW HANDICAP SYMBOL
8. NEW TRASH ENCLOSURE
9. NEW PARKING LOT AND DRIVEWAYS. STRIPE LOT
10. NEW DISABLED ACCESSIBLE PARKING SPACES
11. NEW LANDSCAPE AREA
12. NEW TRAFFIC ARROWS/LETTERS. PAINT WHITE
13. NEW DISABLED ACCESSIBLE SIGN
14. NEW DIRECTIONAL SIGN
15. NEW MONUMENTSIGN
16. NEW 6,000 GAL GREASE/ CLARIFIER BY OWNER
17. NEW GAS METER
18. NEW OUTDOOR SEATING
19. PROPOSED WATER METER
20. MAILBOXES
21. PARKING LOT LIGHT
22. GRATE
23. FIRE HYDRANT
24. PROPOSED CATCH BASIN
25. PROPANE TANK WITH STEEL POSTS
26. HEADWALL IN [illegible] OPENING
27. RETAINING WALL
28. TELEPHONE PED
29. PROPERTY WATER METER
30. EDGE OF PAVEMENT
31. BICYCLE LOCKER
32. 10 BIKE BOLLARDS FOR 3 BICYCLES EACH

1

KEYNOTES

SITE PLAN 1"=20' | 12

marks architects

[illegible]

[illegible]

LICENSED ARCHITECT GABRIELA MARKS C-24462 12-30-2015 STATE OF CALIFORNIA

marks architects 2015
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PLANNING SUBMITTAL	[illegible]
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TACO BELL
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TACO BELL
MEDIUM 40

SITE PLAN

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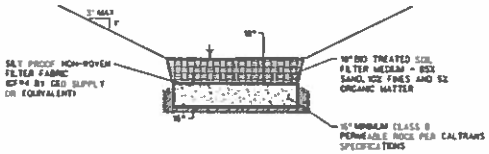
PLOT DATE

LOCATION MAP



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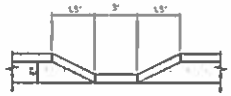

2 CURB OPENING
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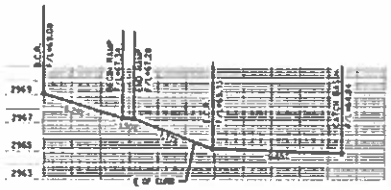
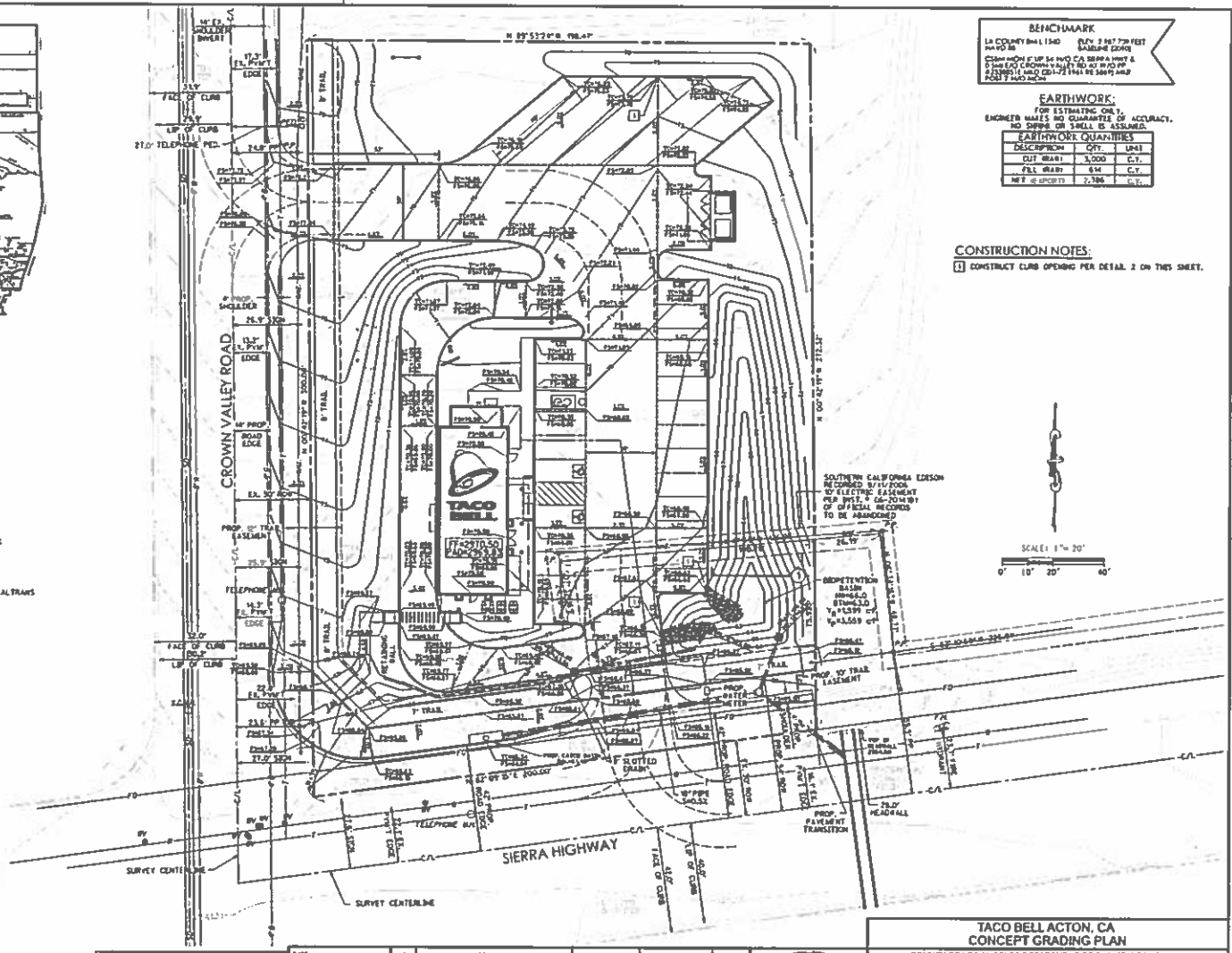


CURB RETURN PROFILE
SCALE: 1"= 20' HORIZ.
1"= 4' VERT.



BENCHMARK

LA COUNTY BM L1540 ELEV. 2,167.729 FEET NAVD 88
STAMP MON 6" UP S4 INTO C/A BEHIND HYDT & 0.1MI EAST CROWN VALLEY RD. AT INTO AP. & 1.3MI S.E. MILD CD1-72 1961 RE 5669 AMLP POST 7 INTO MON

EARTHWORK:

FOR ESTIMATING ONLY. ENGINEER MAKES NO GUARANTEE OF ACCURACY. NO SHRINK OR SWELL IS ASSUMED.

EARTHWORK QUANTITIES		
DESCRIPTION	QTY.	UNIT
CUT (BARE)	3,000	C.Y.
FILL (BARE)	614	C.Y.
NET @ EXPORT	2,386	C.Y.

CONSTRUCTION NOTES:

1. CONSTRUCT CURB OPENING PER DETAIL 2 ON THIS SHEET.

DIG ALERT

CALL BEFORE YOU DIG!

1-800-227-2600

UNDERGROUND SERVICE ALERT

Call at least 2 working days prior to excavation

DATE	5/21/15
DRAWN BY	DGM
CHECKED BY	DGM

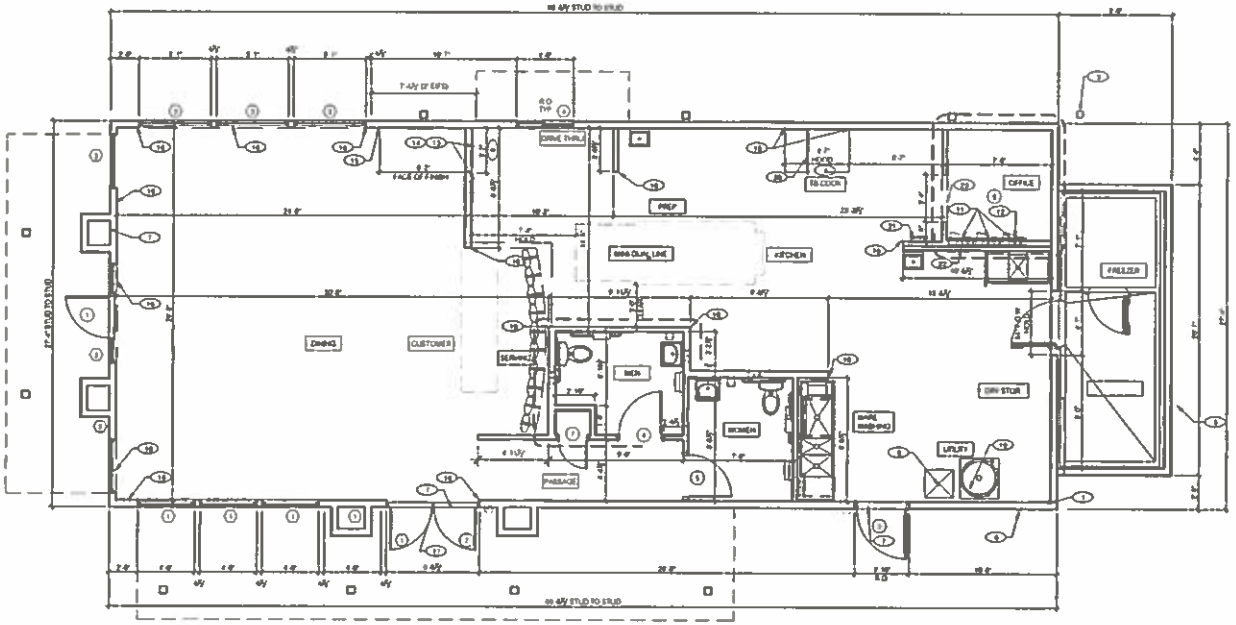
NO.	REVISION	REVISED BY	APPROVED BY	DATE

TACO BELL ACTON, CA
CONCEPT GRADING PLAN

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

3engineering
planning civil engineering surveying
3 ENGINEERING, LLC
2929 E. CAMELBACK ROAD, SUITE 116, PHOENIX, AZ 85016
PHONE (602) 334-4387 FAX (602) 490-3230

DWG SHEET 1 OF 1



ROUGH OPENINGS ARE NOT NECESSARILY TO STUD. SEE DETAILS ON SHEET A6.1 FOR R.O. LOCATIONS.

FLOOR PLAN A

TYPICAL EXTERIOR WALL
3x4 HO STUDS AT 16" O.C. (3x BREATHING AS SCHEDULED (SEE STRUCT DWGS) AND R-19 KRAFT FACED FIBERGLASS BATT INSULATION U.O.N. GC SHALL PROVIDE 3 LAYERS OF GRADE D BB & BUILDING PAPER

TYPICAL INTERIOR WALL
2x4 HO STUDS AT 16" O.C. (2x6 OR 2x8 WHERE NOTED)

INTERIOR SOUND RATED WALL
TYPICAL INTERIOR WALL W/ 3 1/2" UNFACED FIBERGLASS BATT INSULATION

TYPICAL EXTERIOR WALL W/ 3/8 GA S.S. PANEL BEHIND HOOD. REFER TO DETAIL 3/A6.1 FOR EXTENT OF S.S. PANEL

DASHED LINE INDICATES INTERIOR SUBSTRATE LOCATION

WALL SUBSTRATES
- DINING ROOM
1/2" GYPSUM WALLBOARD FROM T.O. CURB TO 6" ABOVE CEILING HEIGHT U.O.N. SEE 6.6 & 16.1 AS 3 (NOTE: THE CEMENT BOARD SPECIFICATION IS DESIGNED TO ALLOW THE G.C. FLEXIBILITY.)
- KITCHEN WALLS AND DINING ROOM CLOSET
1/2" CEMENT WALLBOARD FROM T.O. SLAB WITH 1/2" CDX PLYWOOD W/FRP SURFACE FINISH TO 6" ABOVE CEILING HEIGHT U.O.N. 6" DOUBLE BOXED SHEAR WALL PLYWOOD SPECIFIED THE PLYWOOD SHALL SHALL BE CONTINUOUS FROM SILL PLATE TO TOP PLATE. SEE 4.11 & 20.1 AS 3
- RESTROOM WALLS
1/2" CEMENT WALLBOARD FROM T.O. SLAB OR T.O. CONCRETE CURB TO 48" A.F.F. WITH 5/8" HI IMPACT BRAND 1/2" WALLBOARD, TYPE X CORE FROM T.O. CEMENT BOARD TO 6" ABOVE CEILING HEIGHT U.O.N. HO SUBSTITUTIONS ALLOWED. FINISH AS SCHEDULED. SEE 11 (SHEET 12 AS 3
- ALL OTHER FRAME WALL CONDITIONS
1/2" GYPSUM WALLBOARD FROM T.O. SLAB OR T.O. CONCRETE CURB TO 48" A.F.F. WITH 1/2" GYPSUM WALLBOARD FROM T.O. CEMENT BOARD TO 6" ABOVE CEILING HEIGHT U.O.N. FINISH AS SCHEDULED

WALL LEGEND E

DIMENSIONS
A. ALL DIMENSIONS ARE TO FACE OF STUD U.O.N. REFER TO FOUNDATION PLAN FOR FACE OF CONC. DIMENSIONS.
B. DIMENSIONS NOTED AS "CLEAR OR HALF" ARE MIN. REQD. NET CLEARANCE BETWEEN FACE OF WALL FINISHES OR FINISH VERIFY PANEL EQUIPMENT SIZES W/ VENDOR PRIOR TO 3/4" WALL FRAMING.

DOORS AND DOOR
A. SEE SHT A1.1 FOR DOOR TYPES AND DOOR SCHEDULE
B. ALL DOOR AND WINDOW OPENING DIMENSIONS ARE TO ROUGH OPENING.

FINISH SUBSTRATES
A. PROVIDE 1/2" THICK CEMENTITIOUS BD. FROM FLOOR SLAB TO 12" A.F.F. MIN. IN LIEU OF GYP. BD. AT ALL WALLS EXCEPT SHEARWALL SURFACES U.O.N.
B. ALL CAVITY SPACE OF SPACES LEADING TO ALL HALLWAYS OR INACCESSIBLE SPACES SHALL BE SEALED WITH "NOT INTERNATIONAL" APPROVED SEALANTS.
C. ALL BACK OF HOUSE AND OFFICE WALLS SHALL HAVE 1/2" CDX PLYWOOD SUBSTRATE, U.O.N.

DOORS
A. SEE A2.0 FOR SEATING PLAN AND DETAILS
B. SEE A7.0 FOR FLOOR FINISHES
C. SEE A6.6 AS 3 FOR WALL FINISHES
D. SEE A7.1 FOR CEILING FINISHES.

GENERAL
A. PROVIDE THREE PAIR CONDUCTORS (2 HOT & 1 GROUND) FOR 120 VOLT AC CIRCUITS WITH MATCH PAINT COLOR. LOCATE PER DIRECTION OF PAINT MATERIALS OR LOCAL PLUMBING AGENT.
B. DIMENSIONS ARE BASED UPON WOOD FRAMING. UTILIZATION OF METAL STUDS ON NON-BEARING INTERIOR PARTITIONS, SHEARWALLS AND SUPPORTS IS ACCEPTABLE.
C. ALL ATTACHMENTS MADE THROUGH E.I.F.S. SHALL BE BUSHED TO PREVENT DAMAGE TO THE FINISH PER SHEET 2.
D. ALL PENETRATIONS THROUGH E.I.F.S. SHALL BE SEALED USING MFRS. APPROVED METHOD.

FLOOR PLAN NOTES D

1. STARTING POINT. ALL SUB-TRADES SHALL USE THIS POINT AS A BEGINNING LAY OUT (INSIDE FACE OF EXT. WALL STUDS)
2. HO FRP BEHIND (4) 5" (WALL IN COOLER/FREEZER
3. PIPE BOLLARD. SEE DETAIL 3/C7.0
4. HOOD WALL. SEE WALL LEGEND
5. ELECTRICAL MAIN SWITCH BOARD. REFER TO ELECT. DWGS
6. CO2 FILL BOX LOCATION
7. TILE TO CONCRETE METAL THRESHOLD
8. KEEP CLEAR FOR LP LINES & SYRUP LINES. SEE DETAIL 14 & FRAME 4 FOR STUD LAYOUT REQUIREMENTS
9. MOP SINK. REFER TO SHEET A2.0 & A2.1
10. S.S. CORNER GUARD / WALL CAP. TYP. ALL CORNERS IN BACK OF HOUSE FROM REAR WALL TO THE KITCHEN SIDE OF THE SERVICE COUNTER. SEE DETAIL 16/A6.6
11. ELECT. PANELS RECESSED IN 3x6 WALL
12. LIGHTING CONTROL PANEL SURFACE MOUNTED. REFER TO ELECT. DWGS
13. SYRUP LINE CHASE (HIDDEN). SEE DETAIL 16/A6.6
14. 6"x6" HORIZONTAL OPENING FOR SYRUP TUBES. COORDINATE WALL PENETRATION WITH COUNTER INSTALLER. SEAL CHASE TO COUNTER. SEE 1/A6.6
15. STAIR OF CHAIR RAIL
16. CONTINUE CHAIR RAIL AROUND CORNER TO WINDOW JAMB
17. REMOVABLE ASTRAGAL FROM INSIDE ONLY
18. METAL STUDS REQUIRED PER LOCAL CODES
19. INDICATES WATER HEATER LOCATION. COMES WITH METAL STAND
20. SPLASHGUARD. SEE DETAIL 9/A6.6. INSTALLATION SHALL BE COORDINATED WITH INSTALLATION OF MOP SINK.
21. ROOF LADDER SEE Tank 8
22. ADD SECOND 2x4 WALL ON KITCHEN SIDE
23. CASED OPENING. REFER TO DETAIL 6/A6.1. DOOR OPTIONAL. REFER TO DOOR SCHEDULE ON A1.1 (DOOR 24)

KEY NOTES B

marks architects

3640 [illegible]
[illegible], CA 92020
619 [illegible]
619 [illegible]

LICENSED ARCHITECT
GABRIELA MARKS
C-21482
12-30-2015
STATE OF CALIFORNIA

marks architects 2014
ALL REPORTS, PLANS AND DOCUMENTS PREPARED BY MARKS ARCHITECTS SHALL REMAIN THE PROPERTY OF MARKS ARCHITECTS AND IS INTENDED FOR USE FOR THIS SPECIFIC PROJECT ONLY

PLANNING SUBMITTAL	2-20-14
BUILDING DEPT SUBMITTAL	
Δ	
Δ	
Δ	
Δ	
Δ	
Δ	
Δ	
Δ	

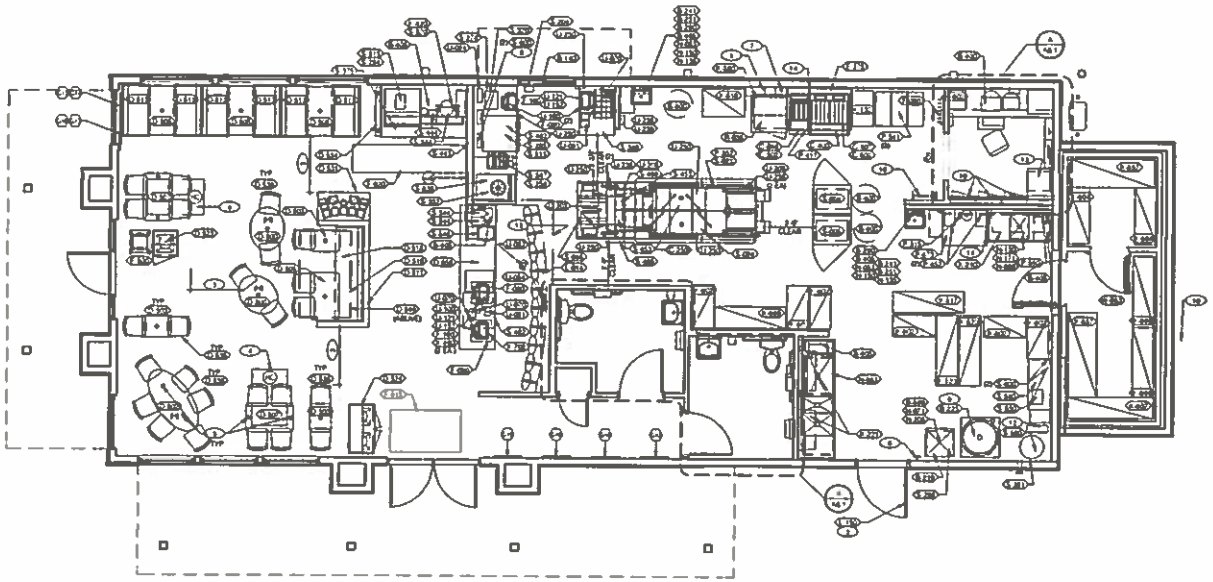
TACO BELL
[illegible] HWY
ACTON CA [illegible]
APN: [illegible]

MEDIUM 40

FLOOR PLAN

A1.0

PLOT DATE



EQUIPMENT/SEATING PLAN 1/4" = 1'-0" | A

SYM	QTY	ITEM
	2	TABLE - OVAL - BAR HEIGHT - 24" X 30" - CORE DRILL BASE
	1	TABLE - OVAL - BAR HEIGHT - 30" X 60" - CORE DRILL BASE
	3	TABLE - RECTANGLE - STD HEIGHT - 30" X 24" - CORE DRILL BASE
	4	TABLE - RECTANGLE - STD HEIGHT - 24" X 48" - CORE DRILL BASE
	2	TABLE - RECTANGLE - STD HEIGHT - 24" X 48" - CORE DRILL BASE (ADA)
	7	DIVIDER WALL - 60" LONG
	6	OPEN BACK BENCH SETTEE - 42"
	1	BACKLESS BENCH SETTEE - 36"
	1	BACKLESS BENCH SETTEE - 42"
	1	SMALL TRASH RECEPTACLE
	1	DOUBLE TRASH RECEPTACLE
	1	SERVICE COUNTER - 127"
	1	CONDIMENT COUNTER - SCALLOPE CORNERS

SYM	QTY	
	1	SCREEN WALL
	15	FORMED WOOD SHELL DINING CHAIR
	10	FORMED WOOD SEAT HALF BACK STOOL
	1	COFFEE BIN DISTRIBUTOR

SEATING PACKAGE - BY SEATING VENDOR U.O.N. (TOTAL SEATS = 40) | E

	QTY.	ITEM	REMARKS
	1	TASTE EXPLOSION 1 OF 4	SEE A6.0 FOR LOCATION
	1	TASTE EXPLOSION 2 OF 4	SEE A6.0 FOR LOCATION
	1	TASTE EXPLOSION 3 OF 4	SEE A6.0 FOR LOCATION
	1	TASTE EXPLOSION 4 OF 4	SEE A6.0 FOR LOCATION
	1	VOLCANO TARGET	SEE A6.0 FOR LOCATION
	1	HPC TACO TAB	SEE A6.0 FOR LOCATION
	1	TACO NIGHT TIME	SEE A6.0 FOR LOCATION
	1	TACO BEACH BALL	SEE A6.0 FOR LOCATION
	1	NUFFREIN BOARD	SEE A6.0 FOR LOCATION

ARTWORK SCHEDULE | D

DECOR
1. REFER TO SC SHEETS FOR SCOPE OF WORK RESPONSIBILITIES
2. P# SYMBOL DENOTES A HIGH TABLE OR DINING COUNTER WITH STOOLS
3. (HC) SYMBOL DENOTES A HANDICAP ACCESSIBLE TABLE

GENERAL NOTES | C1

STORAGE TYPE	LINEAR FT
DRY STORAGE	40
COLD STORAGE	24
FROZEN STORAGE	14

SHELVING QUANTITIES REQUIRED | C2

1. HOOD FIRE SUPPRESSION SYSTEM (ANSUL R-102 OR EQUAL)
2. SEE SHEET A5.1 FOR SECURITY DOOR PACKAGE
3. MAINTAIN 36" MIN CLEAR AISLE EGRESS PATHS TO EXIT DOORS
4. 30" x 48" CLEAR FLOOR SPACE FOR HANDICAP ACCESS
5. (5.1) INDICATES CORE DRILL LOCATION. CORE DRILL LAYOUT TO BE PROVIDED BY THE SEATING VENDOR. SEE DETAIL 7 AND 8 ON SHEET A6.1 FOR MORE. CHANGE CORE DRILL BITS TO MATCH DECOR BASE SIZE TO MAINTAIN 1.5" MIN CIRCULAR LINE AROUND BASE
6. PULL STATION @ 5'-0" A.F.F.
7. GAS LINE DOWN TO EQUIPMENT
8. COORDINATE LOCATION OF HORIZ PVC SYRUP CHASE THROUGH WALL TO COUNTER
9. 6" HIGH WATER HEATER PLATFORM
10. SWITCHGEAR / ELECTRIC PANELS
11. NOT USED
12. 8 LADDER
13. BRINKS SAFE
14. SPLASH GUARD
15. ALERT LIGHT BOX FOR 3-COMP POWER BOAT
16. ROOF LADDER

KEYNOTES | B

marks architects

LICENSED ARCHITECT
CHARLES MARKS
C-7882
12-30-2016
STATE OF CALIFORNIA

marks architects 2014
ALL REPORTS, PLANS AND DOCUMENTS PREPARED BY MARKS ARCHITECTS SHALL REMAIN THE PROPERTY OF MARKS ARCHITECTS AND IS INTENDED FOR USE FOR THIS SPECIFIC PROJECT ONLY.

PLANNING SUBMITTAL 6-05-14
BUILDING DEPT. SUBMITTAL
△
△
△
△
△
△
△
△
△

TACO BELL
2375 SIERRA HWY
ACTON CA 93510
APN: 3217-021-011

MEDIUM 40

EQUIPMENT AND SEATING PLAN

A2.0

PLOT DATE

SOUTH ELEVATION (FACING SIERRA HWY)

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

EAST ELEVATION (FACING PARKING LOT)

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

marks architects

LICENSED ARCHITECT

TACO BELL

MEDIUM 40

EXTERIOR ELEVATIONS

A4.0

NORTH ELEVATION

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

WEST ELEVATION (FACING CROWN VALLEY RD)

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

marks architects

LICENSED ARCHITECT

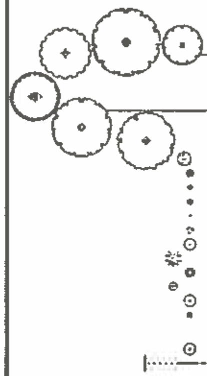
STATE OF CALIFORNIA

TACO BELL

MEDIUM 40

EXTERIOR ELEVATIONS

A4.1



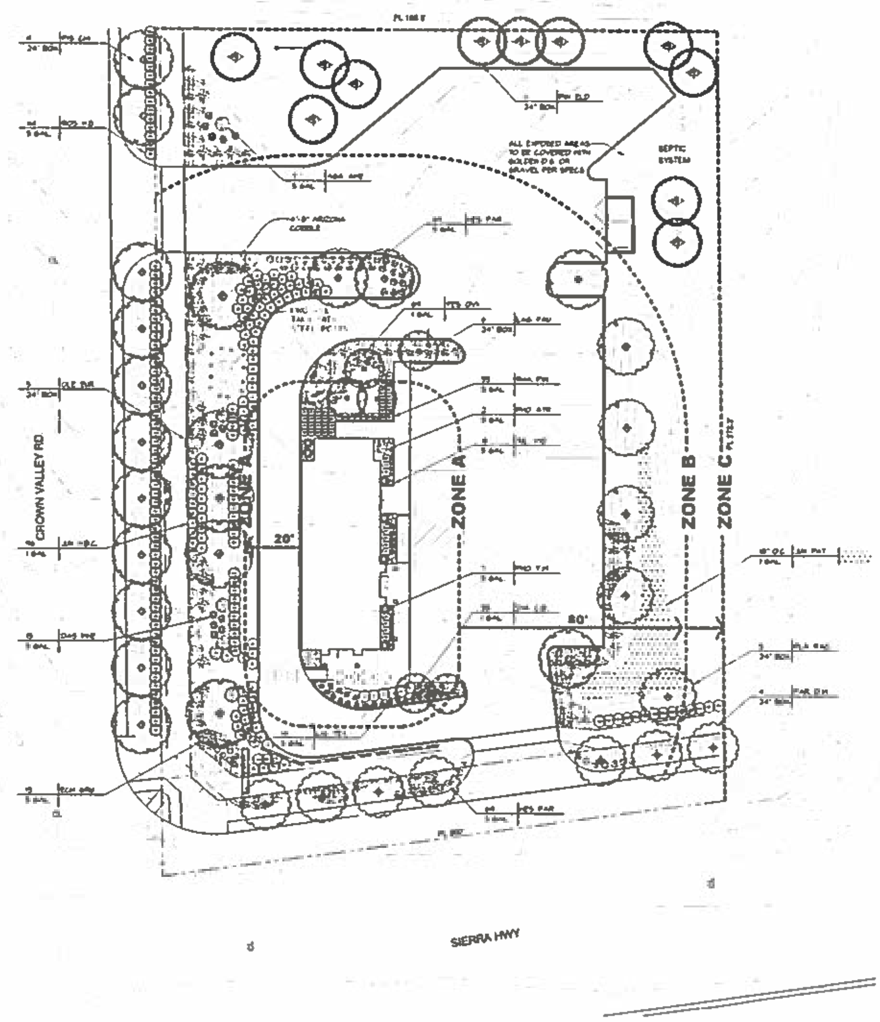
PLANT LIST

ABBR	SIZE	QTY	SCIENTIFIC NAME	COMMON NAME	ZONE
TREES					
LAG FAU	24" BOX	6	LAGERSTROEMIA FAURIEI 'TUSCARORA'	HYBRID CRAPE MYRTLE	A, B
OLE EUR	24" BOX	5	OLEA EUROPAEA 'SWAN HILL' - MULTI	EUROPEAN OLIVE (FRUITLESS)	5 FT MIN
PAR DM	24" BOX	7	PARKINSONIA 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	A, B-10
PIN ELD	24" BOX	6	PINUS ELDARICA	AFGHAN PINE	B-10
PIS CHI	24" BOX	8	PISTACIA CHINENSIS	CHINESE PISTACHE	B
PLA RAC	24" BOX	5	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	B
SHRUBS					
AGA AME	5 GAL	7	AGAVE AMERICANA	CENTURY PLANT	A, B
DAS WHE	5 GAL	10	DASYLIRION WHEELERI	DESERT SPOON	A, B-10
DIA C.B.	1 GAL	28	DIANELLA CASSA BLUE	CASSA BLUE FLAX LILY	A
ECH GRU	5 GAL	10	ECHINOCACTUS GRUSONII	GOLDEN BARREL CACTUS	A
FES OVI	1 GAL	64	FESTUCA OVINA GLAUCA	BLUE FESCUE	A
HES PAR	5 GAL	64	HESPERALOE PARVIFLORA	RED YUCCA	A, B
LIG TEX	5 GAL	6	LIGUSTRUM J. 'TEXANUM'	TEXAS PRIVET	A,B-10FT MIN
PHO ATR	5 GAL	7	PHORMIUM ATROPURPUREUM	GIANT BRONZE NEW ZEALAND FLAX	A, B
PHO Y.W.	5 GAL	7	PHORMIUM 'YELLOW WAVE'	YELLOW WAVE NEW ZEALAND FLAX	A, B
RHA PIN	5 GAL	38	RHAPHIOLEPIS INDICA 'PINKIE'	PINKIE INDIAN HAWTHORN	A
ROS H.B.	5 GAL	44	ROSMARINUS 'HUNTINGTON BLUE'	HUNTINGTON CARPET ROSEMARY	B
TUL VIO	5 GAL	10	TULBAGHIA VIOLACEA	SOCIETY GARLIC	A, B
GROUNDCOVER					
JUN H.B.C.	1 GAL	40	JUNIPERUS HORIZONTALIS 'BLUE CHIP'	BLUE CHIP TRAILING JUNIPER	B
BAC PAT	1 GAL	18" O.C.	BACCHARIS PILULARIS 'PIGEON POINT' / 'ELK BLUE'	BLUE ELK CALIFORNIA BRUSH	A

ZONE A - SETBACK ZONE
EXTENDS 30 FEET BEYOND THE EDGE OF ANY COMBUSTIBLE STRUCTURE, ACCESSORY STRUCTURE, APPENDAGE OR PROJECTION OVERHANGS OR OTHER PARTS OF THE STRUCTURE NOT ACCURATELY REFLECTED ON THE PLANS MAY NEGATE THE APPROVAL OF PLANT LOCATION ON THE APPROVED PLAN.
IRRIGATION BY AUTOMATIC OR MANUAL SYSTEMS SHALL BE PROVIDED TO LANDSCAPING TO MAINTAIN HEALTHY VEGETATION AND FIRE RESISTABLE LANDSCAPING AND VEGETATION IN THIS ZONE SHALL CONSIST PRIMARILY OF GREEN LAWNS, GROUND COVERS NOT EXCEEDING 6 INCHES IN HEIGHT AND ADEQUATELY SPACED SHRUBS. THE OVERALL CHARACTERISTICS OF THE LANDSCAPE SHALL PROVIDE ADEQUATE DEFENSIBLE SPACE IN A FIRE ENVIRONMENT.
PLANTS IN ZONE A SHALL BE INHERENTLY HIGHLY FIRE RESISTANT AND SPACED APPROPRIATELY. SPECIES SELECTION SHOULD BE MADE REFERENCING THE FUEL MODIFICATION PLAN LIST. OTHER SPECIES MAY BE UTILIZED SUBJECT TO APPROVAL. FINAL OR REVISED PLANS SUBMITTED AFTER 6 MONTHS FROM THE INITIAL SUBMITTAL WILL HAVE PLANTS IN ALL ZONES EVALUATED BASED ON THE MOST CURRENT FUEL MODIFICATION PLAN LIST AVAILABLE FROM THE FUEL MODIFICATION UNIT.
EXCEPT FOR DWARF VARIETIES OR MATURE TREES SHALL IN STATURE, TREES ARE GENERALLY NOT RECOMMENDED WITHIN ZONE A.
TARGET SPECIES WILL TYPICALLY NOT BE ALLOWED WITHIN 30 OR MORE FEET OF COMBUSTIBLE STRUCTURES AND MAY REQUIRE REMOVAL IF EXISTING ON SITE. VINES AND CLIMBING PLANTS SHALL NOT BE ALLOWED ON ANY COMBUSTIBLE STRUCTURE REGARDING OF [illegible]
ZONE B - IRRIGATION ZONE
EXTENDS FROM THE OUTERMOST EDGE OF ZONE A UP TO 100 FEET FROM STRUCTURE. IRRIGATION BY AUTOMATIC OR MANUAL SYSTEMS SHALL BE PROVIDED TO LANDSCAPING TO MAINTAIN HEALTHY VEGETATION AND FIRE RESISTABLE LANDSCAPING AND VEGETATION IN THIS ZONE SHALL TYPICALLY CONSIST PRIMARILY OF GREEN LAWNS, GROUND COVERS, AND ADEQUATELY SPACED SHRUBS AND TREES. UNLESS OTHERWISE APPROVED GROUND COVERS SHALL BE MAINTAINED AT A HEIGHT NOT TO EXCEED 6 INCHES IN ZONE B. 12 INCHES IS ACCEPTABLE WITHIN 30 FEET OF A STRUCTURE AND 18 INCHES BEYOND 30 FEET IN ZONE B [illegible] ON A SLOPE. [illegible]

FIRE ACCESS ROAD ZONE
EXTENDS A MINIMUM OF 10 FEET FROM THE EDGE OF ANY PUBLIC OR PRIVATE ROADWAY THAT MAY BE USED AS ACCESS FOR FIRE FIGHTING APPARATUS OR RESOURCES. CLEAR AND REMOVE FLAMMABLE GROWTH FOR A MINIMUM OF 10' ON EACH SIDE OF FIRE ACCESS ROADS [illegible]

Curtis Cote — NAME (PRINT)
[signature] — SIGNATURE
4/16/15 — DATE



PLANTING PLAN
SCALE 1"=20'-0"

A

marks architects
architecture
interior design
retail
restaurants
space planning
master planning
leed accredited
casp
2643 fourth ave
san diego, ca 92103
619 tel 702 9440
619 fax 702 9442

CONTRACT DATE
BUILDING TYPE
PLAN VERSION
SITE NUMBER
STORE NUMBER

TACO BELL

MEDIUM 40

PLANTING PLAN

L-1.0

PLOT DATE

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

September 10, 2015

TO: Pat Modugno, Chair
Stephanie Pincetl, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

RC

FROM: Richard Claghorn
Zoning Permits North Section

Project No. R2014-02996 – Conditional Use Permit No. 201400142
RPC Meeting: September 16, 2015 - Agenda Item: 7

The above-mentioned item is a request to authorize the establishment and operation of a Taco Bell restaurant, including drive-through facilities, within the C-2-DP (Neighborhood Business-Development Program) Zone, the Soledad Zoned District and the Acton Community Standards District.

Please find enclosed additional materials for the above referenced item, that were received subsequent to the hearing package submittal to the Regional Planning Commission. The items include a revised letter from the Department of Public Works ("DPW"), a supplemental letter from the Acton Town Council, three letters of opposition from two households in Acton and copies of two emails of support for the project from two members of the Acton community.

The DPW letter of project conditions from August 6, 2015 was modified on September 10, 2015 to delete the requirement for street lights. The revised DPW letter will replace the previous letter in the final project conditions, and the final findings and conditions shall be modified to reflect the date of the new DPW letter.

If you need further information, please contact Richard Claghorn at (213) 974-6435 or rclaghorn@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

RG:RC

Enclosure(s): letters from the Acton Town Council, Ray and Elizabeth Billet, and Judy Hoewisch; emails from Kathy Bellenfant and Ron Bird

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

IN REPLY PLEASE
REFER TO FILE: LD-2

September 10, 2015

TO: Rob Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Richard Claghorn

Kitty Fok
Linda

FROM: Art Vander Vis
Land Development Division
Department of Public Works

TACO BELL ACTON–3771 SIERRA HIGHWAY
CONDITIONAL USE PERMIT (CUP) NO. 201400142
PROJECT NO. R2014-02996
ASSESSOR'S MAP BOOK NO. 3217, PAGE 21, PARCEL NO. 11
UNINCORPORATED COUNTY COMMUNITY OF ACTON

We reviewed the site plan for the proposed project located at the northeast corner of Sierra Highway and Crown Valley Road in the unincorporated County community of Acton. The proposed project consists of a 2,029-square-foot Taco Bell Restaurant with a drive-thru. The site is located within the Acton Community Standards District.

This memo will supersede our previous memo dated August 6, 2015 (attached), and is being issued to reflect the elimination of our original recommended street lighting conditions. The request to eliminate these conditions came from a member of the Acton Town Council, who indicated they did not feel the street lighting requirement was in keeping with the dark skies ordinance. After further review by Public Works' Traffic and Lighting Division, it was determined that street lights should no longer be a recommended requirement.

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

Upon approval of the CUP, we recommend the following conditions:

Road

1. Dedicate an additional 24 feet of right of way along the property frontage of Sierra Highway to achieve an ultimate width of 54 feet from the street centerline, to the satisfaction of Public Works. A processing fee will be required for the dedication.

2. Dedicate an adequate right-of-way corner cut-off, from the beginning-of-curb return to the end-of-curb return, based on a 35-foot curb return radius, at the northeast corner of Sierra Highway and Crown Valley Road to the satisfaction of Public Works. A processing fee will be required for the dedication.

3. Construct standard, rural, major highway improvements on Sierra Highway, easterly of the proposed catch basin. This section shall consist of a 4-foot concrete inverted shoulder located 42 feet from the street centerline to the edge of pavement/edge of gutter to the satisfaction of Public Works. Relocate all affected utilities.

4. Construct a standard, rural section with asphalt concrete inverted shoulders and applicable pavement widening on Crown Valley Road, 14 feet from the centerline to the flow line, to the satisfaction of Public Works.

5. Construct a 35-foot curb return radius consisting of barrier curb and gutter at the northeast corner of Crown Valley Road and Sierra Highway to the satisfaction of Public Works. Additionally, provide adequate curb and gutter transitions from the required asphalt concrete inverted shoulder along Crown Valley Road to the full-curb face around the curb return. The barrier curb and gutter shall then extend easterly along Sierra Highway to the proposed catch basin located approximately 40 feet from the curb return. Adequate curb and gutter transitions shall also be provided from the proposed catch basin to the concrete inverted shoulder along Sierra Highway.

6. Construct a curb ramp at the northeast corner of Crown Valley Road and Sierra Highway to meet current Americans with Disability Act (ADA) guidelines and to the satisfaction of Public Works.

7. Submit street improvement plans and acquire street plan approval before obtaining a grading permit.

8. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

9. Comply with all the requirements listed in the attached letter dated August 5, 2015, from Public Works' Traffic and Lighting Division.

10. Submit a detailed signing and striping plan (scale: 1"=40') for review and approval on Sierra Highway and Crown Valley Road in the vicinity of the property location and acquire approval before obtaining a grading permit.

For questions regarding road conditions Nos. 1 through 8, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4953 or egerlits@dpw.lacounty.gov.

For questions regarding road conditions Nos. 9 and 10, please contact Jeff Pletyak of Traffic and Lighting Division at (626) 300-4721 or jplety@dpw.lacounty.gov.

Drainage/Grading

1. Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated May 28, 2015 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating the sheet overflow, ponding, and high-velocity scouring action to protect the lots. The plans need to call out the construction of at least all drainage devices and details and paved driveways; elevation of all pads, water quality devices, Low-Impact Development (LID) features; and any existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.

2. Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.

3. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.

4. Comply with the approved hydrology study dated May 28, 2015 (or latest revision), for the design of all drainage facilities to the satisfaction of Public Works.

5. Provide a maintenance agreement/covenant for any privately maintained drainage devices.

6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.

7. Provide permits and/or letters of nonjurisdiction from all applicable State and Federal agencies. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

8. Provide a concrete liner or other suitable material approved by Public Works within the proposed on-site detention basin to protect the integrity of Sierra Highway.

9. Submit storm drain plans for review and approval for the proposed catch basin and appurtenant storm drain facilities on Sierra Highway.

10. Execute a maintenance agreement/covenant for the overflow pipe from the proposed retention basin to its junction with the proposed storm drain system on Sierra Highway.

For questions regarding the drainage/grading conditions, please contact Mr. Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

Water

1. Comply with all the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by the Los Angeles County Waterworks District No. 37 will expire on April 13, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Land Development Division at (626) 458-4921 or tkhalkhal@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Mr. Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

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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

GAIL FARBER, Director

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

August 6, 2015

IN REPLY PLEASE
REFER TO FILE: LD-2

TO: Rob Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Richard Claghorn

FROM: Art Vander Vis
Land Development Division
Department of Public Works

TACO BELL ACTON–3771 SIERRA HIGHWAY
CONDITIONAL USE PERMIT (CUP) NO. 201400142
PROJECT NO. R 2014-02996
ASSESSOR'S MAP BOOK NO. 3217, PAGE 21, PARCEL NO. 11
UNINCORPORATED COUNTY COMMUNITY OF ACTON

We reviewed the site plan for the proposed project located at the northeast corner of Sierra Highway and Crown Valley Road in the unincorporated County community of Acton. The proposed project consists of a 2,029-square-foot Taco Bell Restaurant with a drive-thru. The site is located within the Acton Community Standards District.

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

Upon approval of the CUP, we recommend the following conditions:

Road

1. Dedicate an additional 24 feet of right of way along the property frontage of Sierra Highway to achieve an ultimate width of 54 feet from the street centerline, to the satisfaction of Public Works. A processing fee will be required for the dedication.

2. Dedicate an adequate right-of-way corner cut-off, from the beginning-of-curb return to the end-of-curb return, based on a 35-foot curb return radius, at the northeast corner of Sierra Highway and Crown Valley Road to the satisfaction of Public Works. A processing fee will be required for the dedication.

3. Construct standard, rural, major highway improvements on Sierra Highway, easterly of the proposed catch basin. This section shall consist of a 4-foot concrete inverted shoulder located 42 feet from the street centerline to the edge of pavement/edge of gutter to the satisfaction of Public Works. Relocate all affected utilities.

4. Construct a standard, rural section with asphalt concrete inverted shoulders and applicable pavement widening on Crown Valley Road, 14 feet from the centerline to the flow line, to the satisfaction of Public Works.

5. Construct a 35-foot curb return radius consisting of barrier curb and gutter at the northeast corner of Crown Valley Road and Sierra Highway to the satisfaction of Public Works. Additionally, provide adequate curb and gutter transitions from the required asphalt concrete inverted shoulder along Crown Valley Road to the full curb face around the curb return. The barrier curb and gutter shall then extend easterly along Sierra Highway to the proposed catch basin located approximately 40 feet from the curb return. Adequate curb and gutter transitions shall also be provided from the proposed catch basin to the concrete inverted shoulder along Sierra Highway.

6. Construct a curb ramp at the northeast corner of Crown Valley Road and Sierra Highway to meet current Americans with Disability Act (ADA) guidelines and to the satisfaction of Public Works.

7. Submit street improvement plans and acquire street plan approval before obtaining a grading permit.

8. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

9. Comply with all the requirements listed in the attached Public Works' Traffic and Lighting Division letter dated August 5, 2015.

10. Submit a detailed signing and striping plan (scale: 1"=40') for review and approval on Sierra Highway and Crown Valley Road in the vicinity of the property location and acquire approval before obtaining a grading permit.

11. Provide street lights on wood poles with overhead wiring at driveways and intersections along the property frontage on Sierra Highway and Crown Valley Road to the satisfaction of Public Works. Where curb and gutter is present, concrete poles with underground wiring may be required. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to Traffic and Lighting Division's Street Lighting Section to allow the maximum time for processing and approval.

12. The proposed project, or portions of the proposed project, are not within an existing lighting district. Annexation to a street lighting district is required.

    The applicant shall comply with the conditions of annexation listed below (12.1 and 12.2) in order for the lighting districts to pay for the future operation and maintenance of the street lights. The annexation and the levy of assessment require the approval of the Board of Supervisors prior to Public Works approving street lighting plans. It is the sole responsibility of the owner/developer of the project to have all street lighting plans approved prior to the issuance of building permits or road construction permits, whichever occurs first. The required street lighting improvements must be accepted, per approved plans, prior to the issuance of a Certificate of Occupancy.

    12.1 Provide the business/property owner name, mailing address, site address, Assessor's parcel number, and parcel boundaries in either Micro Station or Auto CADD format of territory to be developed to the Street Lighting Section.

    12.2 Submit a map of the proposed project, including any roadways conditioned for street lights, to the Street Lighting Section.

The annexation and assessment balloting process takes approximately 12 months or more to complete once the above information is received and approved. Untimely compliance with the above conditions will result in delay in the annexation of street lighting.

13. The following are conditions of acceptance for street light transfer of billing:

    13.1 All street lights in the project, or current project phase, must be constructed according to Public Works-approved plans.

    13.2 The contractor shall submit one complete set of As-built plans.

    The lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year provided the above conditions have been met; all street lights in the project, or approved project phase, have been energized; and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.

For questions regarding road conditions 1 through 8, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4953 or egerlits@dpw.lacounty.gov.

For questions regarding road conditions 9 through 10, please contact Jeff Pletyak of Traffic and Lighting Division at (626) 300-4721 or jpletyk@dpw.lacounty.gov.

For questions regarding road conditions 11 through 13, please contact Jeff Chow of Traffic and Lighting Division at (626) 300-4753 or jchow@dpw.lacounty.gov.

Drainage/Grading

1. Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated May 28, 2015 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating the sheet overflow, ponding, and high-velocity scouring action to protect the lots. The plans need to call out the construction of at least all drainage devices and details, paved driveways, elevation of all pads, water quality devices, Low-Impact Development (LID) features, and existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.

2. Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.

3. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.

4. Comply with the approved hydrology study dated May 28, 2015 (or latest revision), for the design of all drainage facilities to the satisfaction of Public Works.

5. Provide a maintenance agreement/covenant for any privately maintained drainage devices.

6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.

7. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

8. Provide a concrete liner or other suitable material approved by Public Works within the proposed on-site detention basin to protect the integrity of Sierra Highway.

9. Submit storm drain plans for review and approval for the proposed catch basin and appurtenant storm drain facilities on Sierra Highway.

10. Execute a maintenance agreement/covenant for the overflow pipe from the proposed retention basin to its junction with the proposed storm drain system on Sierra Highway.

For questions regarding the drainage/grading conditions, please contact Ed Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

Water

1. Comply with all the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by the Los Angeles County Waterworks District No. 37 will expire on April 13, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Public Works' Land Development Division at (626) 458-4921 or tkhalkhal@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ed Gerlits at (626) 458-4953 or egerlits@dpw.lacounty.gov.

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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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GAIL FARBER, Director

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Telephone: (626) 458-5100
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-4

August 5, 2015

Mr. Scott Sato, P.E.
Trames Solutions Inc.
Suite 400
100 East San Marcos Boulevard
San Marcos, CA 92069

Dear Mr. Sato:

ACTON TACO BELL PROJECT
CROWN VALLEY ROAD AT SIERRA HIGHWAY
TRAFFIC IMPACT ANALYSIS (MARCH 2, 2015)
UNINCORPORATED ACTON AREA

As requested, we reviewed your Traffic Impact Analysis (TIA) for the proposed Acton Taco Bell project located at 3771 Sierra Highway in the unincorporated Acton area.

According to the TIA the traffic generated by the project alone, as well as cumulatively with other related projects will not have a significant transportation impact to County roadways or intersections in the area based on our TIA Guidelines. We generally agree with the findings of your TIA.

Currently, the existing painted median at the proposed project driveway on Crown Valley Road would prohibit left-turn ingress and egress movements. Therefore, the project shall modify the roadway striping at this location to accommodate full site access. Accordingly, the project shall submit detailed signing and striping plans to Public Works for review and approval.

We recommend the applicant consult with the State of California Department of Transportation to obtain concurrence with any potential California Environmental Quality Act impacts within its jurisdiction.

If you have any questions regarding the review of this document, please contact Mr. Kent Tsujii of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4776.

Very truly yours,

GAIL FARBER
Director of Public Works

for DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

MD:mrb
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LOS ANGELES COUNTY WATERWORKS DISTRICTS *

P. O. Box 1460
Alhambra, CA 91802
Telephone: (626) 300-3306

260 East Avenue K-8
Lancaster, CA 93535
Telephone: (661) 942-1157

23533 Civic Center Way
Malibu, CA 90265
Telephone: (310) 317-1388

TO:

☒ Los Angeles County
Department of Health Services
Environmental Health: Mtn. & Rural/
Water, Sewage & Subdivision Program
5050 Commerce Drive
Baldwin Park, CA 91706-1423

☒ Los Angeles County
Department of Public Works
Building & Safety Division

☒ Los Angeles County
Fire Department

RE: 3771 W Sierra Hwy (Address) — Acton, CA (City) — 93510 (Zip Code)

3127-021-011
Assessor's Parcel Number

Los Angeles County Waterworks District No. 37, Acton

Conditional Will serve **water to the above *single lot* property subject to the following:**

- ☐ Annexation of the property into Los Angeles County Waterworks District is required. Water service to this property will not be issued until the annexation is completed.
- ☒ The appropriate fees must be paid to the District and other related water agencies.
- ☐ The appropriate connection fees have been paid to Waterworks Districts.
- ☒ Water system improvements will be required to be installed by the developer subject to the requirements set by the Fire Department and the District, **which at this time have not been specifically set**. As a condition of receiving water service, the developer shall install such facilities at his expense, pay the District's applicable charges and fees, and dedicate/transfer any necessary right of way to the Waterworks District for ownership upon satisfactory completion of construction.
- ☒ Owner may be required to participate in an existing water system improvement per Specs WWD 37-243(PC) installed by others.
- ☒ The service connection and water meter serving the property must be installed in accordance with Waterwork's District standards.
- ☐ The property has an existing service connection and water meter.
- ☒ Public water system and sewage disposal system must be in compliance with Health Department separation requirements.
- ☒ A portion of the existing fronting water main may be required to be replaced if the water service tap cannot be made or if damage occurs to the water main.
- ☐ Property may experience low water pressure and / or shortage in high demand periods.
- ☐ The District **CAN NOT** serve water to this property at this time.

By: Aracely Jaramillo (Signature) — Aracely Jaramillo (Print Name) — 626-300-3353 (Phone Number) — 4/13/15 (Date)

Rev. 04/15

**** THIS CONDITIONAL WILL SERVE LETTER WILL EXPIRE ONE YEAR AFTER THE DATE OF ISSUANCE.***

ACTON TOWN COUNCIL
P.O. BOX 810, ACTON CA. 93510

Richard Claghorn, Planner
Los Angeles County Department of Regional Planning
Electronic Submittal of twenty (20) pages
(sent to RClaghorn@planning.lacounty.gov)

August 27, 2015

and

The Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012
Electronic Submittal of twenty (20) pages
(sent to Commission Secretary rruiz@planning.lacounty.gov)

Subject: Taco Bell/First Street development proposal in Acton

Reference: Project Number R2014-02996; RCUP # T2014-00142
Assessor Parcel No: 3217-021-11

Dear Commissioners and Mr. Claghorn;

The Developer pursuing the referenced project recently provided the Acton Town Council with copies of revised signage plans and project site/elevation drawings as well as a complete copy of the Project traffic study that was approved by the County's Department of Public Works. With this more complete information, the Acton Town Council was able to conduct a more thorough analysis of the proposed project, the results of which are provided herein. Please note, this letter is intended to supplement (and not replace) prior comments submitted previously by the Acton Town Council on July 23, 2015 and in 2014. The following paragraphs summarize the issues of concern; details are provided in various attachments.

The Acton Town Council notes that several elements of the proposed project violate the adopted Acton Community Standards District as well as other portions of the County Zoning Code. These violations will prevent the Department of Regional Planning ("DRP") from approving the project without first processing and approving multiple variance requests. These violations are described more fully in Attachment 1.

The Acton Town Council has also identified a number of substantial problems and significant omissions in the developer's traffic impact analysis. These deficiencies (described more fully in Attachment 2) call into question the developer's conclusion that

the proposed project will not create any traffic impacts on the community of Acton. Based on the information provided in Attachment 2, the Acton Town Council has concluded that less than 10 percent of Taco Bell's customers will come from Acton residences. Even more importantly, the majority of Taco Bell's customers (as much as 68%, depending on the time of day) will use the "drive-through" window and at least 80% will be freeway commuters.

The developer has informed the Acton Town Council that the proposed project is being permitted under the previous Antelope Valley ("AV") Area Plan (adopted in 1986), which applies a "Community Commercial" land use designation to the project site. The project is also being processed under the C-2 "Neighborhood Serving" zoning standards with a DP designation. Notably, the 1986 AV Plan, the underlying "C-Community Commercial" land use designation, and the underlying C-2 zoning designation impose a number of limitations and restrictions which are violated by the proposed Taco Bell project. Details are provided in Attachment 3, but it is clarified specifically here that the 1986 AV Plan recognizes three types of commercial land uses: 1) C-Community Commercial; 2) Highway Oriented Commercial; and 3) Neighborhood Oriented Commercial. The "C-Community Commercial" land use designation is intended to serve local neighborhoods, while "Highway Oriented Commercial" uses consist of "highway or roadside facilities of a minor nature such as gas stations, cafes, motels, and other uses providing a service to the traveling public" [See page VI-6]. There is no doubt that the proposed Taco Bell project is indeed a roadside facility that serves the traveling public, thus it falls squarely within the "Highway Oriented Commercial" land use category established by the 1986 AV Plan. However, the proposed project site does not have, ***and has never had***, a "Highway Oriented Commercial" land use designation [as evidenced in the record established for Case No. 90-638]. It is also noted that the applicant does not seek, and has never sought, project approval under the "highway oriented commercial" provisions of the 1986 AV Plan. To the contrary, DRP's "Project Summary" posted in advance of the hearing designates the project site as having a "C-Community Commercial" land use designation, which is intrinsically inconsistent with the "highway-oriented" Taco Bell project that is proposed. Simply put, the project site lacks the necessary "Highway Oriented Commercial" land use designation that is required before DRP can approve the proposed Taco Bell "drive through" project.

Additionally, the Acton Town Council points out that the existing C-2 (Neighborhood Business) zoning designation on the property was actually established by ***downgrading*** the previously established C-3 (Unlimited Commercial) zoning designation. This downgrade from C3 to C2 was specifically and intentionally implemented because C3 development was deemed to allow "uses that were inconsistent with the long range land use goals and objectives of the community" [see page 3 of Staff Analysis of Case No. 90-638]. This underlying aspect of the existing zoning designation on the project site has not washed away over time, nor has the attendant requirement that future development on the site be consistent with Acton's long range land use goals and objectives. To the contrary, these factors are every bit as relevant and crucial to the planning decisions of today as they were when they were first established decades ago. The Acton Town Council ***will not*** allow these overriding factors to be either ignored or forgotten.

Finally, DRP is reminded that it cannot approve any commercial project along Sierra Highway or Crown Valley Road that would ultimately lead to the installation of traffic signals. On numerous occasions over the last 10 years, The Acton Town Council has pointed out all the various provisions of the 1981 County General Plan and the 1986 AV Area Plan and the Acton Community Standards District which preclude development that expands the use of urban infrastructure such as curbs, gutters, sidewalks, streetlights, and traffic signals. These provisions were reiterated and reinforced in the recently adopted "Town and Country" Plan, and they apply to the proposed Taco Bell drive-through project as well as the proposed Primo Burger drive-through project as well as the proposed Rite Aid drive-through project. If any of these projects (either individually or cumulatively) create traffic impacts to the extent that traffic signals are deemed appropriate, then they cannot be approved (either individually or cumulatively).

The Acton Town Council has voted unanimously (9-0) to oppose the Taco Bell "Drive-Through" project as proposed, and respectfully requests that the County's Departments of Regional Planning, Public Works, and Parks and Recreation respond to the various concerns presented in this letter and included attachments.

Sincerely;

Christopher Croisdale, President

Tom Costan, Vice President

Jacqueline Ayer, Member

Ray Billet, Member

Michael Hughes, Member

Thor Merich, Member

Kelly Teng, Member

Katherine Tucker, Member

Pam Wolter, Member

ATTACHMENT 1

THE ACTON TOWN COUNCIL'S CONCERNS WITH THE DESIGN OF, AND VARIANCES REQUIRED BY, THE PROPOSED TACO BELL PROJECT "DRIVE-THROUGH".

1) According to the Signage Plan submitted to the community in July, 2015 (and included at the end of this attachment), the project includes a 9 foot monument sign, which violates the following provision of the Acton CSD and requires a variance:

"Freestanding business signs, typically monument style, as provided for in section 22.52.890, except that roof business signs shall be prohibited, the height of such signs ***shall be limited to 5 feet*** *measured from the natural grade at street level, and the maximum area of combined faces on such signs shall be limited to 100 square feet."*

2) According to the Signage Plan, the monument sign is internally lit with multiple led lights and/or "Halo" illumination which violates the following provision of the Acton CSD and requires a variance:

"Signage shall be unobtrusive and shall promote the style of the Western frontier architectural guidelines. ***Lighting shall be external****, using fixtures designed to focus all light directly on sign, and* ***internal illumination shall be prohibited."***

3) According to the Signage Plan, all wall signs are internally lit with multiple led lights and/or "Halo" illumination which violates the following provision of the Acton CSD and requires a variance:

"Signage shall be unobtrusive and shall promote the style of the Western frontier architectural guidelines. ***Lighting shall be external****, using fixtures designed to focus all light directly on sign, and* ***internal illumination shall be prohibited."***

4) According to the Signage Plan, all signs are in garish neon pink and bright purple colors with a non-western style which violates the following provisions of the Acton CSD and requires a variance:

"Notwithstanding any other provision of this title, all signs permitted by this subsection shall conform to the following: Signage shall be unobtrusive and shall promote the style of the Western frontier architectural guidelines"..... Signage controls can "make or break" the visual image of a commercial community. This feature of the Acton community is so important that Section C.6 of the Acton Community Standards District contains specific regulations designed to ***prevent the use of modern signs****. The primary function of signs in Acton is to effectively identify business locations.* ***Signs should not be used for advertising****, unless based on verifiable authentic Western designs. Even then they must either conform to Section C.6 or* ***undergo appropriate variance approvals.....*** *If there is a single "Western town" color, it would be earthtone. This color—or range of colors from beige to gray—is natural appearing in many of the materials used in constructing the old West. Brick, made from adobe clay, was often used in early Acton and is also an appropriate color. Brighter primary paint colors were available and were often used for signs and on metal surfaces to prevent rust.* ***"Pastels" and "neons" are inappropriate colors in the Western palette."***

5) According to the Plan and Elevation Drawings submitted to the community in July, 2015 (provided at the end of this attachment), the east façade includes a brightly colored, internally lit wall sign that advertises the business, will be highly visible from the freeway, and is intended to pull customers from the freeway. It therefore meets the definition of a "freeway oriented sign". The east façade is not a frontage face and though there is an entrance on this side of the building, the sign is not intended to identify the entrance, rather it is intended to advertise to commuters on the freeway. Therefore, the placement of any such sign on the east façade does not comply with either the Acton CSD or zoning code section22.52.880, and requires a variance.

6) According to the Site Plan submitted to the community in July, 2015, the south façade is 27 feet 4 inches long; therefore 41 sq. ft. of sign area is allowed according to the following provision of the Acton CSD. It is not clear from the Signage Plan provided to the community in July 2015 that the signage proposed for the south façade meets these CSD provisions; if it does not, then a variance is required to comply with the following requirement:

"Wall business signs are subject to 22.52.880 as modified by the Acton CSD: Each ground-floor business establishment fronting on one or more public streets shall be permitted 1.5 square feet of wall sign area per foot of building frontage up to a maximum of 100 square feet."

7) The Site Plan provided by the developer indicates that a propane tank will be maintained on site. Propane service is not a permitted use on C-2 lands even with a CUP. The applicant has told the community that they do not intend to sell propane or use propane. Nonetheless, the propane sales infrastructure remains on the site plan, and therefore requires a variance.

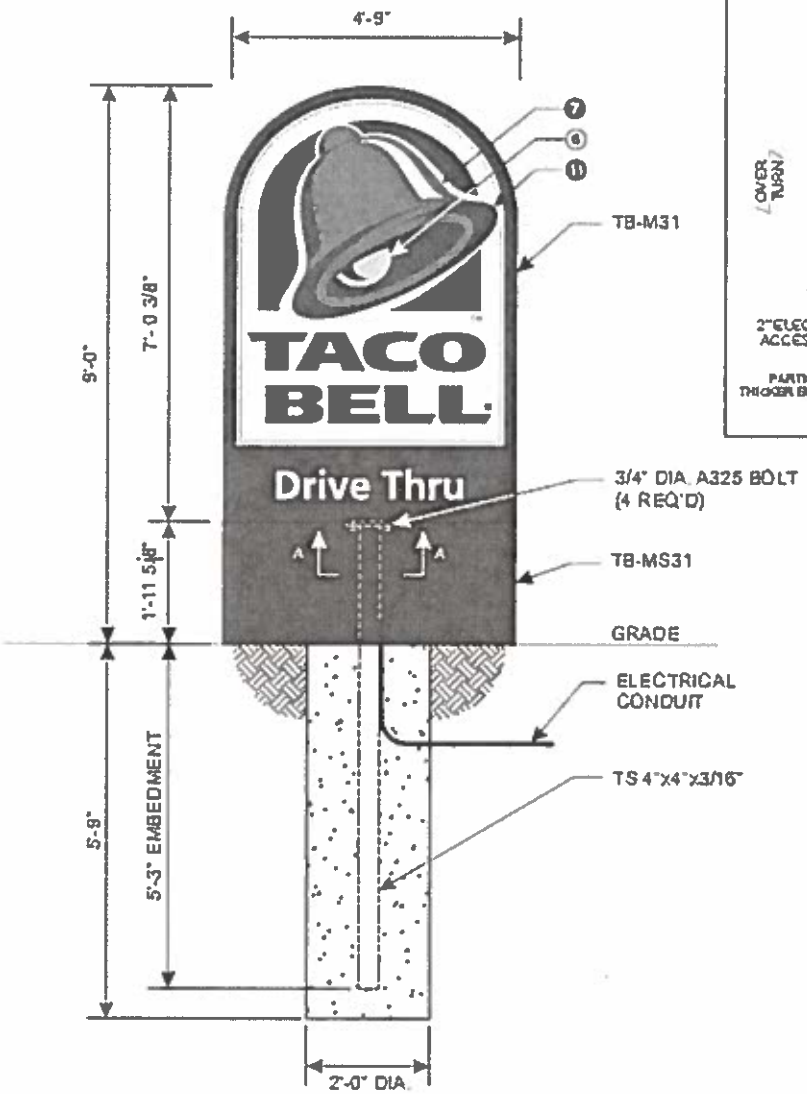
8) The conditions imposed by DPW on this project include multiple streetlights constructed on wooden poles, which were established without analyzing whether or not such streetlights were necessary for public health and safety (which is inconsistent with the County's Dark Skies Ordinance). The ATC has discussed this DPW, and based on staff's consideration of the community's concerns, it was determined that additional streetlights would not be required. The ATC is grateful for DPW's reconsideration of this requirement, and anticipates that the applicant will modify the project plans accordingly.

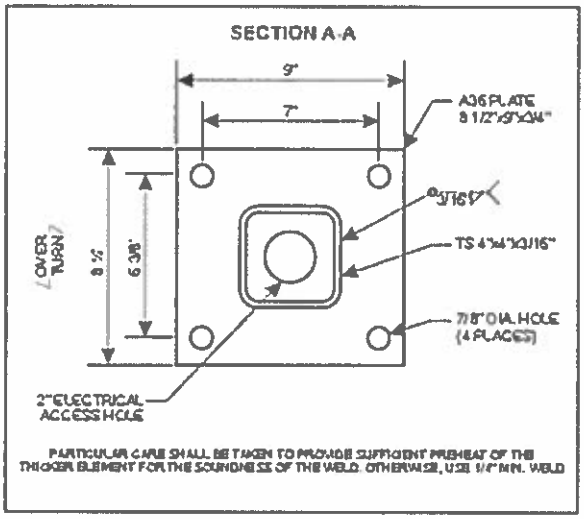
9) The Site Plan depicts 10 foot and 12 foot trail easements, but the actual trail bed itself is as narrow as 7 feet or less, which is inconsistent with the 12-foot trail bed width required by the "County of Los Angeles Trails Manual" dated July 15, 2010.

Note: At the ATC meeting on August 17, the developer stated that a project sign plan had not been prepared and that the Taco Bell Development would be "externally lit". These statements are inconsistent with the plans that the developer provided, as seen on the following pages.

Taco Bell - Monument Sign - 32sf

V-304





SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 100 MPH 3 second gust wind speed, Exposure C, Category II.
- 300 PSF per foot of depth allowable lateral soil bearing pressure.
- Compliant with national building codes and standards (IBC 2009, AISC 13th Edition, ASCE 7-05, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

DIRECTIONAL:

- Extruded aluminum frame, 10" deep with 1 1/2" retainers
- Aluminum painted fillers
- .125 pan-formed and embossed SG polycarbonate face with retention strips
- Approximate weight: 325 lbs.

ELECTRICAL SPECIFICATIONS

UL & NEC approval required.

Lamp(s): (4) F48T12DSGN50/HO
(2) F42T12DSGN50/HO
(2) F36T12DSGN50/HO

Ballast(s) (2) 4-lamp electronic ballast (1.7 amps each)

Total Load: 3.4 amps

Circuits(s): (1) 20 amp-120V

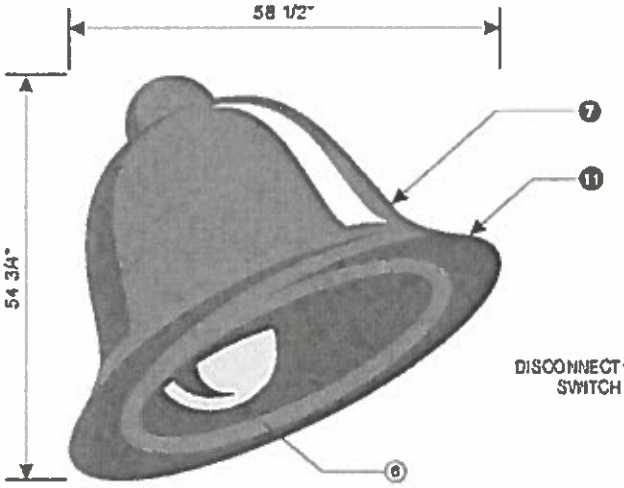
GRAPHIC & COLOR SPECIFICATIONS:

1. TB Bronze Tiger Orylac 49-66Z00 C30
2. Plum PMS 2597U
3. Amber Wave SW-6657 PMS 139U
4. PMS 131U
5. PMS 139U
6. Yellow PMS 109U
7. Pantone Process Magenta U
8. Pantone Violet U
9. Pantone Black
10. Benjamin Moore Bavarian Creme White #2146-70
11. Violet 3M Vinyl 3630-9126
12. White Matte - Cabinet Interior

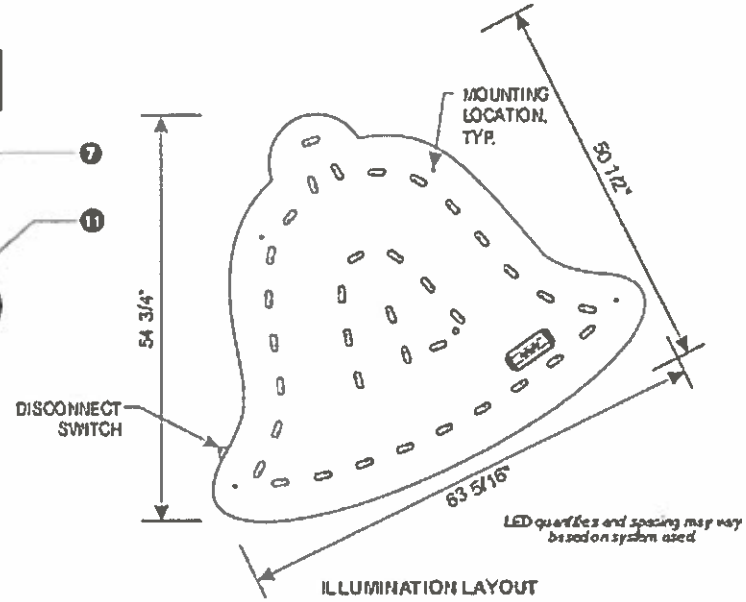
NOT FOR CONSTRUCTION
December 2012

Taco Bell - Swinging Bell - Formed Face

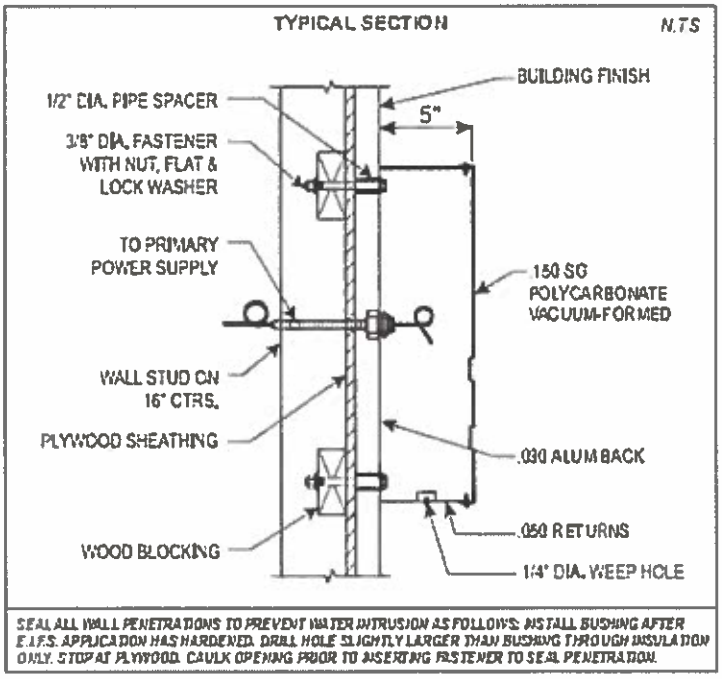
V-322



FRONT VIEW



ILLUMINATION LAYOUT



SEAL ALL WALL PENETRATIONS TO PREVENT WATER INTRUSION AS FOLLOWS: INSTALL BUSHING AFTER E.I.F.S. APPLICATION HAS HARDENED. DRILL HOLE SLIGHTLY LARGER THAN BUSHING THROUGH INSULATION ONLY. STOP AT PLYWOOD. CAULK OPENING PRIOR TO INSERTING FASTENER TO SEAL PENETRATION.

SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 110 MPH 3 second gust wind speed, Exposure C, Category II, Components & Cladding, Zone 5.
- Attachment may vary based on wall conditions.
- Compliant with national building codes and standards (IBC 2009, AISC 13th Edition, ASCE 7-05, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

Materials

- Cabinet: .050 aluminum returns w/ violet finish and .030 aluminum back
- Face: .150 SG polycarbonate vacuum formed
- Second surface decoration
- Removable face for service

Area

- Squared: 22.24 sf
- Actual: 14.19 sf

Weight (Est)

- 100 lbs

ELECTRICAL PERFORMANCE SPECIFICATIONS

- NEC approval required.
- 12V, Class II UL approved system.
- 50,000 hour system where no greater than 30% lumen depreciation is experienced at 50K hours.
- Thermally managed surface mount devices (SMD).

LED(s): (36) AgiLight LS-APEX-60K-G2 White (5000K) LEDs (18 II) *or equivalent - pre-approval required*
Power Supply: (1) General LED PS12-60W-100-277V @ 0.8 amps *or equivalent*
Total Load: 0.8 amps
Circuits(s): (1) 20 amp-120V

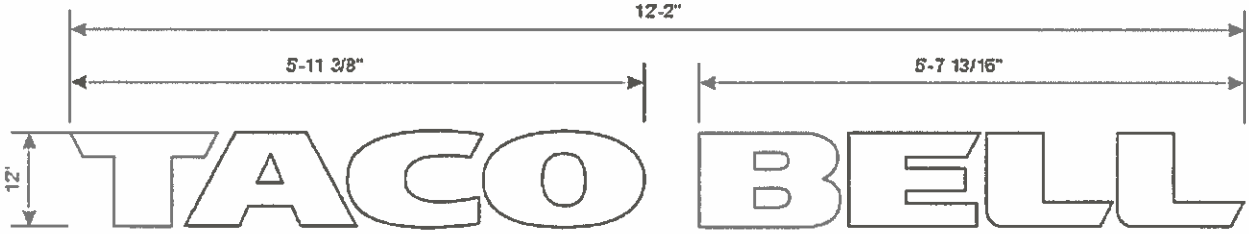
GRAPHIC & COLOR SPECIFICATIONS:

1. T8 Bronze Tiger Oralac 49-6620-C30
2. Plum PMS 2599U
3. Amber Wave SW-6667 PMS 138U
4. PMS 151U
5. PMS 139U
6. Yellow PMS 108U
7. Pantone Process Magenta U
8. Pantone Violet U
9. Pantone Black
10. Benjamin Moore Bavarian Cream White #2146-70
11. Violet 3M Vinyl 3630-9126
12. White Matte - Cabinet Interior

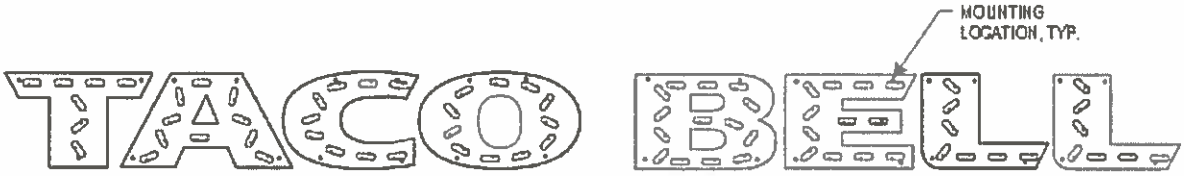
NOT FOR CONSTRUCTION
Date: March 2012

Taco Bell - 12" Channel Letter

V-349



FRONT VIEW

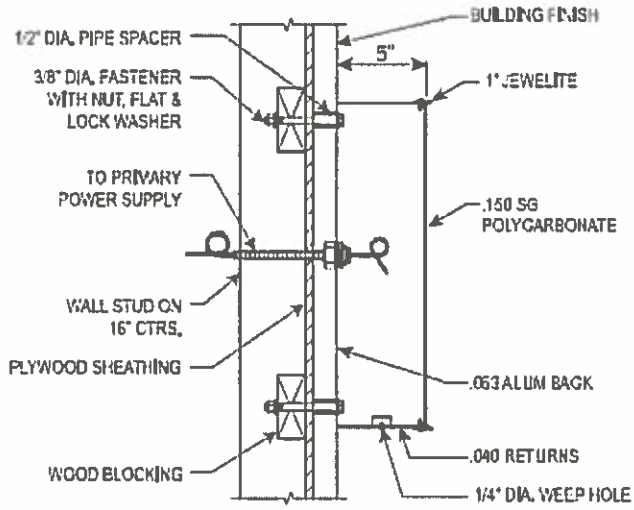


ILLUMINATION LAYOUT

LED quantities and spacing may vary based on system used.

TYPICAL SECTION

N.T.S.



SEAL ALL WALL PENETRATIONS TO PREVENT WATER INTRUSION AS FOLLOWS: INSTALL BUSHING AFTER E.I.F.S. APPLICATION HAS HARDENED. DRILL HOLE SLIGHTLY LARGER THAN BUSHING THROUGH INSULATION ONLY. STOP AT PLYWOOD. CAULK OPENING PRIOR TO INSERTING FASTENER TO SEAL PENETRATION.

SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 110 MPH 3 second gust wind speed, Exposure C, Category II, Components & Cladding, Zone 5.
- Attachment may vary based on wall conditions.
- Compliant with national building codes and standards (IBC 2009, AISC 13th Edition, ASCE 7-05, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

Materials

- Cabinet: .040 aluminum returns w/white finish and .063 aluminum back
- 1" white Jewelite trim
- Face: .150 SG polycarbonate
- Removable face

Area

- Squared: 12.17 sf
- Actual: 8.18 sf

ELECTRICAL/ PERFORMANCE SPECIFICATIONS

- NEC approval required.
- 12V, Class II UL approved system.
- 50,000 hour system where no greater than 30% lumen depreciation is experienced at 50K hours.
- Thermally managed surface mount devices (SMD).

LED(s): (77) AgiLight LS-CORE-63K-G2 White (6500K) LEDs (26 ft) *or equivalent - pre-approval required*

Power Supply: (1) General LED PS12-60W-100-277V @ 0.8 amps *or equivalent - Remotely Located*

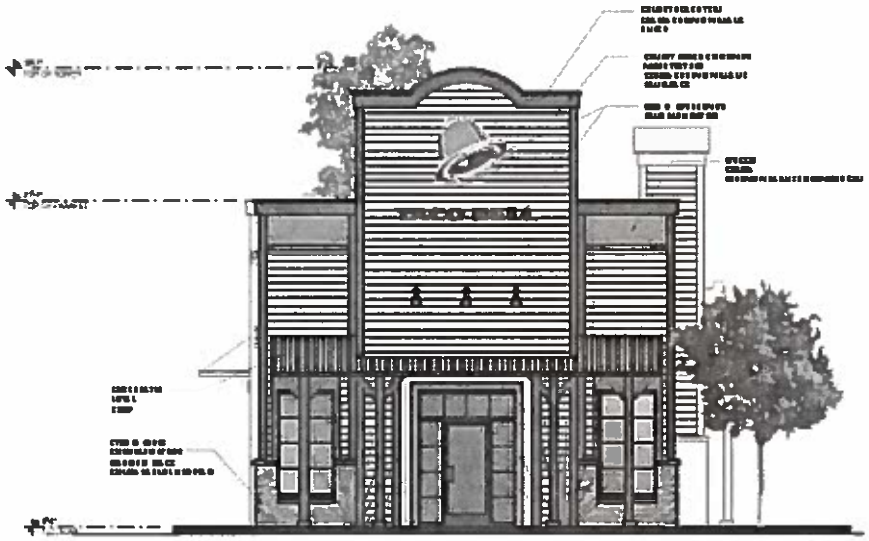
Total Load: 0.8 amps

Circuit(s): (1) 20 amp-120V

GRAPHIC & COLOR SPECIFICATIONS:

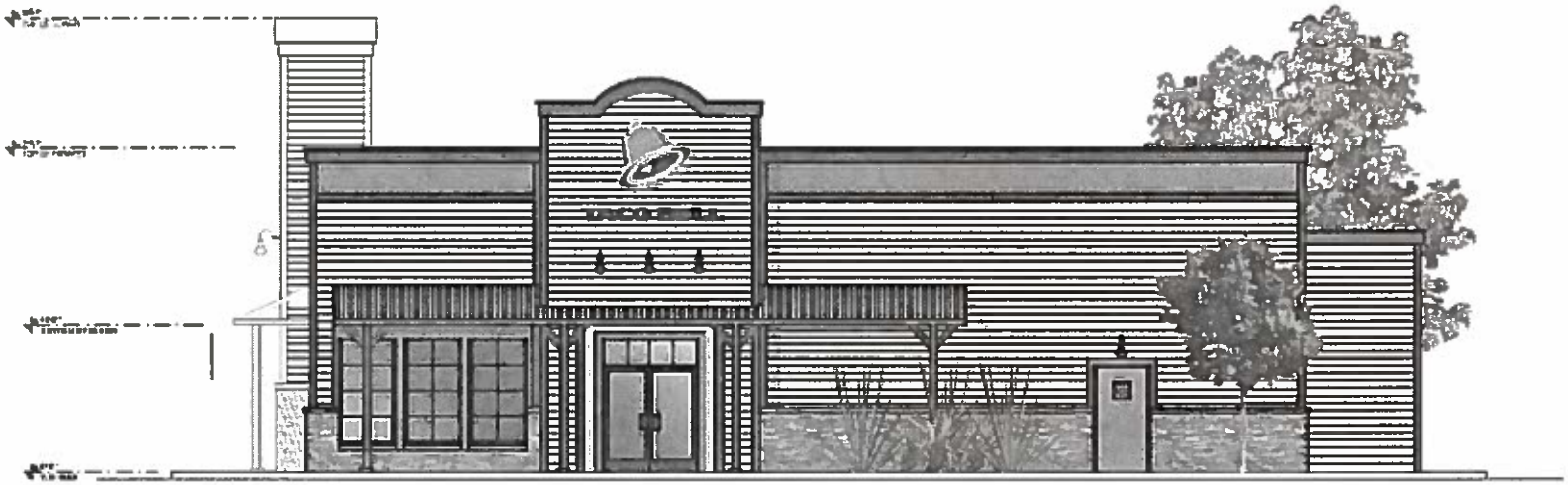
1. 18 Bronze Tiger Oracal 49-66230 C33
2. Plum PMS 2685U
3. Amber Wave 3M-6557 PMS 136U
4. PMS 131U
5. PMS 139U
6. Yellow PMS 106U
7. Pantone Process Magenta U
8. Pantone Violet U
9. Pantone Black
10. Benjamin Moore Bavarian Creme White #2146-70
11. Violet 3M Vinyl 3630-9125
12. White Matte - Cabinet Interior

NOT FOR CONSTRUCTION DECEMBER 2012



SOUTH ELEVATION (FACING SIERRA HWY)

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



EAST ELEVATION (FACING PARKING LOT)

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

marks architects

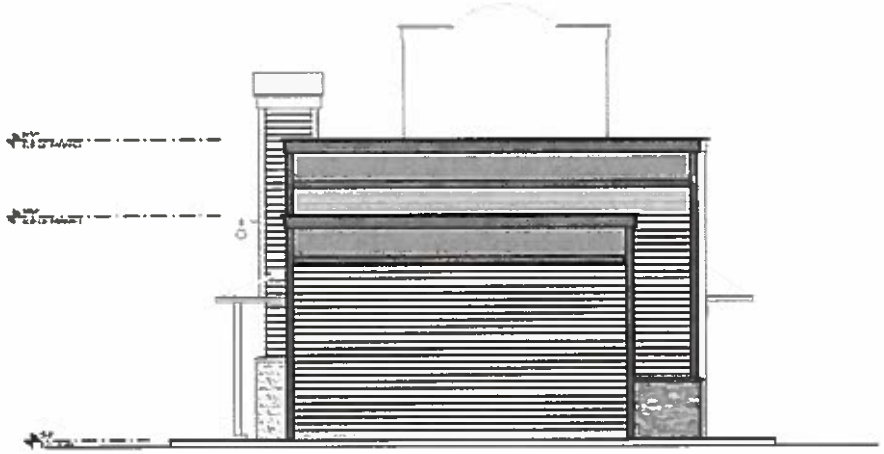
LICENSED ARCHITECT

TACO BELL

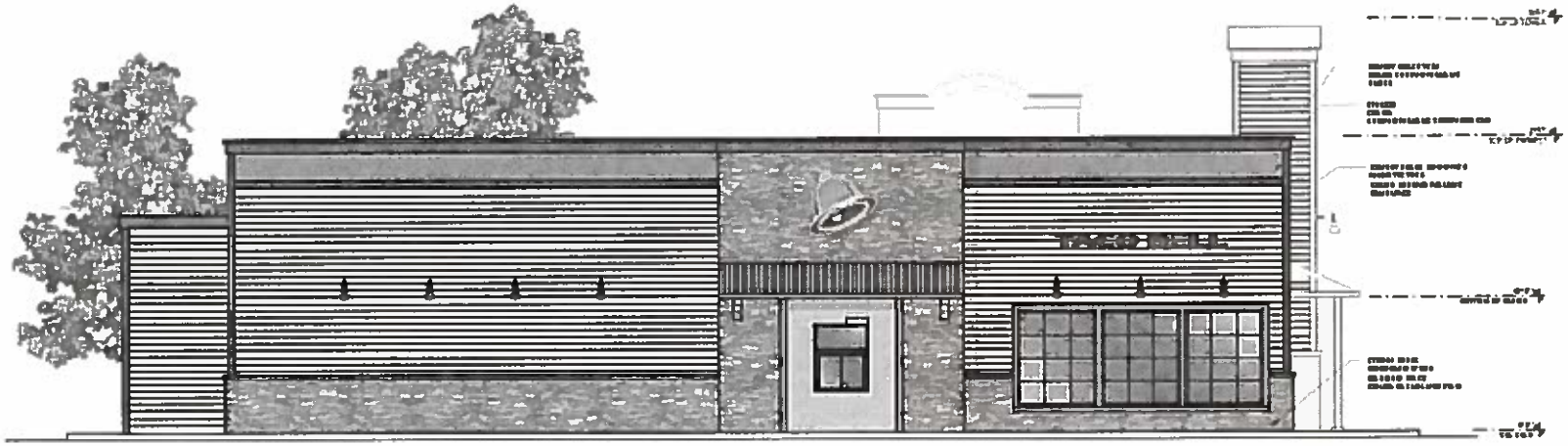
MEDIUM 40

EXTERIOR ELEVATIONS

A4.0



NORTH ELEVATION



WEST ELEVATION (FACING CROWN VALLEY RD)

marks architects

TACO BELL

MEDIUM 40

EXTERIOR ELEVATIONS

A4.1

ATTACHMENT 2

THE ACTON TOWN COUNCIL'S CONCERNS WITH THE TRAFFIC IMPACT ANALYSIS DEVELOPED FOR THE PROPOSED TACO BELL "DRIVE-THROUGH" PROJECT.

The Analysis Method Used to Establish Traffic Impacts of the Proposed Project is Inaccurate, Inappropriate and Unreliable.

All of the intersections considered in the Taco Bell project traffic study are unsignalized, and should therefore be analyzed using the "vehicle delay" methodology set forth in the adopted "Highway Capacity Manual" ("HCM"). Despite this, the developer relied on a "volume to capacity" (or "v/c") analysis method to conclude that the proposed project will not impact traffic in Acton. For the record, the v/c method is completely inappropriate for non-signalized intersections, and in fact the HCM does not permit its use for analyzing unsignalized intersections (see Chapter 17 specifically). Jurisdictions throughout Southern California mandate the use of the "vehicle delay" methodology at unsignalized intersections rather than the v/c methodology, including the County of Riverside[1] , the County of San Bernardino[2] and the City of Los Angeles[3]. In fact, the County of Los Angeles recently commented to the State's Office of Public Research that all agencies in Southern California should adopt a consistent and uniform approach for analyzing traffic impacts in the region, and even cited the HCM as the primary method that is predominantly used. Yet, the developer did not follow HCM methodologies at all in the Taco Bell traffic study, despite clearly established local and area wide protocols requiring the use of HCM methodologies.

To demonstrate that the HCM "vehicle delay" methodology is the more appropriate method for assessing traffic impacts in Acton, one need only look at Table 4-2 of the developer's traffic study, which summarizes the cumulative traffic impacts which will occur at the 4 intersections that were studied. Two of these intersections involve freeway ramps, so CalTrans required the use of the HCM vehicle delay methodology. So, at these locations, the developer used both the "v/c" methodology and the HCM "vehicle delay" methodology (though the developer did not cite or otherwise use the HCM results at all; they were simply summarized in the report and then ignored). According to the "v/c" method, existing traffic conditions at the intersection of Crown Valley and the East Bound 14 Freeway ramps are "Category A" (which is "excellent"), and will remain "Category A" even after the cumulative proposed projects are constructed. However, according to the HCM "vehicle delay" method, existing traffic conditions at this intersection are "Category C" (poor), and will worsen to Category "D" conditions after the cumulative projects are constructed. ***Clearly***, use of the v/c method to determine traffic impacts at unsignalized intersections in Acton (or anywhere) yields artificially optimistic and entirely unreliable results which fail to properly model projected traffic impacts. It is the ATC's opinion that the entire traffic study should be redone using the HCM "vehicle delay" methodology. Furthermore, the ATC recommends a "significance threshold" of a 5% change in any existing HCM Level of Service that is less than "Category B".

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[1] See Page 3 at: https://www.riversideca.gov/traffic/pdf/traffic-impact-analysis.pdf

[2] See page 5 at https://www.ci.san-bernardino.ca.us/pdf/DevSvcs/Traffic%20Study%20Guidelines%202.pdf

[3] See page 15 at http://cityplanning.lacity.org/EIR/8150%20Sunset/References/4.J.%20Transportation%20and%20Circulation/TRAF.03_LADOT%20Policies%20and%20Procedures_2013.pdf

Even if it is Determined that the "V/C" Method is Appropriate, the Traffic Impact Analysis is Still Unrealistic and Mathematically Incorrect.

Under the "v/c" method, each lane is assumed to have a maximum capacity of 1,600 cars per hour, and the County's traffic manual considers a reasonable (Category "C" or better) level of service at a signalized intersection to be approximately 1,100 cars per hour or less. In Acton, every road that feeds the intersections considered in the developer's traffic study has one lane running in each direction, therefore, the "v/c" traffic analysis approach should reasonably assume a 1,600 car per hour project capacity limit in each direction. But this is not the case. In fact, the developer's analysis assumes a project capacity limit that is three times higher (or 4,800 car/hour) ***in each direction*** along Sierra Highway because Sierra Highway splits into 3 directional lanes just before it reaches the intersection with Crown Valley. By ***tripling*** the vehicle capacity limit of Sierra Highway to 4,800 cars per hour, the threshold for determining whether traffic impacts are significant is increased substantially. In other words, the developer's traffic study assumes that Sierra Highway can "tolerate" 4,800 cars per hour at the intersection with Crown Valley, when in reality it can't even "tolerate" 1,600 cars per hour because it is not signalized and is fed by only one lane. The highly inflated capacity assumption that is implicit in the developer's traffic study fails to properly consider the road configurations in the area of the project, and is absurd and entirely insupportable from a technical and engineering perspective.

The "Trip Generation Rates" Assumed in the Developer's Study are Too Low.

The Traffic Study was developed based on trip rate factors published by the Institute of Traffic Engineers ("ITE") which assume that peak customer loads occur in the morning and evening, and are based on the area (square footage) of the development. For several reasons, these trip rate assumptions are flawed because they do not represent the unique circumstances associated with the proposed Taco Bell project in Acton. Specifically:

1. The proposed Taco Bell project is oriented toward, highly visible from, intended to serve, and located adjacent to, a major commuter freeway which carries 100,0000 vehicles per day. None of these factors are reflected in the ITE trip rate factors.

2. Traffic counts were conducted in the late afternoon and early evening on August 17, 2015 at the existing "McDonald's" fast food business located across the street from the proposed project site. The results indicate the following:

    - Customer loads do not peak after 5 PM; in fact, the customer load recorded between 4 and 5 PM was higher than that recorded between 5 and 6 PM and between 6 and 7 PM.

    - More than half the customers use the "drive through" service window, the existence of which is entirely independent of the size (or square footage) of the restaurant. Therefore, the determining factor which drives a majority of the customer load is NOT the square footage of the restaurant.

- Nearly 10% of the customers parked off-premises and did not drive into the "McDonald's" lot; these customers constitute "traffic generators" that would be improperly omitted from any actual traffic counts that would be taken.

- The peak customer count that was observed (NOT counting customers who parked off-premises) occurred between 4-5 PM, with 81 vehicles going "in".

- The peak "drive through" usage rate occurred between 6 PM and 7 PM, with 56% of customers using the "drive-through" window.

3. The developer was informed of these results at the ATC meeting on August 17, 2015. The developer asserted that these results were invalid because a typical "McDonald's" operation experiences a much higher customer load than a typical Taco Bell operation. The developer stated that the "Jack in the Box" business located down the street from the "McDonald's" business appropriately represents Taco Bell operations because it properly reflects Taco Bell's lower customer load.

4. Traffic counts were conducted in the early morning and midday on August 18, 2015 at the existing "Jack in the Box" fast food business located adjacent to the freeway and just down the road from the proposed project site. These results indicate:

    - Customer loads do not peak in the morning. In fact, the early morning customer load was half that of the midday customer load.

    - More than half the customers use the "drive through" service window, the existence of which is entirely independent of the size (or square footage) of the restaurant. Therefore, the determining factor which drives a majority of the customer load is NOT the square footage of the restaurant.

    - Depending on the time of day, more than 15% of the customers park off-premises and do not drive into the "Jack in the Box" driveway; these customers constitute "traffic generators" that would be improperly omitted from any actual traffic counts that would be taken.

    - The peak customer count (which does NOT include customers who parked off-premises) occurred between 12-1 PM, with 73 vehicles going "in".

    - The peak "drive through" usage rate was 68%, and it occurred between 6-7 AM and again between 11:15 AM to 12 PM.

    - According to the ITE manual, for AM peak hours, the traffic impacts created by fast food restaurants with a "drive-through" (Use Code 934) are similar to the traffic impacts created by fast food restaurants without a "drive-through (Use Code 933). The ITE Manual also projects that fast food restaurants with a "drive through" generate only 25% more total daily trip rates than equally

sized fast food restaurants without a "drive-through". These assumptions are disproved based on the data summarized above, which clearly demonstrates that the "drive-through" configuration is what draws the majority of customers to the fast-food businesses in Acton.

Based on these results, it seems clear that the published ITE trip rate factors which were relied upon in the Developer's traffic study do not properly reflect the actual traffic conditions that will be created in Acton by the proposed Taco Bell project. The traffic study should be re-done based on actual traffic counts conduced at the "Jack in the Box" business which (according to the developer) accurately reflects Taco Bell facility operations.

The Traffic Study Does Not Address School Impacts or Student Safety.
The proposed project is located between the local middle school and the local library, in an area where children are frequently found walking after school is out. When school is in session, traffic jams always occur between 7:15 and 8:15 AM as well as between 1:30 PM and 2:30 PM as a result of student drop-off and pick-up activities. The Developer's study does not address any of these issues and it fails to consider additional traffic delays that will occur in the vicinity of the school as a result of the proposed project.

The 10% Pass-By Rate Assumed is Too High
Implicit in the Developer's traffic study is a 10% "Pass-By" assumption. "Pass-by" trips are made by traffic already using Sierra Highway or Crown Valley (i.e. locals using Crown Valley and/or Sierra Highway to get home or to access local small businesses). The problem is, the 10% "pass-by" assumption is unrealistic for Acton because there are simply not enough locals available to justify such a high percentage "Pass-by" rate. Virtually every household in Acton would have to eat at the proposed Taco Bell at least once per month to achieve the projected 10% "pass-by" rate of 100 cars per day. To ensure conservative results, the "pass-by" assumption should completely eliminated from the Developer's traffic impact analysis.

The Traffic Study Does Not Address Required Two-Lane Road Impacts.
The Los Angeles County Traffic Impact Analysis Guidelines document requires developers to assess traffic impacts on adjacent two-lane roadways in accordance with adopted HCM methods if the development relies on two-lane roadways for access. There is no question that access to the proposed Taco Bell development relies entirely on two-lane roads (specifically Sierra Highway and Crown Valley Road) However, the developer failed to conduct any traffic analysis of these roadways at all. This omission must be corrected.

The Traffic Impact Analysis Does Not Consider the 120 Lot Recorded Subdivision Map Located Just South of the Proposed Development.
The Developer's traffic study fails to account for the 120+ home subdivision for which grading and infrastructure development was started in 2008, but then halted due to the economic slowdown. The tract map was recorded as 43526 (MB 1143/26) and grading began after some revisions were approved by DPW to address drainage concerns. This subdivision is accessed via Crown Valley and the northern boundary lies about half a mile south of the Freeway. The projected traffic loads associated with this approved and partially constructed project must be considered in the Taco Bell traffic impact study. A second large residential subdivision project (approved Tentative Map 42883) that is located just north of the proposed Taco Bell project on Crown Valley Road was also omitted.

Traffic Counts Reported in the Traffic Impact Analysis Appear Low.
The traffic counts reported by the Developer are substantially lower (25-40%) than what was measured at the same intersections several years ago for the proposed United Growth/Panda project. The population of Acton has not decreased substantially since that time, and even freeway counts have only dipped less than 9%. This previous study calls into question the traffic counts reported in the Developer's traffic study.

ATTACHMENT 3

THE ACTON TOWN COUNCIL'S CONCERNS WITH THE ZONING AND LAND USE DESIGNATIONS OF THE PROPOSED TACO BELL "DRIVE-THROUGH" PROJECT.

1. As indicated in several locations within the 1986 AV Plan, Acton has, for more than 35 years, expressed concerns that inappropriate development threatens Acton's rural character, natural settings, and existing public facilities (including roads and schools). The 1986 AV Plan sets forth the following specific measures to ensure that development on the proposed project site proceeds in a manner which preserves Acton's rural character:

The 1986 AV Plan recognizes three types of commercial land uses: 1) C-Community Commercial; 2) Highway Oriented Commercial; and 3) Neighborhood Oriented Commercial. The land use designation established for the proposed project site is "Community Commercial", the intent of which (as clearly established by the 1986 AV Plan) is to serve local neighborhoods [see page VI-6]. Notably, the proposed project site was NEVER designated as, or even considered to be, "Highway Oriented Commercial" as evidenced in the record established for Case No. 90-638. This fact is crucial, because the 1986 AV Plan clearly identifies that "Highway Oriented Commercial" land use designations are appropriate for "highway or roadside facilities of a minor nature such as gas stations, cafes, motels, and other uses providing a service to the traveling public" [See page VI-6]. Obviously, the proposed Taco Bell "Drive-Through" project is intended to be a roadside facility that serves the traveling public, and therefore requires a "Highway Oriented Commercial" land use designation, not a "Community Commercial" land use designation. It is also noted that the applicant does not seek, and has never sought, project approval under the "highway oriented commercial" provisions of the 1986 AV Plan. To the contrary, DRP's "Project Summary" posted in advance of the hearing designates the project site as having a "C-Community Commercial" land use designation, which is intrinsically inconsistent with the "highway-oriented" Taco Bell project that is proposed. Simply put, the project site lacks the necessary "Highway Oriented Commercial" land use designation that is required for DRP to approve the proposed project. ***There is no doubt*** that an approval of the "Taco Bell Drive-Through" project on the proposed site under a "C-Community Commercial" Land use designation is wholly inconsistent with, and utterly contrary to, the AV Plan.

- Under the 1986 AV Plan, Acton is designated as a "Rural Community" [pg IV-1]. This special designation imbues Acton with specific rural (non-urban) protections secured the Los Angeles County General Plan adopted in 1981 [page IV-13]. Applicable rural and general protections provided to Acton under the 1981 County General Plan include:

- Page III-35: "The scale of local service commercial uses in terms of acreage and floor area must be "***limited to that which can be justified by local community and neighborhood needs.***" Approving freeway-oriented drive-through development that serves thousands of non-local commuters within a designated rural community and on land that is designated for Community Commercial development is utterly contrary to this General Plan provision.

- Page III-36: The overall scale and intensity of local commercial service uses should be "in keeping with the surrounding neighborhood or community setting". The placement of freeway-oriented development that serves thousands of non-local commuters within a designated rural residential community and on land that is designated for Community Commercial development is utterly contrary to this General Plan provision.

- GP Policy 23: "Ensure that development in non-urban areas is compatible with rural lifestyles, does not necessitate expansion of urban service systems and does not cause significant negative environmental impacts or subject people and property to serious hazards". The placement of heavily trafficked, urban style development in an area where school children congregate within a rural community is utterly contrary to this General Plan provision,

- LU Policy 9: Promote neighborhood commercial facilities which provide convenience, goods and services and complement the community character through appropriate scale, design and locational controls." The placement of a freeway-oriented drive-through development that provides service and convenience to thousands of non-local commuters within a designated rural residential community is utterly contrary to this General Plan provision.

- LU Policy 7: "Assure that new development is compatible with the natural and man-made environment by implementing appropriate locational controls and high quality design standards". The placement of heavily trafficked, urban style development that is associated with high customer loads within a designated rural residential community is utterly contrary to this General Plan provision.

- LU Policy 8: "Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise and traffic". Freeway-oriented, drive-through development that serves thousands of non-local commuters is highly incompatible with Acton's rural residential community, and will degrade the traffic, noise, and public safety conditions. Therefore, approving such development is is utterly contrary to this General Plan provision.

The 1986 AV Plan establishes the formation of an advisory council consisting of local residents and property owners to advise DRP and the BOS on important planning matters [See Page VII-3]. The Advisory Council is intended to ensure that development proceeds in a manner consistent with community objectives. The Acton Town Council fills this role, and considers the decision on the proposed Taco Bell Project to be a ***very*** important planning matter that will substantially affect the Community of Acton. As such, the Acton Town Council respectfully requests that significant weight be accorded to the input we provide regarding the proposed project in accordance with 1986 AV Plan provisions.

2. The existing C-2 (Neighborhood Business) zoning designation on the project site was actually established by ***downgrading*** the previously established C-3 (Unlimited Commercial) zoning designation. This downgrade from C3 to C2 was specifically and intentionally implemented because C3 development was deemed to allow "uses that were inconsistent with the long range land use goals and objectives of the community" [see page 3 of Staff Analysis of Case No. 90- 638]. This underlying aspect of the existing zoning designation on the site has not washed away over time, nor has the attendant requirement that future development on the site be consistent with Acton's long range land use goals and objectives. To the contrary, these factors are every bit as relevant and crucial to the planning decisions of today as they were when they were first established decades ago.

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- DRIVE THRU DEVELOPMENT IS AN EYESORE BLIGHT.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- DRIVE THRU DEVELOPMENT DISRUPTS OUR PEACEFUL, RURAL COMMUNITY
- The traffic study indicates that at least 80% of the customers will come from the freeway.
- DRIVE THRU DEVELOPMENT BRINGS MORE NOISE + TRAFFIC THAT HURTS OUR EARS + EYES. IT FORCES US TO TOLERATE + ACCEPT.
- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.
- DRIVE THRU DEVELOPMENT IS EVERYWHERE ELSE! PLEASE US BE!

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Judy Hoewisch

JUDY HOEWISCH

Address: 4565 Red Rover Trail

Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Elizabeth M. Billet Address: 31880 Alisa Cyn. Rd.

Elizabeth M. Billet Acton, CA 93550

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- The traffic study indicates that at least 80% of the customers will come from the freeway.
- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Ray R. Rillot

Ray F. Rillot

Address: 31680 Aliso Cyn. Rd.

Acton, CA 93510

Richard Claghorn

From: Ron Bird [ronbird83@gmail.com]
Sent: Sunday, August 23, 2015 3:43 PM
To: Richard Claghorn
Subject: I support Project R2014-02996

I support the Acton Taco Bell project (R2014-02996) and it's associated conditional use permit. I am a member of the Acton community and look forward to patronizing this new restaurant. It will create much needed jobs in our area and will offer us a much needed additional food choice.

The property has the appropriate commercial zoning and its addition will be of great service to our rural community. Yes, Acton needs to remain rural, but our residents need to eat! I urge the Planning Commission to approve this project.

Richard Claghorn

From: Kathy Bell [kathyofacton@gmail.com]
Sent: Friday, September 04, 2015 7:07 AM
To: Richard Claghorn
Subject: I support Taco Bell Project in Acton R2014-02996

I support the Acton Taco Bell project (R2014-02996) and it's associated conditional use permit. I am a member of the Acton community and look forward to patronizing this new restaurant. It will create much needed jobs in our area and will offer us a much needed additional food choice.

The property has the appropriate commercial zoning and its addition will be of great service to our rural community. I support the drive-thru also. Yes, Acton needs to remain rural, but our residents need to eat! I urge the Planning Commission to approve this project.

Thank you.

Kathy Bellenfant

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

September 15, 2015

TO: Pat Modugno, Chair
Stephanie Pincetl, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

FROM: Richard Claghorn
Zoning Permits North Section

Project No. R2014-02996 – Conditional Use Permit No. 201400142
RPC Meeting: September 16, 2015 - Agenda Item: 7

The above-mentioned item is a request to authorize the establishment and operation of a Taco Bell restaurant, including drive-through facilities, within the C-2-DP (Neighborhood Business-Development Program) Zone, the Soledad Zoned District and the Acton Community Standards District.

Please find enclosed a copy of a technical memorandum from Trames Solutions, the project's traffic engineering consultant, that was received subsequent to the hearing package submittal to the Regional Planning Commission. This memorandum includes a summary of revised traffic calculations using the Highway Capacity Manual (HCM) method, in response to concerns from the Acton Town Council. It concluded that the two area intersections will continue to operate at acceptable levels of service at peak hours based on the analysis using the HCM methodology. The memorandum was submitted to the Department of Public Works Traffic and Lighting Division, which forwarded it to the Department of Regional Planning and the Acton Town Council. A 15-page letter opposing the project was received from Jacqueline Ayers of the Acton Town Council today and it is also being included in this package.

If you need further information, please contact Richard Claghorn at (213) 974-6435 or rclaghorn@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

RG:RC

Enclosure(s): memorandum from Trames Solutions and letter from Jacqueline Ayers

TRAMES SOLUTIONS INC.

100 E San Marcos Blvd. Ste 400
San Marcos, CA 92069
(760) 291 - 1400

August 27, 2015

Mr. Chris Czyz
First Street Development
2929 E. Camelback Rd., Suite 116
Phoenix, AZ 85016

Subject: Acton Taco Bell Response to Comments (0231-0001)

Dear Mr. Czyz:

Trames Solutions Inc. is pleased to submit the following supplemental analysis for the traffic study prepared for the proposed Acton Taco Bell project. The traffic study dated March 2, 2015 was reviewed and approved by Los Angeles County. Comments have been provided by the Acton Community that requests that the analysis of the unsignalized intersections in the County be evaluated using the Highway Capacity Manual methodology. The County requires that the Intersection Capacity Utilization (ICU) methodology be used for analysis purposes. However, to address the concerns of the Acton Community, the following analysis has been prepared using the HCM methodology.

The HCM defines level of service as a qualitative measure, which describes operational conditions within a traffic stream, generally in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety. The criteria used to evaluate Level of Service (LOS) conditions vary based on the type of roadway and whether the traffic flow is considered interrupted or uninterrupted. The HCM methodology expresses the level of service at an intersection in terms of delay time for the various intersection approaches. The HCM uses different procedures depending on the type of intersection control. The HCM analysis has been performed using the Traffic 8.0 R1 software.

The calculation of level of service is dependent on the occurrence of gaps occurring in the traffic flow of the main street. Using data collected describing the intersection configuration and traffic volumes at the study area locations; the level of service has been

calculated. The level of service criteria for this type of intersection analysis is based on average total delay per vehicle for the worst minor street movement(s).

The levels of service are defined for the unsignalized methodology as follows:

LEVEL OF SERVICE	AVERAGE TOTAL DELAY PER VEHICLE (SECONDS)
	UNSIGNALIZED
A	0 to 10.00
B	10.01 to 15.00
C	15.01 to 25.00
D	25.01 to 35.00
E	35.01 to 50.00
F	50.01 and up

Table 1 summarizes the traffic conditions analyzed in the traffic study for the intersections under the County's jurisdiction. Utilizing the ICU methodology, the intersections were forecast to operate at acceptable levels of service during the peak hours. Similarly, the analysis utilizing the HCM methodology also indicates that the intersections will operate at acceptable levels of service during the peak hours. It should be noted that the results identified in Table 1 were based on eliminating the pass-by reduction as requested by County Staff. This reflects a conservative analysis since most fast-food restaurants have a pass by reduction of up to 50%.

Respectfully submitted,
Trames Solutions Inc.

Scott Sato

Scott Sato, P.E.
Senior Associate

TABLE 1

INTERSECTION ANALYSIS FOR EXISTIG AND FUTURE CONDITIONS

ID	Intersection	Traffic Control [1]	Intersection Approach Lanes [2]												ICU [3] (secs.)		Level of Service		Delay [4] (secs.)		Level of Service	
			Northbound			Southbound			Eastbound			Westbound										
			L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM	AM	PM	AM	PM
1	Crown Valley Rd./Sierra Hwy.																					
	Existing	AWS	1	1	1	1	1	0	1	2	0	1	1	0	0.48	0.42	A	A	12.4	11.2	B	B
	Existing+Project	AWS	1	1	1	1	1	0	1	2	0	1	1	0	0.51	0.43	A	A	12.9	11.5	B	B
	Existing+Cumulative+Project	AWS	1	1	1	1	1	0	1	2	0	1	1	0	0.59	0.51	A	A	15.9	13.4	C	B
2	Crown Valley Rd./Antelope Woods Rd.																					
	Existing	CSS	1	1	0	1	1	0	0	1	0	0	1	0	0.47	0.31	A	A	13.8	14.0	B	B
	Existing+Project	CSS	1	1	0	1	1	0	0	1	0	0	1	0	0.47	0.31	A	A	13.9	14.1	B	B
	Existing+Cumulative+Project	CSS	1	1	0	1	1	0	0	1	0	0	1	0	0.48	0.31	A	A	14.0	14.2	B	B

[1] AWS = All Way Stop; CSS = Cross Street Stop

[2] When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel outside the through lanes.
L = Left; T = Through; R = Right; 1! = Shared Left-Through-Right Lane; 0.5 = Shared Lane; d =Defacto Right Turn Lane; 1 = Lane Improvement (Project Driveway)

[3] ICU = Intersection Capacity Utilization - Methodology

[4] Delay = Highway Capacity Methodology (HCM)

Richard Claghorn, Planner
Los Angeles County Department of Regional Planning
Electronic Submittal of fifteen (15) pages
(sent to RClaghorn@planning.lacounty.gov)

September 15, 2015

and

The Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012
Electronic Submittal of fifteen (15) pages
(sent to Commission Secretary rruiz@planning.lacounty.gov)

Subject: The Staff Report and Hearing Package Prepared for the Taco Bell/First Street Development Proposal in Acton.

References: September 16, 2015 Regional Planning Commission Meeting Agenda Item #7. Project Number R2014-02996; RCUP # T2014-00142.

Dear Commissioners and Mr. Claghorn;

I have reviewed the Staff Report included in Hearing Package prepared by the Department of Regional Planning ("DRP") for the referenced Agenda Item, and am substantially concerned by the errors that it contains. I am equally concerned by the substantive information that it omits and the lack of response provided to issues and matters raised by the Acton Town Council. Though I have not completed my evaluation of the entire Hearing Package, I have attached a summary of the concerns found thus far, which I submit today in the hope that there is sufficient time for you to review before the hearing. If you have any questions or wish further clarification of the issues presented below, please do not hesitate to email me at AirSpecial@aol.com.

Sincerely,

Jacqueline Ayer
Acton resident AND
Opponent of the Taco Bell drive-through development proposed in Acton

THE STAFF REPORT INCORRECTLY SUMMARIZES THE SITE ZONING HISTORY AND OMITS KEY DECISIONAL FACTORS IN THE REZONE APPROVAL.

The staff report states that "This Zone Change was done as part of Project 90368, which included CUP 90-368, which was approved on March 25, 1992 for a 30,000 square foot retail center on an 8.3 acre site, including the current Project Site" [see page 3, paragraph 2]. This is incorrect. The 30,000 square foot retail center referred to here (which underlies the proposed Taco Bell drive-through project) was *not* part of the retail center CUP approved in Case #90-368 [see Finding #3 in RPC hearing package]. Records indicate it was also excluded in Case #93-118. In fact, it does not appear that this 30,000 square foot area was ever approved for any commercial development other than the existing commercial building constructed in the 1920's. The 30,000 square foot area was only included in the zone change and plan amendment actions in Case #90-368. These actions modified the Taco Bell site as follows: 1) It secured a "Community Commercial" land use designation; 2) It downgraded the zoning from C-3 (unlimited commercial) to C-2 (neighborhood commercial); and 3) It added the "-DP" addendum to specifically ensure that any commercial development on the site would be in accord with the needs and desires of the community.

The staff report also includes an incorrect and incomplete summary of events surrounding the approval of Case# 90-368 and the subsequent denial of CUP 93-118. The report erroneously states [page 3] that "CUP 90-368 was never used", and that "CUP 93-118 was filed in 1993 for a market with beer and wine sales at the current Project Site, but this permit was withdrawn on March 8, 1994". This is incorrect. The following facts were obtained from BOS and RPC records and historical data: Before Case #90-368 was approved by the RPC, the developer assured the community that the proposed commercial structures and development plan would include a community-serving market and other locally needed retail businesses such as a pharmacy that were not freeway-oriented and which 1) Were secured by a C-2 "Neighborhood Commercial" zoning designation to ensure the development was community-serving and not freeway-serving; 2) Would have limited hours of operation; and 3) Would be subject to a "Director's Review" process which would rely substantially on community input on proposed tenancies. All of these commitments were made to ensure that only neighborhood-oriented development intended to serve the community would be approved on the project site, and they are embodied in the RPC's ZC Finding #9 adopted by the BOS which states: "The use of the recommended "DP" addendum along with the required conditional use permit and the recommended change from C-3 on a portion of the property to C-2-DP will ensure development in a manner that is compatible with the surrounding land uses and in accord with the needs and desires of the community." It was based solely on these commitments made by the developer that the community did not oppose Case #90-638 at the RPC hearing. However, sometime during the 4 months following the RPC's approval of Case #90-368, the community learned that the development restrictions previously agreed to were no longer acceptable to the developer, that the development would be designed and operated to serve the freeway, and it would operate 24 hours per day without limit or restriction on the hours of operation. On that basis it was opposed by residents at the BOS hearing, which caused confusion because the BOS had the impression that the community supported the project. For the sole purpose of "using" CUP 90-368, the developer applied for a liquor license under CUP 93-118, at which point the Community renewed its opposition to the development in general, and the liquor license in particular. Apparently, more than one hundred Acton residents attended the 1993 RPC hearing

on Case #93-118, which was ***denied***. The staff report errs in stating that the permit requested under Case# 93-118 was withdrawn by the applicant; it was never withdrawn and was in fact denied. Subsequently, the applicant filed an appeal with the BOS and requested a de novo hearing, but then withdrew this request in early 1994. Without a liquor license, the applicant chose not to pursue the commercial development authorized under CUP 90-368.

All of this history and the findings adopted by the RPC and subsequently by the BOS are substantially relevant to the Taco Bell proposal now before the Commission, yet none of it is reflected in the staff report, which gives the impression that community participation in Case #90-368 and CUP 93-228 was negligible. The fact is, Case #90-368 was a *transformative event* for the community of Acton, because it brought into sharp focus the fact that Acton residents cannot rely upon developer commitments to secure the low-intensity, community-centered commercial development that was guaranteed for Acton by the County in the 1986 AV Area Plan and further secured in the newly adopted "Town and Country" ("AV Area") Plan. For this reason, the Community of Acton has actively, resoundingly, and steadfastly opposed each and every freeway-dependent commercial development that has been brought to the Commission since Case #90-638. The Community has also actively, firmly, and steadfastly supported commercial development in Acton that is clearly community-dependent and resident-serving.

The community-dependent development restrictions imposed by the rezone decision in Case #90-368 still exist today and they must inform and direct the Commission's decision in RCUP #T2014-00142. The developer is aware of these restrictions and of Acton's unwavering commitment to ensure they are implemented. Nonetheless, and despite the project zoning history and community concerns, the developer unabashedly proposes a commuter-serving commercial development that is entirely freeway-dependent and specifically configured as such.

TACO BELL IS A "HIGHWAY ORIENTED COMMERCIAL DEVELOPMENT" THAT IS INCONSISTENT WITH A "COMMUNITY COMMERCIAL" LAND USE DESIGNATION.
On page 4, the staff report states that the project site is located within the Community Commercial land use category of the 1986 AV Area Plan, and that "the subject Taco Bell restaurant is considered to be consistent with this land use category of the 1986 Area Plan". This statement is contrary to the Commercial Land Use Policy Classifications established by the 1986 AV Area Plan [see page VI-6], which addresses the commercial land uses that are recognized by the plan. As evidenced by the plain language of the plan, the proposed Taco Bell drive-through project does not meet the "Community Commercial" land use designation requirements. To the contrary, it is designated as a "Highway-Oriented Commercial" land use because it is a roadside facility that is devoted entirely to "serving the traveling public". Though this distinction is discussed further below, it is noted here that the Taco Bell project is clearly not a "Community Commercial" land use that is "intended to serve adjoining neighborhoods", as evidenced by the project traffic study which indicates that neighborhood residents would comprise less than 1% of the project customer base even if they all visited Taco Bell at least once per month. None of these facts are addressed or even mentioned in the staff report, which must be revised to properly identify the proposed Taco Bell project as a "Highway Oriented Commercial" land use which is distinctly different from, and intrinsically incompatible with, the property's underlying "Community Commercial" land use designation".

PURSUANT TO THE 1986 AV AREA PLAN, THE PROPOSED TACO BELL PROJECT IS SUBJECT TO THE RURAL COMMERCIAL ZONING ORDINANCE.

The Community of Acton is a "Designated Rural Community" under the 1986 AV Area Plan. Therefore, any commercial development in Acton which seeks authorization under the 1986 AV Area Plan must comply with the rural protection policies contained in the Plan, as well as the policy implementation programs mandated by the Plan. The Implementation Program (referred to as the "Action Plan") that was adopted in the 1986 AV Area Plan is found in Chapter VII, and it requires that general plan policies pertaining to rural communities like Acton be implemented through the adoption of a "Rural Commercial" zoning ordinance to "recognize and provide for the special needs of rural residents". Fortunately, the County recently adopted such an ordinance [section 22.28.350, et seq.]. Therefore, and through operation of Chapter VII of the 1986 AV Area Plan, the proposed Taco Bell drive through project is subject to this "Rural Commercial" zoning ordinance, which requires (among other things) a CUP for any proposed "drive-through" services. Notably, the applicant has not applied for a CUP to authorize the drive-through element of the proposed Taco Bell project, therefore the "drive-through" element of the proposed Taco Bell project cannot be approved.

"INTENSITY OF COMMERCIAL USE" IS NOT THE SAME AS "INTENSITY OF COMMERCIAL DEVELOPMENT"

Page 5 of the staff report states that the "CR land use category's purpose is for 'Limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices". Then, and without further analysis, the staff report simply declares that "The proposed restaurant use is consistent with this category". The facts show otherwise. As a preliminary comment, it is appears that staff have confused the "*intensity of a commercial development*" with the *"intensity of a commercial use"*, and mistakenly use these terms interchangeably. To clarify: the *"intensity of a commercial development"* (referred to as "development intensity" in the new Countywide General Plan, and "non-residential density" in the new AV Area Plan) pertains to the size of commercial development in relation to the land. It is typically quantified by a ratio of the commercial floor space to the lot area and identified as the "floor to area ratio" – or "FAR". Conversely, the *"intensity of a commercial use"* refers to the level of activity (i.e. noise, traffic, pollution, etc.) that the use generates, and it is dependent on the *type* of use, not the *size* of use. For example, a 2,000 sq. ft. commercial fast food "drive-through" project which generates more than 1,000 vehicle trips per day is a "high-intensity commercial use" compared to a similarly sized commercial office project which generates only 40 vehicle trips per day. The distinction between the "Intensity of development" and the "intensity of use" is clearly set forth in California's Planning and Zoning Statutes[1], and it is a crucial factor in determining whether or not a proposed development meets the "low-intensity commercial use" restriction established for Acton in the new AV Area Plan.

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[1] California Government Code Section 65850 recognizes that the "Intensity" of a land use is separate and distinct from "the percentage of a lot that can be occupied by a building" and is also different from the "size of buildings or structures".

To determine whether a proposed project is indeed a "low intensity commercial use", it is first necessary to identify a parameter which properly measures the "intensity" of a commercial use. Given that the "intensity" of a commercial use correlates directly with the human activity at the commercial use, it seems traffic generation is the most appropriate parameter for this determination. Small (2,000 sq. ft.) medical offices, clothing stores, and nice cafes are reasonable examples of the "retail, restaurant, and personal and professional office" uses contemplated by the CR land use category, and these uses generate traffic levels ranging from 70 to 180 vehicle trips per day according to the Institute of Traffic Engineers[2] ("ITE"). Thus, a reasonable threshold for establishing what constitutes a "low-intensity commercial use" in Acton is ≤200 vehicle trips per day. Applying this threshold to the proposed Taco Bell drive-through business, and using ITE traffic data, it becomes instantly obvious that the proposed Taco Bell drive-through project is not a "low-intensity commercial use" at all. To the contrary, it will generate more than 1,000 vehicle trips per day, which is 500% greater than other commercial uses of similar size.

Among all the commercial uses that have been analyzed by ITE, fast food businesses are demonstrated to be the *highest* intensity uses and are second only to convenience stores because they generate *the highest* traffic loads per unit area. ITE data establish that fast food businesses such as the proposed Taco Bell drive-through project are clearly not "low-intensity commercial uses". In fact, they are the antithesis of "low-intensity commercial uses" and are ***NOT*** consistent with the CR land use category.

To further illustrate the fact that the "intensity of a commercial development" (or FAR) has little bearing on the "intensity of a commercial use", staff is reminded that up to 80% of Taco Bell's customers will use the "drive-through" window[3], therefore, it is the "drive through" element of the business which contributes the most to traffic and (by extension) to the overall "intensity" of the use. None of these "drive-through" customers actually enter the Taco Bell business, so the size (or FAR) of the Taco Bell building is irrelevant to the traffic generated. In other words, the FAR of a fast food drive through development is transparent to the traffic (or intensity) it generates. The staff report must be revised to that fast food businesses are "high-intensity commercial uses" because they generate the highest traffic loads of any commercial uses. As such, they DO NOT QUALIFY as "limited, low-intensity commercial uses" under the CR land use designation category.

Interestingly, the traffic study prepared for the proposed Taco Bell project provides the most compelling evidence that "intensity of commercial development" differs entirely from "intensity of commercial use". Page B-17 of the traffic study reports the morning peak traffic load generated by two adjacent commercial uses which both have FAR values that are much less than 0.5. These pages show that one commercial use (a community-dependent retail store) generates a "peak" traffic load of 3 vehicle trips per hour, while the second commercial use (a freeway-

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2 The Los Angeles County Department of Public Works relies on traffic generation rates data that is published by the Institute of Traffic engineers, which is why ITE daily trip rate data are cited here.

3 Data collected at the Taco Bell drive through business located in San Clemente demonstrate that the percentage of customers that use the drive through window ranges anywhere from 61% to 81% depending on the time of day.

dependent fast food drive-through business) generates a "peak" traffic load of 188 vehicle trips per hour. Though the "intensity of commercial development" is well below 0.5 for both of these commercial businesses, the "intensity of commercial use" *differs by 2 orders of magnitude*. These data clearly illustrate the substantial difference in "intensity of use" between a freeway--dependent fast food drive-through business and a rural community-dependent retail use. The staff report must be revised to reconcile these facts and to address the "bright line" difference between the "intensity of a commercial development" and the "intensity of a commercial use".

THE TACO BELL PROJECT IS A HIGH INTENSITY REGIONAL USE

Page 6 of the staff report states: "The Town & Country Plan prohibits 'high-intensity regional commercial uses' within this area of Acton. However, the Project is not considered to be high-intensity or a regional use". Putting aside the fact that this conclusion ignores the General Plan language which prohibits such uses "that serve travelers along State Route 14", it is noted that this conclusion is based entirely on an improper reading of the project traffic study and on the erroneous assumption that the proposed Taco Bell project is not a "high- intensity" development simply because it is "small in size". From this conclusion, it appears that staff have failed to read the traffic study properly, and have improperly construed the plain language of the newly adopted AV Area Plan properly. To clarify these issues and ensure that staff does not misconstrue the new AV Area Plan in future, the following corrections are provided:

1. Table 4-2 of the Taco Bell project traffic study shows that the project will adversely impact traffic in at least 2 of the 4 intersections that were studied. It further projects a significant drop in the traffic "Level of Service" (from "C" to "D") as a result of increased traffic from cumulative developments. Yet, the staff report asserts (wrongly) that the traffic generated by Taco Bell "will not exceed" established traffic thresholds, and therefore finds that the project is not a "high intensity" use. This conclusion must be revisited and also reconciled with supplemental traffic count data which indicates that the Taco Bell Project will generate much higher traffic levels than what is projected by the applicant's traffic study. Some of these data were provided to the Department of Public Works in a meeting on August 18, 2015 which focused on noted deficiencies found in the traffic study (such as the use of v/c analysis methods at unsignalized intersections and the failure to assess project impacts on two-lane roadways). DPW staff indicated that they would seek corrections of these deficiencies from the developer. .

2. According to the staff report , the proposed Taco Bell drive-through project is not a "high intensity" use because it is "small in size... occupying only four percent of the Project Site...." and because the "floor area ratio (FAR) is 0.04, compared with the maximum FAR of 0.5 allowed..." Again, staff mistakenly equate the "intensity of a commercial use" with the "intensity of a commercial development" and on this faulty basis, erroneously concludes that the Taco Bell project is not "high-intensity". As discussed previously, the "intensity of a commercial development" pertains merely to the relative size (or FAR) of the commercial buildings, which is not in any way indicative of the "intensity of a commercial use" which pertains to the level of activity (i.e. traffic) generated by the development. There is no doubt that the proposed Taco Bell project is, *by definition*, a "high-intensity" use.

3. The Taco Bell drive-through project is intended to be a heavily trafficked, freeway-dependent commercial development that is proposed for the sole purpose of serving regional customers from major urban centers such as the Antelope Valley, the Santa Clarita Valley, and the greater Los Angeles Area. The project is not neighborhood-dependent or even community-dependent; in fact there are not enough households in Acton's entire 100 square mile footprint to furnish even a small fraction of Taco Bell's projected customer load. The developer has informed the community that the project is *intended* to serve commuters on the 14 Freeway, and that the project site was chosen specifically to effect this purpose. These daily commuters travel to and from distant urban and suburban regions located many miles from Acton. There is no doubt that the proposed Taco bell drive-through project is, *by definition*, a regional commercial use that is explicitly designed to serve travelers on the 14 Freeway.

These facts clearly establish the proposed Taco Bell drive-through project as a regional commercial development and a high-intensity use which is intended solely to serve travelers on the 14 freeway. It conclusively and blatantly displays all of the elements of commercial development that are specifically prohibited in Acton by the newly adopted AV Area Plan, and staff's conclusion to the contrary is *absurd on its face*.

THE NUMBER OF SEATS IN A COMMERCIAL DEVELOPMENT DOES NOT ESTABLISH WHETHER THE DEVELOPMENT IS A "REGIONAL USE".

On page 6, the staff report states that the proposed Taco Bell drive through project has only 57 seats, which is less than the adjacent "McDonalds" drive through (with 125 seats) and the nearby "Jack in the Box" drive through (with 98 seats). Based on this data, the staff report concludes that the Taco Bell project is "not a regional use". This non-sequitur is followed by the almost comical conclusion that "due to the location near a freeway exit for State Route 14 it [the project] will inevitably be used by travelers from outside the local community". Incredibly, DRP seems unaware that "use" of the Taco Bell by "travelers from outside the local community" is not merely an incidental "inevitability", rather it *is the foundational precept* upon which the entire project is proposed. And, like the "Jack in the Box" and the "McDonald's", the proposed Taco Bell project is a regional use intended to serve customers from outside the local community. In fact, the "success" (or economic viability) of the Taco Bell business rests ***entirely*** on customers from major urban centers north and south of Acton. The number of seats maintained at these fast food businesses is clearly irrelevant, particularly since up to 80% or more of the customers never sit down anyway because they use the drive-through. The staff report must be revised to clarify that Taco Bell is entirely dependent on customers from major urban centers outside of Acton, and therefore the Taco Bell project is indeed a "regional use" in every possible sense.

THE ONLY"HIGH-INTENSITY" USES IN ACTON ARE FREEWAY-DEPENDENT DRIVE-THROUGH BUSINESSES.

On page 6, the staff report states (incorrectly) that "In addition to the previously mentioned fast food restaurants and automobile service stations, the existing surrounding commercial uses within 500 feet include other uses which are much higher in intensity than the proposed Taco Bell", and it goes on to site the square footage of various adjacent uses such as the 17,000 sq.

ft. commercial development south east of the proposed Taco Bell site. Once again, staff have confused the "size" of a project with the "intensity" of a project; which are two entirely different and mutually exclusive parameters. Drawing from the data provided in the staff report, consider the 17,000 square foot commercial development, which consists entirely of uses that are community-focused and community-based, such as a pharmacy, offices, and a "sit-down" sushi restaurant (where patrons eat their meal *before* they pay for it). Applying ITE traffic standards to this community-dependent development (which is nearly 10 times larger than Taco Bell) shows that none of the uses exceed the 200 vehicle trips per day "intensity threshold", and that the combined "intensity" of all the various uses is less than 500 vehicle trips per day, *well below half* of what Taco Bell will generate as a single use. The community supported the CUP that was approved for this 17,000 sq. ft. development because it provided community-dependent commercial uses that would not (and do not) rely on freeway commuters for the customer base. More importantly, history shows that the uses accommodated by this large commercial development are demonstrably community-dependent, convenient for the community, and "low-intensity" in terms of traffic, trash, and odor. Conversely, the Taco Bell drive through-project is demonstrably freeway-dependent, inconvenient, and high-intensity due the traffic, trash and odor it will generate. The staff report must be corrected to accommodate these facts.

THE PURPOSE, LOCATION AND DESIGN OF THE TACO BELL PROJECT IS INCONSISTENT WITH ADOPTED COUNTYWIDE AND AREA PLANS.

Beginning on page 7, the staff report identifies provisions of the new AV Area Plan and the 1980 Countywide General Plan, and declares that the Taco Bell project is consistent with these Plans because it "complies" with the cited provisions. The facts show otherwise:

- The Taco Bell drive-through project includes garish neon pink and purple signs that are internally lit and do not constitute "Old West Design Elements". Therefore, they are inconsistent with Chapter 7 of the new AV Area Plan.

- Unlike other commercial projects in the area (such as the pharmacy, feed store, print shop, etc. which "serve the daily needs of rural residents"), the entire purpose of the Taco Bell drive-through project is to "serve the daily needs" of regional customers from urban centers north and south of Acton. Therefore, the Taco Bell project is explicitly inconsistent with Land Use Policy LU 1.4, which is intended to ensure appropriate commercial lands in the AV to "serve the daily needs of rural residents". In fact, and contrary to Policy LU 1.4, the Taco Bell project actually *displaces* an existing feed-store commercial business which is devoted entirely to serving "the daily needs of rural residents". Therefore, the proposed Taco Bell project actually *reduces* the amount of commercial land available to serve the daily needs of rural residents, and is therefore utterly contrary to Land Use Policy LU 1.4.

- It is not certain that existing roadway infrastructure is adequate to handle the projected Taco Bell traffic. In fact, it appears that some road improvement (widening, restriping, or even signalization) are needed because the traffic study demonstrates that cumulative projects reduce the service level from "C" to "D" in at least one intersection, ***which is entirely unacceptable to the community of Acton.*** Therefore, it appears that the Taco Bell project *does not* comply with Land Use Policy 4.1 established by the new AV Area Plan.

- The staff report asserts that, under the 1980 Countywide Plan, the Taco Bell development is subject to General Plan Policy LU 9 pertaining to "*neighborhood commercial facilities*". Then it asserts that the Taco Bell development is subject to General Plan policy LU 10 pertaining to *"highway-oriented commercial facilities"*. DRP is confused, because "neighborhood commercial" land uses and "highway-oriented commercial" land uses reflect two entirely different land use categories established by 1980 Countywide Plan, therefore a single commercial development like Taco Bell cannot be in both. To clarify: The 1980 Countywide Plan established two separate and distinct commercial land use categories in non-urban (i.e. rural) areas: 1) "Highway-Oriented Commercial" land uses that serve travelers; and 2) "Local Commercial" land uses that serve local residents [see page III-24]. The 1980 Countywide Plan also provides specific guidance regarding what constitutes a "Local Commercial" land use, and it establishes that the "Local Commercial" Land Use category was established specifically to serve both neighborhood and community residents by providing neighborhood and roadside conveniences, goods and services [see page III-34]. It further requires that the scale of such "Local" uses be limited strictly to "that which the can be justified by local community and neighborhood needs" [see page III-35]. The 1980 Countywide Plan did not map these land uses, rather it left such details to local planning documents such as the 1986 AV Area Plan [see page III-34]. Correspondingly, the 1986 AV Area Plan accommodated the separate and distinct "Local Commercial" and "Highway-Oriented Commercial" land use categories established by the 1980 Countywide Plan via the following land use mapping and policy elements:

    1. The 1986 AV Area Plan established the "C-Community Commercial" land use category to govern community-oriented commercial development, and it mapped the locations where such community-serving commercial development was deemed appropriate [VI-6]. The "C-Community Commercial" land use category established by the 1986 AV Area Plan implements the "Local Commercial" land use goals and policy provisions contained in the 1980 Countywide Plan.

    2. The 1986 AV Area Plan established the "Highway-Oriented Commercial" land use category to govern roadside facilities "providing a service to the traveling public". It did not map these locations, but required that "Highway-Oriented Commercial" uses would be established in areas "other than", and "in addition to", those areas designated for C-Community Commercial land uses [see page VI-6].]. The "Highway-Oriented Commercial" land use category established by the 1986 AV Area Plan implements the "Highway Oriented Commercial" land use goals and policy provisions contained in the 1980 Countywide Plan.

    3. The 1986 AV Area Plan established the "Neighborhood Commercial" land use category consisting of facilities intended to serve the local residential neighborhood. It did not map these locations, but required that such "Neighborhood Commercial" uses would be established in areas "other than" and "in addition to" those areas designated for C-Commercial land use [see page VI-7]. The "Neighborhood Commercial" land use established by the 1986 AV Area Plan furthers the "Local Commercial" land use goals and policy provisions contained in the 1980 Countywide Plan.

- The existing "Jack in the Box" and "McDonald's" fast food drive-through businesses are "Highway Oriented Commercial" land uses under the 1986 AV Area Plan, and were approved as such even though the underlying land use designation was "C-Community Commercial" (Note: this approval was explicitly contrary to 1986 AV Area Plan provision that require "Highway-Oriented Commercial" land uses be established in areas "other than" and "in addition to" areas designated as "C-Community Commercial"). Nonetheless, these businesses were approved due to the flexibility of the underlying "C-3 -Unlimited" zoning designation (which allows virtually unrestricted commercial development). Like "Jack in the Box" and "McDonald's", the proposed Taco Bell drive-through project is a "Highway-Oriented Commercial" land use under the 1986 AV Area Plan and it is similarly precluded from development on lands designated with a "C-Community Commercial" land use. The Commission is advised that the site selected for the proposed Taco Bell project has a "Community Commercial" land use designation that was specifically and intentionally established by the BOS in Case #90-368. In addition, it has an inflexible C2-DP "Neighborhood Commercial" zoning designation that was also established by the BOS in Case #90-368 through a rezone request that actually *downgraded* the zoning from C3 to C2. Therefore, under both the 1980 Countywide Plan and the 1986 AV Area Plan, the land use and zoning designations underlying the Taco Bell site will allow the proposed Taco Bell "Highway Oriented Commercial" land use.

- Because a few Acton residents may use the Taco Bell or McDonald's or Jack in the Box businesses, the staff report concludes that such businesses "serve the local community". However they do not meet the definition established for "Local Commercial" land uses in rural (non-urban communities), and are therefore not deemed to "serve the local community" under the 1980 Countywide Plan and, by extension, the 1986 AV Area Plan. These plans establish an indisputable and "bright line" distinction between "Local Commercial" land uses and "Highway-Oriented Commercial" land uses. The 1980 Countywide Plan defines a "Local Commercial" Land Use as an "individual enterprise serving the needs of the local community" [III-34] ***and it strictly limits the scale of all such uses*** (in terms of acreage and floor area) to specifically "that which can be justified by local community and neighborhood needs" [III-35]. Accepting for a moment staff's contention that the businesses in Acton which serve" "fast" food (i.e. food that is available immediately and is paid for before it is eaten) are indeed "Local Commercial" businesses, then the scale of such businesses is limited to only that needed to serve Acton's small population of 7,500. Acton already has more than 10 "fast" food establishments which serve thousands of customers per day, so CLEARLY there are already more "fast" food businesses than is justified by Acton's small population. Under such circumstances, the County is precluded from exacerbating the already non-compliant situation in Acton by approving yet another "Local Commercial" fast food business. Therefore, Taco Bell cannot be approved as a "Local Commercial" land use in Acton even if (hypothetically speaking) it were actually a "Local Commercial" land use (which it is not.) The staff report must be revised to at least explain how the Taco Bell project meets the definition of a "Local Commercial" land use under the 1980 Countywide Plan and as such, how it complies with the scale and floor area restrictions that are cumulatively imposed by the 1980 Countywide Plan on such uses in Acton.

- As the developer has clarified on multiple occasions, the Taco Bell project is intended to provide convenience and service to the 100,000 daily commuters that travel the 14 freeway, and it is specifically configured for this purpose. It is not convenient for Acton residents because it increases traffic in an area frequented by equestrians and it increases the risk of injury to students walking from the nearby middle school. The developer also admits that location of the proposed Taco Bell business was selected specifically to provide a service to these 100,000 commuters. The location was ***not*** selected to serve Acton residents because most Acton residents live miles away. The staff report must be revised to correctly state that the proposed Taco Bell project will not serve Acton and is in fact a hazard and a major inconvenience for the community of Acton.

- The staff report further contends that the Taco Bell project is "community-serving" because it provides "a convenient place for residents of Acton to purchase and eat affordable fast food" and it "increases the dining options available to community residents" and it is "in a location that is well suited to the purpose" and designed to "blend into the community". These statements ignore relevant provisions of the 1980 Countywide Plan and the 1986 AV Area Plan. These conclusions also ignore the fact and are simply flat-out wrong, to wit:

  1. The bright, internally lit, and garishly colored neon green and purple signage on the project is not designed to "blend in" to the community; to the contrary it is specifically designed to stand out from the community and be highly visible from the freeway; and

  2. The location is NOT well suited to Acton's purpose because it substantially increases traffic and traffic hazards along roadways and at intersections that are frequented by both equestrians and middle-school students; and

  3. The addition of yet another freeway-serving drive-through fast food business in Acton constitutes a substantial *inconvenience* because of the significant traffic, trash, and odor that it generates;

  4. Acton has 3 Mexican restaurants, so adding a Mexican fast food business does not in fact "increase the dining options" available (if indeed "fast food" even qualifies as a legitimate "dining option" in the first place).

For decades, the Community of Acton has consistently demonstrated to DRP staff that additional freeway-oriented, fast food drive-through businesses are neither convenient for Acton residents, nor complementary to Acton's rural and equestrian community character. It has been repeatedly explained to DRP that the traffic, odor and trash generated by such businesses are intrinsically incompatible with Acton's lifestyle. Community input regarding what constitutes "convenient" and "complementary" development in Acton has been completely *ignored* by DRP, and replaced with DRP's uninformed and unsubstantiated opinions. DRP's conclusion that an additional freeway-serving fast food drive-through business provides convenience to Acton residents is ***absurd on its face***. If DRP persists with this mistaken opinion, then the staff report must be expanded to specifically explain the manner and extend to which Acton residents will be "convenienced" and "served" by the traffic, trash, and odor that will be generated by the

proposed Taco Bell project. It must also explain how this heavily trafficked project is compatible with Acton's established equestrian and pedestrian uses, and in particular it must address the added danger posed to middle school students forced to negotiate the increased traffic. It must also reconcile DRP's conclusion that "a new fast food drive-through project provides a convenient dining option" with the community's steady and unwavering position that such developments are neither convenient nor appropriate anywhere in rural and equestrian Acton.

THE DESIGN OF THE TACO BELL PROJECT VIOLATES ADOPTED ZONING ORDINANCES AND REQUIRES VARIANCE APPROVALS.

Beginning on page 8, the staff report discusses the various zoning code provisions that apply to the proposed project, and concludes that the project complies with all applicable zoning ordinance. The facts suggest otherwise, to wit:

- As clearly stated in Zoning Code Sections 22.04.030, the purpose of DP zoning is to ensure that development which occurs *after* a property is rezoned will conform to plans and exhibits that "constitute a critical factor in the decision to rezone". The proposed Taco Bell project site was rezoned from C-3 (unlimited commercial) to C-2 (neighborhood commercial) in 1992 pursuant to final approval of Case #90-368, which (among other things) relied upon the "Burden of Proof" exhibit provided by the applicant. According to the record in Case #90-368, the "Burden of Proof" exhibit explains that downgrading the existing zoning from C-3 (unlimited commercial) to C-2 (neighborhood commercial) with an attendant DP addendum was necessary because C-3 zoning allows "inappropriate" development of the property for "uses that are inconsistent with the long range land use goals and objectives of the community". The Burden of Proof also clarifies that the C-3 zoning designation "permits urban uses that are not intended by area plan land use goals", whereas the C-2 zoning designation accommodates the "community commercial" development that Acton seeks. On the basis of this evidence, Case #90-638 was approved *There is no doubt* that achieving Acton's long term land use goals and objectives is the centerpiece element of the applicant's "Burden of Proof" exhibit. There is also no doubt that achieving Acton's long term land use goals and objectives was a critical factor in the decision to rezone the Taco Bell project site from C-3 to C-2-DP. Therefore, and pursuant to 22.04-030, the County has a continuing obligation to ensure that any development on the Taco Bell site is consistent with, and specifically furthers, Acton's long term land use goals and objectives. These long term goals and objectives were clearly set forth by the Community of Acton decades ago, and were recently incorporated in the newly adopted AV Area Plan. These long term goals and objectives definitively establish that freeway oriented, drive-through businesses are intrinsically incompatible with Acton's rural and equestrian profile, and they create significant and unacceptable traffic, odor, and trash problems. In other words, the proposed Taco Bell drive-through development is utterly contrary to Acton's long term land use goals and objective, thus it fails to "conform" to an exhibit which constituted a critical factor in the 1992 decision to rezone the property. Therefore, and through operation of 22.040.030, the proposed Taco Bell drive-through project is inconsistent with the existing DP zoning designation on the subject property, and cannot be approved.

- It is also noted that the findings adopted in the County's decision to rezone the Taco Bell site state explicitly that "The use of the recommended "DP" addendum along with the required conditional use permit and the recommended change from C-3 on a portion of the property to C-2-DP will ensure development in a manner that is compatible with the surrounding uses *and in accord with the needs and desires of the community*" [emphasis added]. This finding clearly constituted a critical factor in the decision to rezone the Taco Bell site from C3 to C2-DP. Therefore, through operation of 22.40.030, the needs and desires of the Community of Acton MUST BE ACCORDED SIGNIFICANT WEIGHT in any development decision involving the Taco Bell project site. The Community of Acton has consistently and persistently represented to County staff that freeway-oriented drive-through businesses in Acton because are inconsistent with Acton's land use goals and objectives, and they are neither needed nor wanted because they generate significant traffic, trash, and odor.

- The project site plans provided by the developer to the Community of Acton indicates that large, garish neon pink and purple signs will be placed on 3 sides of the building (including a non-frontage side). These signs are obtrusive, do not promote a "western" style, and are clearly intended to advertise the Taco Bell business to freeway commuters. As such, they are explicitly contrary to both the Acton CSD and the attendant Architectural Guidelines. Yet, it appears from the staff report that the developer has informed DRP that the project color palette consists solely of light and dark browns, greys and a stone veneer that is a "brownish color" [see page 9]. These inconsistencies between what the developer has told DRP and what the developer has told the community must be resolved before any action is taken on this project.

- The project signage plans provided by the developer to the Community of Acton indicate that all signs utilize either internal lighting or internal halo-illumination, and therefore do not comply with the external lighting requirements imposed by the CSD. Yet, DRP staff appear to believe that all signs are externally lit [see page 9 of the staff report]. These inconsistencies between what the developer has told DRP and what the developer has told the community must be resolved before any action is taken on this project.

THE EQUESTRIAN TRAILS PROPOSED FOR THE TACO BELL PROJECT DO NOT COMPLY WITH THE COUNTY'S ADOPTED TRAIL MANUAL.

On page 10, the staff report states that the project provides "adequate room for the trails along Crown Valley Road and Sierra Highway required by the Department of Parks and Recreation". This is incorrect. The Department of Parks and Recreation implements multi-use trail developments in accordance with the County's adopted Trail Manual. It is clear from the Taco Bell site plan that the multi-use trails proposed for the project do not comply with the Manual and are particularly substandard. The trail bed along Sierra Highway is specifically of concern because it is only 7 feet wide (and even narrows to 5 feet as it approaches the project drive-way). This trail is located on a designated major highway and it traverses a driveway that will be crossed by more than 1000 vehicle per day, so safety and prudence demands that it the trail be developed in full compliance with the County's adopted multi-use trail design provisions which (according to Figure 4.3.1-6), include a 12 foot wide trail bed. Acton community members have

been told that the trail width was truncated on the site plan in order to accommodate the parking and landscaping required for the project. However, this is incorrect, because the project includes more parking stalls than is required [page 8 of the staff report] and the amount of landscaping greatly exceeds county requirements [see page 9 of the staff report]. The project must be reconfigured to ensure that the multi-use trail complies fully with the County's adopted multi-use trail design criteria.

THE -DP ZONING DESIGNATION REQUIRES CONFORMANCE TO EXHIBITS THAT CONSTITUTED A CRITICAL FACTOR IN THE REZONE DECISION

Draft Finding 5 states (in part) that, under Section 22.40-040 of the zoning code, the -DP combining zone "allows any use permitted in the basic zone (C-2) if a CUP has been obtained". This Finding omits key zoning provisions relevant to –DP development restrictions. As discussed above, Section 22.40.030 of the zoning code ensures that development occurring on property that was rezoned as -DP conforms to the exhibits which constituted a critical factor in the decision to rezone. Therefore, Finding #5 should be corrected to state: "The –DP Combined Zone allows any use permitted in the basic zone if a CUP has been obtained and if the use conforms to exhibits that constituted a critical factor in the decision to rezone".

An additional finding should also be added which states "The "Burden of Proof" exhibit submitted in Case 90-368 was a critical element in the decision to rezone in that it establishes the need for downgrading the zoning from C-3 to C-2 since C-3 zoning allows "development of the property for uses that are inconsistent with the long range land use goals and objectives of the community". Furthermore, findings adopted in the rezone decision are relevant, and they assert "The -"DP" addendum along with the required conditional use permit and the recommended change from C-3 on a portion of the property to C-2-DP will ensure development in a manner that is compatible with the surrounding uses *and in accord with the needs and desires of the community*".

DRAFT FINDING 12 IS FACTUALLY INACCURATE.

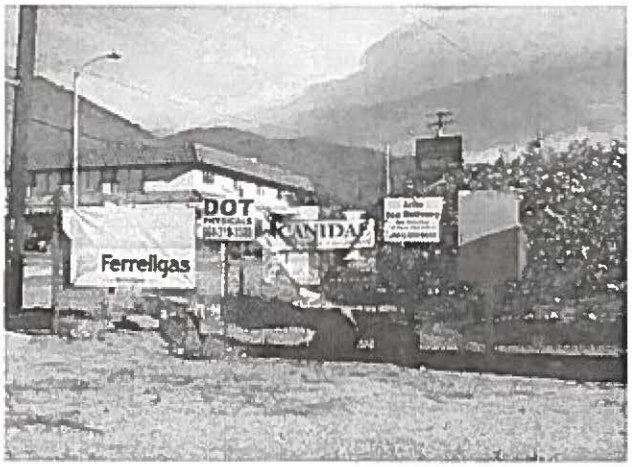
Draft Finding 12 is incorrect. CUP 90-368 was not approved for a 30,000 square foot retail center on an 8.3 acre site. This 30,000 square foot area comprises a portion of the proposed Taco Bell project site. The 30,000 square foot area was omitted from CUP 90-368. It does not appear that this 30,000 square foot area was included in CUP 93-118, either. Also, CUP 93-118 was not withdrawn by the applicant; it was DENIED. The applicant initially appealed the denial to the BOS, but later withdrew the appeal. The applicant did not withdraw the permit.

OTHER CONCERNS WITH THE HEARING PACKAGE:

1. The staff report states that the detention basin is sufficient to retain the first ¾ of an inch of rain. However, recent storm systems have dropped more than 2 inches of rain in Acton in just a few short hours. It is must be explained how the capturing of only the first ¾ of an inch of rain landing on the project's impervious surface area will comply with established development requirements in Acton which prohibit the alteration of either the established flow rate or the established flow pattern of surface water flowing off a project site.

2. A condition imposed by the Regional Water Quality Control Board when Case #90-368 was approved was that monitoring wells would be installed and maintained to ensure that no development would impair ground water quality [See paragraph 3 on page 1 of RWQCB letter dated July 26, 1991 to Mr. Heidt and cc'd to DRP. See also Item 7 on page 3 of RWQCB Letter to Frank Menesis dated March 22, 1992]. This condition has never been waived by RWQCB, and it imposes a requirement that must be met by the proposed project. This monitoring well requirement is an approval condition that is as valid today as it was when the zone change was approved in 1992, and perhaps even more so, given the high failure rate of septic systems at other fast food businesses in Acton coupled with the fact that the Water Boards consider the upper reaches of the Santa Clara river to be an "impaired body" as that term is contemplated in the California Clean Water Act. (see http://www.waterboards.ca.gov/water_issues/programs/tmdl/2010state_ir_reports/01038.shtml#30286).

3. The staff report states that the "community was appropriately notified of the public hearing by mail, newspaper, property posting...". DRP is advised that the property posting does not comply with 22.60.175. Specifically, the notice on the south frontage is missing, and the notice on the west frontage was placed behind a utility pole which obscures the copy and makes it not visible from the public road [see photos below].



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

September 16, 2015

TO: Pat Modugno, Chair
Stephanie Pincetl, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

RC

FROM: Richard Claghorn
Zoning Permits North Section

Project No. R2014-02996 – Conditional Use Permit No. 201400142
RPC Meeting: September 16, 2015 - Agenda Item: 7

The above-mentioned item is a request to authorize the establishment and operation of a Taco Bell restaurant, including drive-through facilities, within the C-2-DP (Neighborhood Business-Development Program) Zone, the Soledad Zoned District and the Acton Community Standards District.

Please find enclosed copies of three opposition letters which have been received since the previous supplemental package yesterday.

If you need further information, please contact Richard Claghorn at (213) 974-6435 or rclaghorn@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

RG:RC

Enclosure(s): letters from Kathleen Trinity,Vinton Lampton, and Tana Lampton

FAX 213 217 5108

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- The traffic study indicates that at least 80% of the customers will come from the freeway.
- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Kathleen Trinity
SIGNATURE

Kathleen Trinity
PRINT NAME

Address: 4343 Fairlane St.
Acton, CA
93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012 213 217 5108 (FAX)

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
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- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Tana Lampton
SIGNATURE

TANA LAMPTON
PRINT NAME

Address: 31851 WINDBRUSH RD.
AGUA DULCE, CA 91390

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

FAX 213 217 5108

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

SIGNATURE

Address: 31851 Windrush Rd.

Vicki Lampton

PRINT NAME

Agua Dulce, 91390

8 2

RECEIVED
SEP 16 2015
Item 47

Petition to approve a drive Thru, at the new Taco Bell that is coming to Acton.

1	1.	Fabia Barton	661 269-0387 3115 Shannon Valley Rd
2	2.	Nancy Moore	3115 Shannon Valley Rd
3	3	Richard Moore	269-1411
4	4.	Cabrion Dii	805-587-9133 Acton
5	5	[illegible]	661-381-8382 3115 Shannon Valley Rd Acton
6	6	Ben Ackins	661 269 1115 33105 Santiago Rd Ste 31
7	7	Sara Blane	661 436-0110 32954 Ackins Ave
8	8	[illegible]	661 406-6914
9	9	Angelike Martin	P.O. BOX 191 Acton (562) 233-1025
10	10	John Martin	P.O. BOX 191 Acton (562) 233-1025
11	11	Julie Steele	32906 Old Miner Rd 661 312-9088
12	12	Jessica Masamitsu	33105 Santiago Rd #147 (661) 618-3522
13	13	Stacey Tucker	34922 Lilliannest Acton 661 860-0485
14	14	Pat Tucker	34922 Lilliannest Acton 661 214-5783
15	15	Kynda Clark	2016 Ave Y-8 Acton 661 839-4027
16	16	Jason Slegers	2016 Ave Y-8 Acton 661 839-4026
17	17	Ken Clark	PO Box 638 661 857-9035
18	18	Casey Clark	PO Box 638 661 857-9039

Petition to approve a drive Th TACO BeLL

19 19 Tammy Johnson 2133 Tortuga St. Acton (661) 269-0923
20 20 Michael Goch 2535 Palomino Acton 661-90 43626
21 21 Diana Goldman " " " "
22 22 LARRIE RONE 32929 DORAMA AVE, ACTON, CA 93510
23 23 Michelle Lopez MARTINEZ 5930 Shannon Valley Rd Acton
24 24 Ramon Martinez (818) 521-3223 CA 93510
5930 Shannon Valley Rd Acton Ca 93510
25 25 Chris Ramey 34655 Kitherkel Ave Acton 93510
26 26 Danielle Foyer PO Box 347 Acton CA 93510
27 27 Renela Salas Bent Spur Rd 661 713583.0
28 28 Travis Dally (661) 618-5129 3305 Santiago Road space #30
29 29 Amy Clark 32924 Acklins ave Acton Ca 93510
30 30 [illegible] 32924 Acklins ave Acton Ca 93510
31 31 Ivy Cole 32820 Tiffiall AVE Acton CA 93510
32 32 Jennifer Chikato 3933 Sourdough Rd Acton CA 93510
33 33 Jim Chicato 3933 Sourdough Rd Acton
34 34 Laree Hammer 1220 E Soledad Pass Rd Acton
35 35 Michael Hammer 1220 E Soledad Pass Rd Acton
36 36 Penny Hammer 32809 Dorama ave Acton
37 37 Robert Vorhies 32801 Dorama ave Acton
38 38 Roberto AGUILAR DEBBIE AGUILAR 34025 Desert rd Acton
39 39 Deborah Aguilar 34025 Desert rd. Acton
40 40 Melissa Obney 2675 Kashmere Cyn Rd. Acton 661-733-8987
41 41 Alex Obney 2675 Kashmere Cyn Rd. Acton 661 526-5975
42 42 Vicky Monahan 2572 Bent Spur Acton 661-269-9818
43 43 Ron Monahan 2572 Bent Spur Acton 661-406-6231
44 44 Claudia Sanchez 661-30-4643
45 45 Bobby Drake 34511 Indian Valley Rd Acton CA 618 262-2778
46 46 R. Colfer 31341 Indian Oak Rd. Acton CA. 93510
47 47 D Harris 892 W. Curson Mesa Rd Palmdale Ca 93550
48 48 Autumn Arnold 821 Forestondr Acton 93510

47 Amber Jarvis 5040 W Clayvale rd Acton 661 492-8489
50 Julie Kerpsie 5040 W Clayvale rd Acton 661 974-4479
51 Susan Dole 5040 W Clayvale Rd Acton (661) 429-5519
52 Veronica Meugnot 4700 Crown Valley Rd. Acton CA 661-208 9661
53 Mary Hudkins 4700 Crown Valley Rd Acton 661-478-3628
54 Jamie Childress " 4700 Crown Valley Rd. Acton CA 661-341-6322
55 Kathleen Magan
56 John Donovan 3482 W 78th St West Acton Ca 661-492-6828
57 Mani Sarenti 4700 Crown Valley Rd CA 661-244 1474
58 CARSON 661-480-0200
59 Stephanie Cochrane 34412 aspen St. Acton ca (661) 269-1572
60 MAUREEN MARTENS P.O. BOX 1044 ACTON CA 93510
61 Judianne Phillips P.O. Box 717 Acton CA 93510
62 Marilyn Tinnes P.O. Box 572 Peachblossom, Ca 93553
63 MARIE CARSON P.O. BOX 166 ACTON CA 93510
64 Anthony Stubbins 818 428 9733 3807 Sierra Hwy Acton 93510
65 Gavin Henshall PO 511 Acton CA
66 Ronald Arnold Robovich PO Box 1072 310 462 8659
67 STEVE STRONG 4700 CROWN VALLY RD ACTON 310-384-5519
68 Peseria Brown 4700 Crown Vally Rd. Acton 661-478-3629
69,70 KEN & JUNE PERKINS P O BOX 898 ACTON 661-269-0454

Petition to approve a drive thur, at the new Taco Bell that is coming To Acton

71 72 Tom Diffield 3110 Shannon Valley Rd
72 73 Michelle Charron 3115 Shannon Valley Rd
73 74 Anthony Barton 3115 Shannon Val 661-416-5763
74 75 Brett Jones 32200 Joaquin road 661 904 9129
75 76 Gabi Corlin 32754 1st St 661-878-1637
76 77 William Alford wil jAlford@gmail.com
77 78 Bryan Duvabois Brydav319@gmail.com
78 79 Brandon Land

RECEIVED
SEP 16 2015
Item #7

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
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- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely; Diane M Davis

32520 Accord Pl

Address:

Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

SBrewer

Sarah Brewer

Address: 33105 Santiago Rd #152
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Roger Tero

Address: 35256 SCHANNONDALE
ACTON, CA. 93510

3

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Lindsay Harris

Address: 44464 Escondido Cyn. Rd
Acton, CA 93510

4

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Amy Blanco

Address: 32520 Accord place Acton, CA

5

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Taylor Smith

Taylor Smith

Address: 2835 Soledad Cyn Rd Acton CA

6

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Terrie Morrison

Terrie Morrison

Address: 32111 4st St. West
Acton, CA 93510

7

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Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Sandra Mulcahey

Sandra Mulcahey

Address: 2898 Calmgarden Rd
Acton CA 93510

8

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Debbie Andrews

Debbie Andrews

Address: 34896 Tranmar Dr

Acton

9

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Jack Morrison

Jack Morrison

Address: 32111 41st St. W
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Marianna Walls

Marianna Wallard

Address: 33270 Margarita Hills
Acton, CA 93510

11

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
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Michael Mulcahey

Address: 2898 Calmgarden Rd
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Address: 33105 Santiago Rd #RD
Acton CA.

13

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Stephen Pitts

Address: 33105 Santiago Road #81
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

SIGNATURE

Heather Miliotti
PRINT NAME

Address: 31814 Crown Valley Ri
Acton CA 93510

15

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely,

SIGNATURE

Lauren Hyder
PRINT NAME

Address: 31814 Crown Valley Rd
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Jacqueline Villa
SIGNATURE

Jacqueline Villa
PRINT NAME

Address: 37319 Hazel Ct.
Palmdale Ca 93550

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- The traffic study indicates that at least 80% of the customers will come from the freeway.
- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Kelly Tenn

Kelly Tenn

Address: 35256 Shannondale Rd.
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Rachel Teno

Rachel Teno

Address: 35256 Shannondale Rd.
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Ashley Bayer

Ashley Bayer

Address: 35256 Shannondale Rd.

Acton, CA. 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Jocelyn Hogan

Jocelyn Hogan

Address: 35256 Shannondale Rd

Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Chris Hogan

Chris Hogan

Address: 35256 Shannondale Rd.
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Barbara Rohrer
SIGNATURE

Barbara Rohrer
PRINT NAME

Address: 2131 Cattle Creek Rd
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Julia C. Steffes
SIGNATURE

Julia C. Steffes
PRINT NAME

Address: 32240 Chantada Ave
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

Address: 32M Quarry Rd

Palmdale

Cornelia W.

PRINT NAME

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Mari Carbajal
SIGNATURE

MARI CARBAJAL
PRINT NAME

Address: 9340 OLD STAGE RD.
Agua Dulce CA 91390

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Teryl Mrasak
SIGNATURE

TERYL MRASAK
PRINT NAME

Address: 36254 40th St. E
Palmdale CA

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Val DeCrowl
SIGNATURE

VAL DECROWL
PRINT NAME

Address: 2222 TORTUGA ST
ACTON, 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely:

Marjory Zemisch

Address: 33105 Santiago Rd #36
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Beatrice L. Henisey

Address: 33105 Santiago Rd. #52
Acton, Ca 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely,

Kenneth J Hennessy

ACTON

Address: 33105-52 SANTIAGO RD

CALIF 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Carol Ann Johnson

Address: 33105 SANTIAGO RD #12
ACTON, CALIF
93510

32

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

CHRISTIAN BOSFORD

Address: 3533 Silver Spur Ln
Acton 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

George Thomson

Address: 32021 2ND ST
ACTON, CA, 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Byron Betts

Address: 1845 SHADOW CANYON RD

BYRON BETTS

ACTON CA

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- The traffic study indicates that at least 80% of the customers will come from the freeway.
- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

B Thomson

Barbara Thomson

Address: 32021 2nd St
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Marina McNutt

MARINA McNUTT

Address: P.O. Box 1137 Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Address: 4006 Smith Ave

Don Bilinsky

Acton

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

SIGNATURE

Peggy Green
PRINT NAME

Address: 5059 St. Laurent Pl.
Palmdale Ca. 93552

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

SIGNATURE

Stephanie Jill Capp

PRINT NAME

Address: 44113 Galion Ave
Lancaster, CA

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

Arletee Zamudio
PRINT NAME

Address: 43912 44th St West
Lancaster Ca 93536

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Christine L Wolf
SIGNATURE

Christine Wolf
PRINT NAME

Address: 15355 Sierra Hwy
Acton, Ca 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Michael Ralphs

MICHAEL RALPHS

Address: 3516 SPANISH BIT DR.

Acton, CA 93516

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely,

Sherrie Woodson

Address: P.O. Box 195
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

JOANN WAYLAND

Joann Wayland

Address: 33105 Santiago Rd #15
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Caren Curren

Caren Curren

Address: 23950 Via Rosalinda
Valencia, CA 91355

46

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Emily Curren

Emily Curren

Address: 23950 Via Rosa Linda
Valencia, CA 91355

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Sallie Lynne Chatterton

Sallie Lynne Chatterton

Address: 30267 Alison Cyn
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Kevin Sheldon

Address: 2550 Palomino Dr

Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Carrie Sheldon

CARRIE Sheldon

Address: 2550 Palomino Drive

Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Joyce Betts

Joyce Betts

Address: 1845 Shadow Cyn Rd
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely:

GLENN BEDFORD

Address: 35333 Silver Spur Ln
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Jason S Wolter
SIGNATURE

Jason S Wolter
PRINT NAME

Address: 5566 Hisey Ranch Rd
Acton, CA. 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

John A. McLane

JOHN McLANE

Address: P.O. Box 696

ACTON CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Katherine J. Kracke Address: 31440 D NETTE PO BOX 14

KATHERINE J. KRACKE ACTON CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

John W Hauke

John W. Brauke

Address: 31440 N Netti Rd

Acton, CA 93510

56

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Mary Land

MARY LAND

Address: 35445 Bernuello

Acton

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

Robert A. Emerson

Robert A. Emerson

Address: 2815 W. SACRAMENTO AVE

ACTON, CAL 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Gary Kahn

Address: 4719 Shannon View Rd
Acton, Ca. 93510-1110

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Debie Freudiger

Debie Freudiger

Address: 2706 Bent Spur Dr
Acton CA 93510

60

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Beverly A. Davis Address: 2625 Briarglen

Beverly A Davis Acton, Ca 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Cari McLane

CARI McLANE

Address: P.O. Box 696

Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely:

JOE FIGUEROA

Address: 29000 BOOTLEGGER
ACTON CA 93510

63

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely; Myron L Walter

MYRON L. WOLTER

Address: 3942 W. SIERRA HWY
ACTON, CA. 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Michael R. Hughes

Michael R Hughes

Address: 34805 Acton Cyn. Rd.
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Hilary Blaha

Hilary Blaha

Address: 35040 Barking Spider
Agua Dulce, CA 91390

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Jennifer Sands

J Sands

Address: 37343 Mahonia Ave.
Palmdale, Ca. 93552

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

P Akkad

PATRICIA AKKAD
Print Name

Address: Box 802
ACTON CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Steven Harrison

STEVEN HARRISON

Address: 2645 KAUMAN ST
ACTON CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

MARKUS KIES

Address: 33355 SAN ASO RD
ACTON CAL 93510

7C

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Pamela C. Wolter

PAMELA C. WOLTER

Address: 3942 W. SIERRA HWY
ACTON, CA. 93510

7,

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Shereen Hamm

Shereen Hamm

Address: 30071 Aliso Canyon
Acton, CA

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

John W Knecht

John W. Knecht

Address: 31440 N Nettie Rd

Acton, CA 93510

73

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Katherine J. Krake

KATHERINE J. KRAKE

Address: 31410 N NETTE PO Box 14
ACTON
CA 93550

"

74

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Susan Fraterman Address: 34336 KATRINA ST

SUSAN FRATERMAN ACTON, CA 93510
Print Name

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Mary J Klosterman

Mary J Klosterman
Print Name

Address: 30240 Aliso Canyon Rd
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

KAT FANDINO

Address: 31255 ALISO CYN RD

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

María A. Stanley

María A Stanley
Print Name

Address: 3758 Syracuse Ave
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Christina Steibl

Christina Steibl
Print Name

Address: 2947 Almogorden Rd
Acton - CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Karen Main

Print Name

Address: 33854 McEnnery Canyon Rd
Acton CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Tyler Wolter
SIGNATURE

Tyler Wolter
PRINT NAME

Address: 5566 Hisey
Acton, Cal. 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Bonnie M. Jackson

Bonnie M. Jackson
Print Name

Address: 904 E Soledad Pass Rd
Palmdale Ca. 93550

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Angela Morris

ANGELA MORRIS
Print Name

Address: 1819 El Nopado Dr.
Acton, CA

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

J.V. DeLeo
Print Name

Address: 32134 CIMARRON WAY
ACTON, CA 93510

84

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

JoAnne Bline

JoAnne Bline

Address: 7535 Carmack Ct

Acton 93510

85

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Joyce Betts

Joyce Betts
Print Name

Address: 1845 Shadow Canyon Rd.
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Sherlene Houston

Address: 31913 Bartlett

Sherlene Houston
Print Name

Acton Ca 93510

87

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Madison Peing

Mark M Fe

Print Name

Address: 32246 Quirk Rd
Acton Ca 93510

88

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely,

Val DeCrowl

VAL DECROWL
Print Name

Address: 2222 TORTUGA ST
ACTON 93510

89

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely:

Linda M. Bundy

Linda M. Bundy
Print Name

Address: 33105 Santiago Rd #91
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Adrian K Milligan

Adrian K milligan

Address: 31423 Indian Oak Rd

Acton, Ca 93510

91

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

Mario Romero
PRINT NAME

Address: 37417 Windsor Ct.
Palmdale, Ca

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely:

SIGNATURE

Aidan Vidic

PRINT NAME

Middle school student

mailing Address: 2010 W. Ave. K
Lancaster Ca 935

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

SIGNATURE

JACQUELINE AYER
PRINT NAME

RESIDENT of ACTON

mailing Address: 2010 W. AVE K #701
Lancaster CA 93536

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

John Vidic
SIGNATURE

John Vidic, Resident of Acton
PRINT NAME

Mailing Address: 2010 W. Ave K #701
Lancaster CA 93536

95

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Danielle Poulter
SIGNATURE

Danielle Poulter
PRINT NAME

Address: PO Box 461
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Mike McC

SIGNATURE

Mike McCleary

PRINT NAME

Address: 3942 Sierra Hwy

Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Clara Nielsen
SIGNATURE

Clara Nielsen
PRINT NAME

Address: 35398 Thomas Rd
Agua Dulce, CA 91390

98

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

GARRETT WATT

PRINT NAME

Address: 1045 ENCHANTED HILLS

ACTON, CA 93510

99

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Hailey Nelson
SIGNATURE

Hailey Nelson
PRINT NAME

Address: 35429 Shannondale Rd

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

Mike Hannoun
PRINT NAME

Address: 32003 Crown Valley Rd
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

STEVEN E. SWICK
PRINT NAME

Address: PO BOX 423
PEARBLOSSOM CA 93553

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Vicki Brown
SIGNATURE

Vicki Brown
PRINT NAME

Address: 31440 Indian Oak Rd Acton, Ca 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

SIGNATURE

Jamie M Zamora
PRINT NAME

Address: 32409 Petes Way
Acton Ca 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely,

SIGNATURE

Steven Hutsinger

PRINT NAME

Address: 3927 Sierra Hwy

Acton

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Alycia Harrison
SIGNATURE

Alycia Harrison
PRINT NAME

Address: 41001 15th St. E.
Lancaster, CA
93535

106

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Christel Rush
SIGNATURE

CHRISTEL RUSH
PRINT NAME

Address: 31535 INDIAN OAK
ACTON, CA. 93510

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Los Angeles County Department of Regional Planning
320 West Temple Street
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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely,

SIGNATURE

Wm. Morris

PRINT NAME

Address: 4015 Syracuse Al

Acton 93510

108

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

SIGNATURE

Cheryl Dycus
PRINT NAME

Address: P.O. Box 1048
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Chase Jones
SIGNATURE

Chase Jones
PRINT NAME

Address: Alyce Street Acton Ca.

110

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

Address: Aspen st Acton

Sundae Donaway
PRINT NAME

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely,

SIGNATURE

Danny App
PRINT NAME

Address: 35255 Red Rover Mn.
Acton, Ca 93510

112

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

Constance Johnson
SIGNATURE

Constance Johnson
PRINT NAME

Address: Po Box 1763
Canyon Country CA
91386

113

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Corey Lee Carr
SIGNATURE

Corey L. Carr
PRINT NAME

Address: 32214 Indiana Ave
Acton, CA 93510

11

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

ROBERT BROWN
PRINT NAME

Address: 3820 SMITH AVE.
ACTON CA 93510

115

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

Mailelani L Butcher
SIGNATURE

Mailelani Butcher
PRINT NAME

Address: 34645 Desert Rd
Acton, CA 93510

11

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely:

S Mercier
SIGNATURE

Sharon Mercier
PRINT NAME

Address: 5245 W. Ave V
Acton, Ca
93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Robert P Ortiz

SIGNATURE

ROBERT P. ORTIZ

PRINT NAME

Address: 4035 Smith

93510

11

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

SIGNATURE

Address: P.O. Box 358

MARK T. McWHIRTER
PRINT NAME

Acton CA 93510

11

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

SIGNATURE

Troy McWhirter
PRINT NAME

Address: PO Box 358
Acton

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

Chelsea Gears
SIGNATURE

Chelsea Gears
PRINT NAME

Address: 2775 West Ave
N-8 Palmdale CA
93551

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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SIGNATURE

Kelly Spencer

PRINT NAME

Address: 32190 Cedarcroft RD
Acton Ca. 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

SIGNATURE

Sandra E Lynch

PRINT NAME

Address: 1916 Pike Pl Ste 12 #342

Seattle WA 98101

12

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely:

SIGNATURE

David Gonzalez
PRINT NAME

Address: 8801 Willis Ave #B1
Panorama City CA
91402

12

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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Sincerely;

SIGNATURE

Debbie Feland
PRINT NAME

Address: 2835 Soledad Cyn
CA
Acton 93510

12

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Los Angeles, CA 90012

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- The traffic study shows that the cumulative project will reduce the traffic level of service at an intersection within our town from C (which is fairly bad) to D (which is quite bad).
- The traffic study indicates that at least 80% of the customers will come from the freeway.
- The increased traffic will occur in an area where our children are often found walking from the local Middle School to the County Library.
- The cars coming off the freeway will enter an established equestrian area and even cross a mapped equestrian trail.
- The zoning on this project requires that any development be in accordance with the Needs and Desires of the community, and such Needs and Desires were recently established by a community survey that showed 85% of residents oppose freeway oriented "drive-through" development.
- The project is inconsistent with the newly adopted AV ("Town and Country") Plan, which precludes freeway-oriented development in Acton and provides for restrictions on drive-through development within the community.
- The project signage and lighting violates the Acton Community Standards District and the County Zoning Code, and is intended solely to pull customers off the freeway that passes through our community.

For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

SIGNATURE

Yander Johnson
PRINT NAME

Address: 31812 Lawson R.D.
Acton C.A. ~~93501~~ 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

Dear Regional Planning Commissioners and Assigned Hearing Officer;

I oppose the new drive thru development proposed for the community of Acton:

- It will generate more than 1,000 new cars trips into our rural town.
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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

SIGNATURE

Cesar Espinoza
PRINT NAME

Address: 37066 Calle Grande
Palmdale CA 93550

127

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely: DeAnna L Pfleger

DeAnna Lee Pfleger
SIGNATURE

Address: 31761 Lake Meadow Rd
Acton Ca 93510

DeAnna Lee Pfleger
PRINT NAME

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

Meladie Saunders
SIGNATURE

Meladie Saunders
PRINT NAME

Address: 32425 Crown Valley
Acton, CA, 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

SIGNATURE

Address: Palmdale CA, 93552

Alex Hivar
PRINT NAME

136

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

Reference: Project R2014-02996; RCUP # T2014-00142; Hearing Date Sept. 16, 2015.

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Sincerely;

Deanna Ma
SIGNATURE

Deanna Ma
PRINT NAME

Address: 33836 McEnery Cyn
Acton, Ca 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Dania Stamps
SIGNATURE

Dania Stamps
PRINT NAME

Address: 45011 Red Rover Tr
Acton Ca 93510

13

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

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For these and other reasons too numerous to list, I oppose the referenced project and ask that it not be approved as proposed.

Sincerely;

Charles Piccaro

Address: 34710 Jill Lane
Acton, CA 93510

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

Brigid Piccaro

Brigid Piccaro

Address: 34710 Jill Lane
Acton CA 93510

RECEIVED
SEP 16 2015
BY:

The Regional Planning Hearing Officer
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: New freeway oriented, "drive-through" development proposed in Acton.

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Sincerely;

H.D. PEACHEY

Address: 2451 SOLEDAD CYN RD #4

ACTON, CA. 93510