



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

June 4, 2007

Bruce W. McClendon FAICP
Director of Planning

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

**PROJECT NUMBER R2004-00998-(5)
ZONE CHANGE CASE NO. 200400004-(5)
CONDITIONAL USE PERMIT CASE NO. 200500139-(5)
PETITIONER: MR. DOUGLAS AND JOANN GAUDI
3910 WEST SIERRA HIGHWAY
ACTON, CA 93510
SOLEDAD ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)**

Dear Supervisors:

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Adopt the attached ordinance, approved as to form by County Counsel, to change zones within the Soledad Zoned District as recommended by the Regional Planning Commission (Zone Change No. 200400004).
2. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit No. 200500139.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

- Establish development standards that ensure future development on the subject property will be compatible with the goals and policies of the Antelope Valley Areawide General Plan.
- The proposed project would help meet the growing demand for local community commercial opportunities in Los Angeles County.

Implementation of Strategic Plan Goals

This project approval promotes the County's Strategic Plan goal of Service Excellence and Community Services. The project components (zone change and

**Honorable Board of Supervisors
Zone Change, Conditional Use Permit
Page 2 of 3**

conditional use permit) sought by the applicant were carefully researched and analyzed to ensure that quality information regarding the subject property is available.

The project promotes the County's vision for improving the quality of life in Los Angeles County. Approval of this development will provide much needed local jobs and services in the Soledad Zoned District.

FISCAL IMPACT/FINANCING

Implementation of the proposed zone change and conditional use permits should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Regional Planning Commission conducted concurrent public hearings on Zone Change No. 200400004 and Conditional Use Permit No. 200500139 on May 30, 2007 to authorize a neighborhood oriented commercial development. The Regional Planning Commission voted (4-0-1) to recommend approval of the requested zone change and to approve the conditional use permit at their May 30, 2007 meeting.

A public hearing is required for the requested zone change pursuant to Sections 22.16.200 of the County Code and Sections 65335 and 65856 of the Government Code. Pursuant to subsection B of Section 22.60.170 of the County Code, the conditional use permit approved by the Regional Planning Commission is deemed to be called for review by your Board and shall be considered concurrently with the recommended zone change. 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

An Initial Study was prepared for the Proposed Residential Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Department of Regional Planning has determined that a Mitigated Negative Declaration is the appropriate environmental documentation for this project under the California Environment Quality Act (CEQA) reporting requirements. The Initial Study identified

**Honorable Board of Supervisors
Zone Change, Conditional Use Permit
Page 3 of 3**

from fire, flooding, and water quality as potential impacts that will be less than significant with project mitigations.

IMPACT ON CURRENT SERVICES

Action on the proposed zone change and conditional use permit is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon FAICP, Director of Planning



Frank Meneses, Administrator
Current Planning Division

Attachments: Commission Resolution, Commission Findings and Conditions,
Commission Staff report and Attachments, Factual

C: Chief Administrative Officer
County Counsel
Assessor
Director, Department of Public Works

FM:AN

**THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ZONE CHANGE CASE NO. 200400004-(5)**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted a public hearing in the matter of Zone Change Case No. 200400004-(5) on February 21, 2007; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from A-1-10,000 (Light Agriculture – 10,000 square foot minimum) to C-3-DP (Unlimited Commercial - Development Program) on 1.95 acres. A conditional use permit is required to administer the – DP Development Program designation under the C-3-DP zone.
2. The subject property is located at 3910 Sierra Highway, two parcels to the southwest of intersection between Sierra Highway and Crown Valley Road Sierra Highway, within an unincorporated portion area of Los Angeles County, in the community of Antelope Valley, in the Soledad Zoned District.
3. The Zone Change request was heard concurrently with Conditional Use Permit Case No. 200500139-(5) on February 21, 2007 and is a related request to authorize the establishment of a multi-unit commercial building in conformance with the –DP (Development Program) designation under the requested C-3-DP zone.
4. The applicant's site plan, labeled Exhibit "A" depicts the proposed project, including a single-story commercial building, detached accessory storage buildings, and parking lot. The 10,800 square foot commercial building is located in the center of the property. Fifty-six parking spaces and driveways are located around the building. The accessory storage area is shown in the southeast corner of the property and consists of one 1,600 square foot enclosed storage area and one 1,600 square foot roofed storage area. One trash enclosure is shown adjacent to the accessory storage area. The septic system and leech field is shown at the southwest corner of the property. Ingress is shown on the westernmost driveway and egress is shown on the easternmost driveway.
5. The subject property is zoned A-1-10,000. Pursuant to Part 2 of Section 22.16 and Part 2 of Section 22.40, the applicant requests a change in zoning from the A-1-10,000 zone to the C-3-DP zone and a Conditional Use Permit to authorize the use of a multi-unit commercial building in the proposed C-3-DP zone.
6. A need exists for the proposed C-3-DP zone within the area under consideration to promote use of the property that is compatible with the surrounding existing

zoning and uses, including the adjacent commercial developments to the north, east, and west of the subject property.

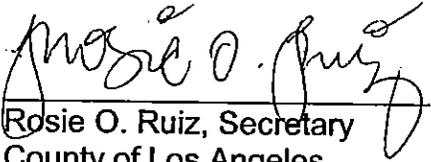
7. The subject property is a proper location for the proposed C-3-DP zoning classification and placement of the proposed zone at such location will be in the interest of public health, safety, general welfare, and in conformity with good zoning practice in that the proposed development provides convenient local shopping opportunities to the neighboring community in an existing commercial area.
8. The proposed Zone Change to C-3-DP is consistent with the goals and objectives of the Antelope Valley Areawide General Plan.
9. The Department of Regional Planning has determined that a Mitigated Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The Mitigation Monitoring Program includes considerations for impacts from fire, flooding, and water quality. The Initial Study concludes that the project design and/or suggested conditions will adequately mitigate these impacts to a level of no significance.
10. After consideration of the attached Mitigation Negative Declaration together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the proposed change of zone will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program.

RESOLVED, That the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of zone from A-1-1 (Light Agricultural – one acre minimum) to C-3-DP (Unlimited Commercial-Development Program) with development restrictions as provided in the related Conditional Use Permit No. 200500139-(5);
2. That the Board of Supervisors certify completion of and approve the attached Mitigated Negative Declaration, and determine that with appropriate mitigation measures, Zone Change No. 200400004-(5) will not have a significant impact upon the environment;

3. That the Board of Supervisors find that the recommended zoning is consistent with the Antelope Valley Areawide General Plan;
4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and
5. That the Board of Supervisors adopt the above recommended change of zone.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on May 30, 3007.


Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

ZONING CASE NO. 200400004-(5)

ORDINANCE NO. _____

An ordinance amending Section 22.16.230 of Title 22 of the County Code, changing regulations for the execution of the Antelope Valley Areawide General Plan, relating to the Soledad Zoned District No. 117.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.16.230 of the County Code is amended by amending the map of the Soledad Zoned District No. 117 as shown on the map attached hereto.

SECTION 2. The Board of Supervisors finds that this ordinance is consistent with the Antelope Valley Areawide General Plan of the County of Los Angeles.

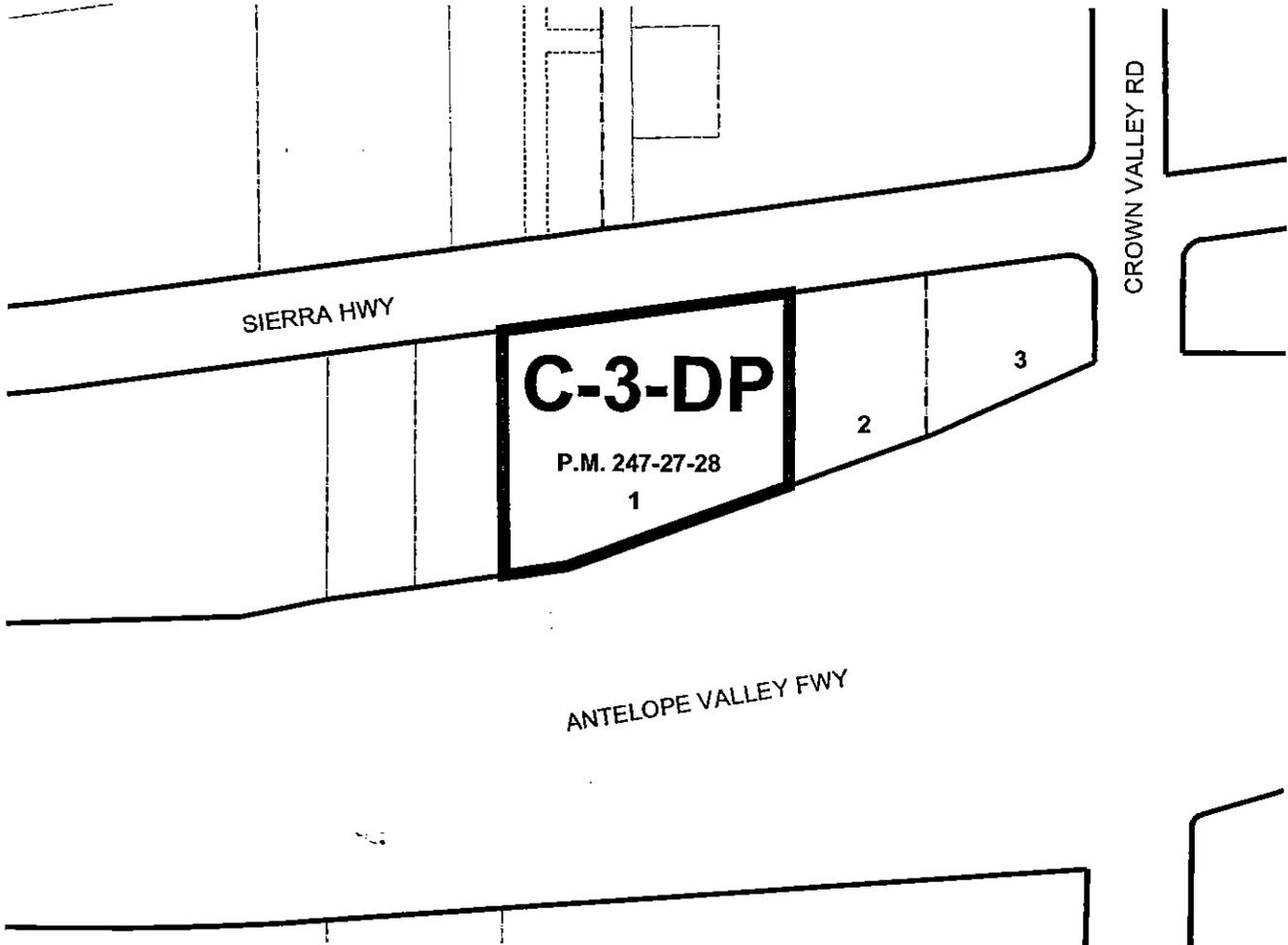
CHANGE OF PRECISE PLAN
SOLEDAD ZONED DISTRICT

ADOPTED BY ORDINANCE: _____

ON: _____

ZONING CASE: ZC 2004-00004-(5)

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



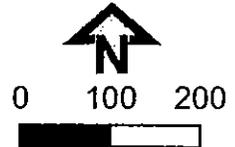
LEGAL DESCRIPTION:

PARCEL 1 OF PARCEL MAP NO. 21321, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 249 PAGES 27 AND 28 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

EXCEPT THEREFROM ALL MINERALS, BOTH METALLIC AND NON-METALLIC, AS RESERVED BY M.F. HARTLEY AND ANN H. HARTLEY, IN DEED RECORDED MARCH 25, 1947 IN BOOK 24397 PAGE 164 OF OFFICIAL RECORDS

LEGEND:

-  PARCELS
-  STREET / RIGHT OF WAY
-  LOT LINE
-  CUT/DEED LINE
-  EASEMENT LINE
-  ZONE CHANGE AREA



COUNTY ZONING MAP
291H225

DIGITAL DESCRIPTION: \ZCO\ZD_SOLEDAD\

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ESTHER L. VALADEZ, CHAIR
BRUCE W. McCLENDON, PLANNING DIRECTOR

**PROJECT NUMBER R2004-00998-(5)
CONDITIONAL USE PERMIT NUMBER 200500139-(5)
ZONE CHANGE NUMBER 200400004-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATES: February 21, 2007

SYNOPSIS:

A request for a change of zone on 1.95 acres from A-1-10,000 to C-3-DP and a conditional use permit to authorize the construction and maintenance of a multi-unit commercial building. The subject property is located at 3910 Sierra Highway, in the unincorporated community of Antelope Valley, in the Soledad Zoned District

FEBRUARY 21, 2007 PUBLIC HEARING

A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Valadez, Bellamy, Helsley, and Modugno were present. Commissioner Rew was absent. The applicant, Mr. Douglas Gaudi, and his representative, Mr. John Jacob, were sworn in and answered questions posed by the Regional Planning Commission.

Commissioner Helsley instructed staff to include a condition to restrict night lighting. There being no further testimony, the Regional Planning Commission closed the public hearing, indicated its intent to approve the zone change and conditional use permit, and directed staff to prepare the final environmental documentation and findings and conditions for approval, including changes to the conditions as discussed and as agreed to by the applicant.

Findings

1. The applicants, Mr. Douglas and Ms. Joanna Gaudi, are requesting a change of zone from A-1-10,000 (Light Agriculture – 10,000 square foot minimum) to C-3-DP (Unlimited Commercial - Development Program) on 1.95 acres. A conditional use permit is required to administer the –DP (Development Program) designation under the proposed C-3-DP zone. The conditional use permit is requested authorize the construction and maintenance of a multi-unit commercial building.
2. The subject property is located at 3910 Sierra Highway, two parcels to the southwest of intersection between Sierra Highway and Crown Valley Road Sierra Highway. The subject property is located within an unincorporated portion area of Los Angeles County, in the community of Antelope Valley, in the Soledad Zoned District.
3. The 1.95-acre subject property is currently vacant and contains sparse vegetation common to disturbed areas.

4. The subject property is zoned A-1-10,000. Pursuant to Part 2 of Section 22.16 and Part 2 of Section 22.40, the applicant requests a change in zoning from the A-1-10,000 zone to the C-3-DP zone and a Conditional Use Permit to authorize the use of a multi-unit commercial building in the proposed C-3-DP zone.
5. The surrounding properties are zoned as follows:

North: C-3 (Unlimited Commercial), R-3 (Limited Multiple Residence)
South: C-2 (Neighborhood Business), A-1-10,000
East: C-2-DP (Neighborhood Business – Development Program), C-3 (Unlimited Commercial)
West: C-3-DP, C-2-DP (Unlimited Commercial– Development Program)
6. Surrounding land uses within 500' include:

North: Single- and multi-family residences, commercial
South: State Highway 14, vacant property
East: Carwash, gas station
West: Commercial, vacant property
7. No previous zoning cases have been filed on the project site.
8. No zoning enforcement cases have been filed on the project site.
9. The subject property is designated Community Commercial (C) under the Antelope Valley Areawide General Plan. Typical properties designated Community Commercial consist of uses which serve adjoining neighborhoods, including supermarkets, drug stores, small retail shops, restaurants and cafes, and branch banks.
10. Applicable goals and policies under the Antelope Valley Areawide General Plan include:
 - Encourage an appropriate mix of land use types to prevent disharmony and degradation (Policy Statement 26, Page V-5).
 - The proposed site should be appropriately landscaped such that the development blends in to the surrounding landscape as much as possible. Appropriate landscaping should include whenever practical, materials appropriate to desert environs (3c1, VI -24).
 - The proposed site should be appropriately fenced, if necessary (3c2, VI -25).

The zone change on the subject property will accommodate an appropriate zone for the proposed multi-unit commercial building. The subject property is located in a commercially developed area and will provide convenient services to the surrounding neighborhood. Conditions will be included to assure appropriate landscaping and fencing. The project is consistent with the intent of the Antelope Valley Area General Plan's Community Commercial land use designation and policies.

11. The applicant's site plan, labeled Exhibit "A" depicts the proposed project, including a single-story commercial building, detached accessory storage buildings, and parking lot. The 10,800 square foot commercial building is located in the center of the property. Fifty-six parking spaces and driveways are located around the building. The accessory storage area is shown in the southeast corner of the property and consists of one 1,600 square foot enclosed storage area and one 1,600 square foot roofed storage area. One trash enclosure is shown adjacent to the accessory storage area. The septic system and leech field is shown at the southwest corner of the property. Ingress is shown on the westernmost driveway and egress is shown on the easternmost driveway.
12. The proposed project conforms to the development standards of the Acton Community Standards District and the C-3 zone. Any new development shall comply with these standards and all applicable County requirements.
13. The Department of Regional Planning has determined that a Mitigated Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The Mitigation Monitoring Program includes considerations for impacts from fire, flooding, and water quality. The Initial Study concludes that the project design and/or suggested conditions will adequately mitigate these impacts to a level of no significance.
14. A total of 33 public hearing notices were mailed to property owners within 1,000 feet of the subject property on January 16, 2007 regarding the subject request. The notice was published in the Antelope Valley Press and La Opinion newspapers on January 16, 2007. Case-related material, including the hearing notice, factual and burden of proof were available on or before January 16, 2007 at the Antelope Valley Bookmobile located at 601 West Lancaster Boulevard, in Lancaster. According to the applicant, the hearing notice has been posted on the property for 30 days prior to the public hearing.
15. In a letter dated December 9, 2006, The Acton Town Council indicated their support for the project. No additional public comments were received at the public hearing.
16. The proposed commercial center is an appropriate use for the subject property and will not conflict with uses on the surrounding properties.

17. 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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

IN REGARDS TO THE ZONE CHANGE:

1. The modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and
2. That a need for the proposed zone classification exists within such area or district; and
3. That the particular property under consideration is a proper location for said zone classification within such area or district; and
4. That the placement of the proposed zone at such location will be in the interest of public health, safety, and general welfare, and in conformity with good zoning practice.

AND IN REGARDS TO THE CONDITIONAL USE PERMIT:

- A. That the requested use at the location proposed will not:
 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, wells, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
- 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
 2. By other public or private service facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Sections 22.16.110 and 22.56.090 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Mitigated Negative Declaration together with any comments received during the public review process, finds on the basis on the whole record before the Regional Planning Commission that with the mitigation monitoring program there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Regional Planning Commission, and adopts the Mitigated Negative Declaration.
2. In view of the findings of fact and conclusions presented above, Zone Change Number 200400004-(5) and Conditional Use Permit No. 200500139-(5), is APPROVED subject to the attached conditions.

VOTE: 4-0-1

Concurring: Valadez, Bellamy, Helsley, Modugno

Dissenting: None

Abstaining: Rew

Absent: None

Action Date: May 30, 2007

MC:AN
05/30/07

1. This grant authorizes the use of the subject property for any use permitted in the C-3 zone as depicted on the approved Exhibit "A", subject to all of the following conditions of approval:
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. 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 Department of 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. 8, and until all required inspection and processing fees have been paid pursuant to Condition No. 9, 10, and 11.
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. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with the Los Angeles County Code Section 2.170.010
6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing and with payment of the applicable fee, at least six months before the expiration date.
7. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.



8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
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. The permittee shall deposit with the County of Los Angeles the sum of **\$1,500.00** within the 90 days of the date of approval. These monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. These funds provide for annual inspections for the term of the grant, for a total of ten (10) 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 condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

10. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$1,850.00**.
11. The permittee shall comply with the attached "Project Mitigation Measures Due to Environmental Evaluation" and the corresponding Mitigation Monitoring Program. The applicant shall deposit the sum of **\$3,000.00** with the Department of Regional Planning to defray the cost of reviewing and verifying the information contained in the required mitigation monitoring reports. This deposit is due and payable within 30 days of the approval date of this grant.
12. 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 or a hearing officer may, after conducting a public hearing, revoke or modify this grant in accordance with Section 22.60.174 of the County Code, 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 health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County of all necessary fees associated with such hearing.

13. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of an Exhibit "A", similar to that presented at the public hearing, that depicts all required project changes, including a) project elevations, including verification of the north/south/east/west designations and the patio roof overhang on the elevations for the commercial building and scaled and dimensioned elevations for the outdoor storage facilities and trash enclosure; b) a minimum of 56 parking spaces provided in accordance to county code; and c) depict the roof overhang on the site plan. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.
14. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
15. The permittee shall submit three (3) copies of a sign plan depicting the location and size of all signage on the property in compliance with the Zoning Ordinance prior to installation of the signage. The signage plan may be incorporated into the Exhibit "A". All signage shall be in compliance with Section 22.44.126-C.6 and Part 10 of Section 22.52 of Los Angeles County Code. Billboards are expressly prohibited.
16. The permittee shall submit a detailed landscape plan to include all disturbed areas. The landscape plan shall utilize drought resistant plants native to the area and shall be subject to review by the Director prior to approval. Not less than ten (10) percent of the net area shall be landscaped. For the life of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.
17. All fencing on the site shall comply with Section 22.48.160 and shall consist of split rail, open wood, wire or wrought iron style, unless required otherwise. A minimum of 70 percent of the fence shall be non view-obscuring.
18. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
19. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.

20. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Health Services.
21. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water, sewage, and food storage and handling shall be provided to the satisfaction of said Department.
22. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. 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.
23. All parking lot and other exterior lighting shall be hooded and directed away from neighboring properties to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of business hours, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot. All on-site lighting fixtures shall be provided in the "Western frontier village, circa 1890's style" design. All lighting fixtures within the public right-of-way shall be provided with cut-off "Mission Bell" design features.
24. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
25. All buildings and structures shall be consistent with "Western frontier village, circa 1890's style" design as required by the Acton Community Standards District.
26. All equipment, including roof-mounted and ground equipment shall be screened from public view with materials consistent with the Western frontier village, circa 1890's style.
27. Outside display or display of products or merchandise outside of the commercial building or storage areas is expressly prohibited.
28. Any permitted use in the C-3 zone is allowed on the subject property under this request in accordance with the approved Exhibit "A" or subsequent revised Exhibit "A". Any use subject to a permit under the C-3 zone will require a new conditional use permit.
29. A minimum of 56 parking spaces shall be provided (one space per 250 square feet for general commercial uses). At least three (3) of these spaces shall be reserved for persons with disabilities and at least one (1) shall be van-accessible. All compact spaces shall be labeled accordingly. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of one (1) Type A, 12'x24' loading space shall be provided.
30. The permittee shall comply with all Public Works requirements provided in their correspondence dated March 2, 2005 or as otherwise modified by said Department.

31. The permittee shall comply with all Fire Department requirements provided in their correspondence dated February 24, 2005 or as otherwise modified by said Department.

MC:AN

02/15/07

Public Works Letter dated March 2, 2005

Fire Department Letter dated February 24, 2005

Mitigation Monitoring Program dated November 20, 2006



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

November 20, 2006

Bruce W. McClendon FAICP
Director of Planning

**PROJECT MITIGATION MEASURES
DUE TO ENVIRONMENTAL EVALUATION**

PROJECT NUMBER: R2004-00998-(5)

CASE NUMBERS: RENV200400085, RZC200400004, RCUP200500139

The Department of Regional Planning (DRP) staff has determined that the following mitigation measures in the project are necessary in order to assure that the proposed project will not cause significant impacts on the environment.

The permittee shall deposit the sum of \$3000.00 with the Department of Regional Planning within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.

FIRE

Prior to construction, applicant shall submit an updated fuel modification plan, a landscape plan, and an irrigation plan to the satisfaction and approval of the Department of Regional Planning and the Fire Department, Fire Prevention Division.

FLOOD

Prior to the commencement of any grading activity, the applicant shall comply with the drainage concept/Standard Urban Stormwater Mitigation Plan (SUSMP) conceptually approved on September 19, 2005 to the satisfaction of said the Department of Public Works.

WATER QUALITY

At the time of construction, if public sewer is available within 200 feet of the property line, all plumbing and waste water drainage system, on such lot or premises shall be connected to such public sewer.

Prior to the issuance of a building permit, potable water to the entire property shall be supplied through an approved public water system to the satisfaction of the DHS.

Prior to issuance of a building permit, applicant shall demonstrate to the full satisfaction of the Los Angeles County Department of Health Services (DHS) that the proposed private sewage disposal systems shall conform to the requirements of the Los Angeles County Plumbing Code. In the event that the requirements of the plumbing code cannot be met, due to future grading, geological limitations, close proximity of a drainage course, or for any other reason, a building permit shall not be issued. Applicant shall submit a clearance letter to the Department of Public Works from DHS indicating that the project is in compliance with plumbing code to DRP.

Mitigation Compliance

As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting five (5) annual mitigation compliance reports after the issuance of grading permit to DRP for review. Additional compliance reports

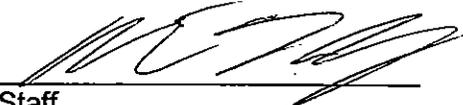
are required if the mitigation measures have not been implemented and completed, the applicant and subsequent owner(s) shall replenishing the mitigation monitoring account if necessary.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by the Planning Commission will be on the project as changed/conditioned.

Applicant

Date

No response within 10 days. Environmental Determination requires that these changes/conditions be included in the project.



Staff



Date



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
www.ladpw.org

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

March 16, 2006

IN REPLY PLEASE
REFER TO FILE: LD-4

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Wittler *Barry S. Wittler*
Transportation Planning and Subdivision Review Section
Land Development Division

CONDITIONAL USE PERMIT NO. R2005-00998

We have reviewed the subject Permit in the Acton area in the vicinity of Sierra Highway and Crown Valley Road (3910 Sierra Highway). This Permit is for the construction of a retail feed store.

If this Permit is approved, we recommend the following conditions:

1. Dedicate the right to restrict vehicular access on Sierra Highway along the property frontage.
2. Repair any displaced, broken, or damaged curb, gutter, sidewalk, and pavement on Sierra Highway along the property frontage to the satisfaction of Public Works.

A revised site plan is required to show the following additional information:

3. Show adjacent and opposite driveways within the vicinity of the property along Sierra Highway.
4. Move the proposed entry driveway far east as possible (towards the east lot boundary) to avoid turning movement conflicts with opposing driveway on north side of Sierra Highway.

Russell Fricano
March 16, 2006
Page 2

5. Call-out to install "ENTER" and Type 1 Arrow pavement markings at proposed entry driveway and "EXIT" and Type 1 Arrow pavement marking at proposed exit driveway. The proposed pavement markings shown on the plan must be relocated and shown within the property line. Provide appropriate signing at proposed entry to restrict egress and proposed exit to restrict ingress.

If you have any questions regarding comments Nos. 3-5, please contact Robert Torres at (626) 300-4794 or Sam Richards at (626) 300-4842.

WH:ik

P:\dpub\Trans\CUPs\CUPR2005-00998 CONSTRUCTION OF RETAIL FEED STORE

Adrienne



COUNTY OF LOS ANGELES FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

DATE: June 27, 2006

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2004-00998

LOCATION: 3910 Sierra Hwy.

- The Fire Department has no additional requirements for this permit.
- The required fire flow for this development is ____ gallons per minute for _ hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- Install __ Public and/or . On-site and/or __ Verify / Upgrade 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments: Per LACWWD #37, existing fire hydrants meet current Fire Department fire flow requirements.
- Location: _____
- Access: Access as shown on the site plan is adequate.
- Special Requirements: Architectural drawings must be submitted to our Fire Prevention Regional Office in Lancaster for approval prior to issuance of any building permits. Contact them at 661-949-6319 for submittal requirements.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: *Juan C. Padilla* 

Co.CUP 04/04

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783

Extra

RPC MEETING DATE
February 21, 2007

AGENDA ITEM NO.
7

REGIONAL PLANNING COMMISSION TRANSMITTAL CHECKLIST

PROJECT NO: R2004-00998-(5)

CASE NO. RZC200400004-(5)
RCUP200500139-(5)

CONTACT PERSON: Adrienne Ng

- STAFF REPORT
- DRAFT CONDITIONS (If Recommended For Approval)
- DRAFT FINDINGS FOR DENIAL (If Land Division Case Recommended For Denial)
- BURDEN OF PROOF STATEMENT (Zoning or Plan Amendment Requests)
- ENVIRONMENTAL DOCUMENTATION
- THOMAS BROTHERS MAP (Identifying Subject Property)
- LAND USE RADIUS MAP
- SITE PLAN (or Tentative Map)
- PHOTOGRAPHS
- CORRESPONDENCE
- _____
- _____
- _____

Reviewed By: *Mark C...*





Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6443

PROJECT No. R2004-00998-(5)
 CASE NO. RCUP200500139-(5)
RZC200400004-(5)

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM 7	
PUBLIC HEARING DATE February 14, 2007	

APPLICANT Douglas and JoAnn Gaudi	OWNER Douglas and JoAnn Gaudi	REPRESENTATIVE John Jacob JT Engineering
--------------------------------------	----------------------------------	--

REQUEST
 Zone Change: To change the zone on approximately 1.95 acres from A-1-10,000 to C-3-DP.
 Conditional Use Permit: To authorize the construction, operation, and maintenance of commercial complex.

LOCATION/ADDRESS 3771 West Sierra Highway	ZONED DISTRICT Soledad
ACCESS Sierra Highway	COMMUNITY Antelope Valley
	EXISTING ZONING A-1-10,000 (Light Agriculture – 10,000 square foot minimum)

SIZE 1.95 acres	EXISTING LAND USE Vacant	SHAPE Irregular	TOPOGRAPHY Flat
--------------------	-----------------------------	--------------------	--------------------

SURROUNDING LAND USES & ZONING	
North: Single and multi family residences, commercial / C-3 (Unlimited Commercial), R-3 (Limited Multiple Residence)	East: Carwash, gas station / C-2-DP (Neighborhood Business – Development Program), C-3 (Unlimited Commercial)
South: Highway 14, vacant property / C-2, A-1-10,000	West: Commercial, vacant / C-3-DP C-2-DP (Unlimited Commercial– Development Program)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Antelope Valley Area Plan	C (Commercial)	N/A	See Staff Analysis
Countywide	_____	_____	_____

ENVIRONMENTAL STATUS
 Mitigated Negative Declaration

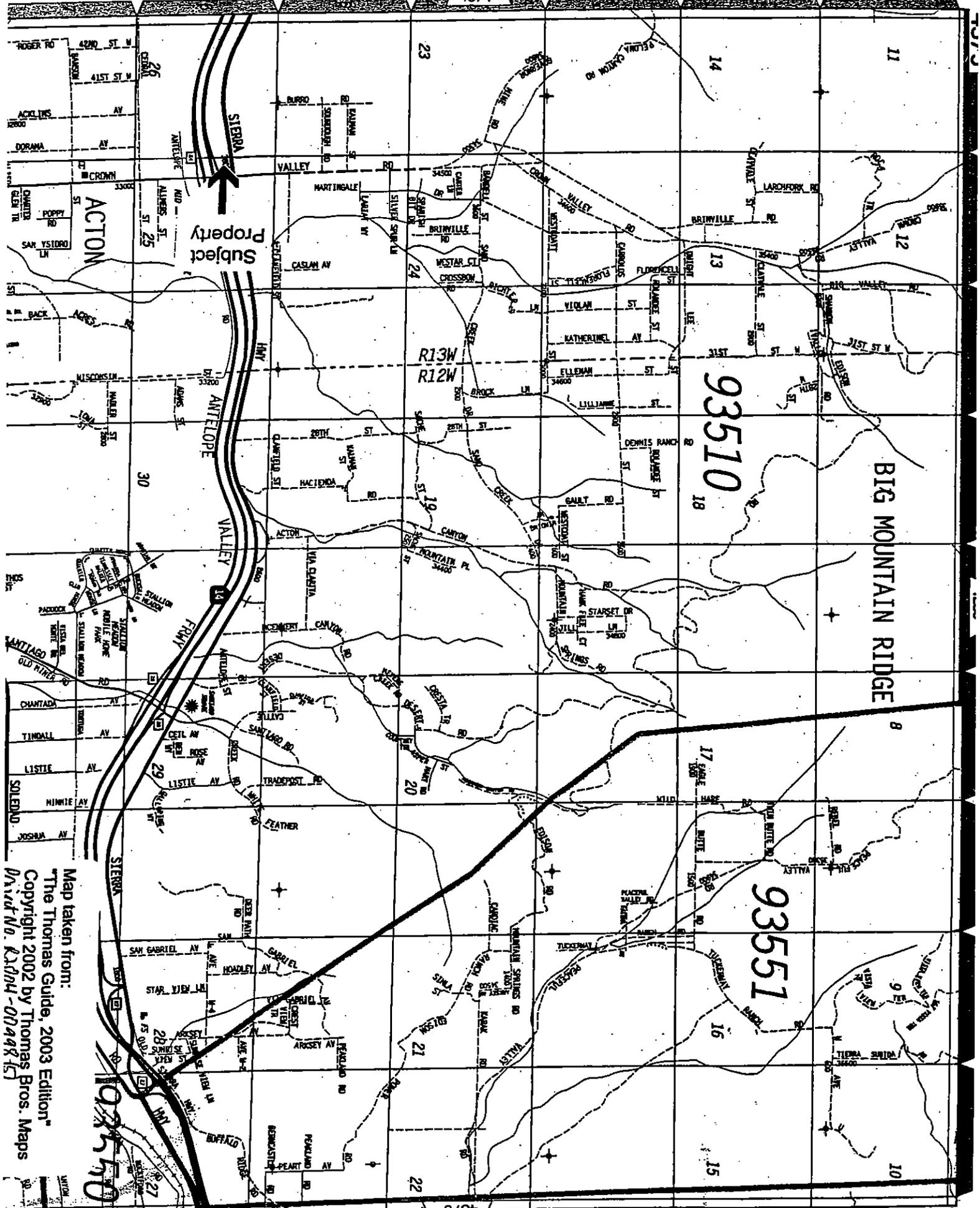
DESCRIPTION OF SITE PLAN
 The applicant's site plan shows the proposed project with the subject property developed with a 10,800 square foot, single-story multi-unit commercial building with 1,600 square feet for roof and rack storage and 1,600 square feet of covered outdoor storage space. Passenger vehicle parking spaces and one truck loading space are shown on the site plan.

KEY ISSUES
 Satisfaction of Section 22.16.110, Title 22 of the Los Angeles County Code zone change burden of proof requirements.
 Satisfaction of Section 22.56.040, Title 22 of the Los Angeles County Code conditional use permit burden of proof requirements.
 Satisfaction of Section 22.44.126, Title 22 of the Los Angeles County Code Acton Community Standards District requirements.
(If more space is required, use opposite side)

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
PUBLIC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
OPPOSERS*	PETITIONS	LETTERS
(F)	(O) (F)	(O) (F)

*(O) = Opponents (F) = In Favor



Map taken from:
 "The Thomas Guide, 2003 Edition"
 Copyright 2002 by Thomas Bros. Maps
 David No. K1004-0049X15

93510

93551

BIG MOUNTAIN RIDGE

Subject Property

1025570

STAFF ANALYSIS

PROJECT NUMBER R2004-00998-(5)

CONDITIONAL USE PERMIT NUMBER 200500139-(5)
ZONE CHANGE NUMBER 200400004-(5)

PROJECT DESCRIPTION

The applicant, Mr. Douglas and Ms. Joanna Gaudi, is requesting a Zone Change from A-1-10,000 to C-3-DP on 1.95 acres and a Conditional Use Permit to authorize the construction and maintenance of a multi-unit commercial building. The subject property is located at 3910 Sierra Highway, in the community of Antelope Valley, in the Soledad Zoned District.

ENTITLEMENT REQUESTED

Pursuant to Part 2 of Section 22.16 and Part 2 of Section 22.40, the applicant requests a change in zoning from the A-1-10,000 (Light Agriculture – 10,000 square foot minimum) zone to the C-3-DP (Unlimited Commercial - Development Program) zone and a Conditional Use Permit to authorize the use of a multi-unit commercial building in the proposed C-3-DP zone.

DESCRIPTION OF SUBJECT PROPERTY

Location

The subject property is located at 3910 Sierra Highway, two parcels to the southwest of intersection between Sierra Highway and Crown Valley Road Sierra Highway, both of which are County designated Major Highways with a right-of-way width of 100 feet. The project site is located within an unincorporated portion area of Los Angeles County, in the community of Antelope Valley, in the Soledad Zoned District.

Physical Features

The 1.95-acre subject property is currently vacant and consists sparse vegetation common to disturbed areas.

EXISTING ZONING

Subject Property

The subject property is zoned A-1-10,000.

Surrounding Properties

Surrounding properties are zoned as follows:

North: C-3 (Unlimited Commercial), R-3 (Limited Multiple Residence)

South: C-2 (Neighborhood Business), A-1-10,000

East: C-2-DP (Neighborhood Business – Development Program), C-3 (Unlimited Commercial)

West: C-3-DP, C-2-DP (Unlimited Commercial– Development Program)

EXISTING LAND USES

Subject Property

The subject property is currently vacant.

Surrounding Properties

Surrounding land uses within 500' of the subject property consists of the following:

North: Single- and multi-family residences, commercial

South: State Highway 14, vacant property

East: Carwash, gas station

West: Commercial, vacant property

PREVIOUS CASES/ZONING HISTORY

No previous zoning cases have been filed on the project site.

No zoning enforcement cases have been filed on the project site.

ANTELOPE VALLEY AREAWIDE PLAN

Land Use Policy Map

The subject property is designated Commercial (C) under the Antelope Valley Areawide Plan. Typical properties designated Community Commercial consist of uses which serve adjoining neighborhoods, including supermarkets, drug stores, small retail shops, restaurants and cafes, and branch banks.

Applicable Policies

- Encourage an appropriate mix of land use types to prevent disharmony and degradation (Policy Statement 26, Page V-5).
- The proposed site should be appropriately landscaped such that the development blends in to the surrounding landscape as much as possible. Appropriate landscaping should include whenever practical, materials appropriate to desert environs (3c1, VI -24).
- The proposed site should be appropriately fenced, if necessary (3c2, VI -25).

The proposed multi-unit commercial building is located in a commercially developed area and will provide convenient services to the surrounding neighborhood. Conditions will be included to assure appropriate landscaping and fencing. The proposed use is consistent with the intent of the Antelope Valley Area Plan's Commercial land use designation and policies.

SITE PLAN

The applicant's site plan depicts the proposed project, including single-story commercial building, accessory storage areas, and parking lot. The 10,800 square foot commercial building is located in the center of the property. Fifty-six parking spaces and driveways are located around the building. The accessory storage area is shown in the southeast

corner of the property and consists of one 1,600 square foot enclosed storage area and one 1,600 square foot roofed storage area. One trash enclosure is shown adjacent to the accessory storage area. The septic system and leech field is shown at the southwest corner of the property. Ingress is shown on the westernmost driveway and egress is shown on the easternmost driveway.

COMPLIANCE WITH APPLICABLE ZONING STANDARDS

Section 22.46.126 provides requirements for development within the Acton Community Standards District.

Section 22.44.126-C.1 – Hillside Design Considerations - Proposed development must consider and preserve to the greatest extent feasible the hillsides, ridgelines, drainage courses, and other natural features. Buildings and structures should blend in to terrain by using setbacks, structure heights and architectural designs.

The site slopes gently to the south, towards the State Highway 14. The project will entail about 300 cubic yards of grading and no significant natural features exist on the site. This requirement has been met.

Section 22.44.126-C.2 – Preservation of Native Vegetation - Development plans shall emphasize the protection of and revegetation with native vegetation, including the native plants, grasses, shrubs and trees (California junipers, Manzanita, Great Basin sage, and Joshua trees) which intercept, hold, and more slowly release rainfall than bare earth surfaces. All disturbed and revegetated landscaping shall be maintained over a two year period.

A detailed landscaping plan will be required. These requirements shall be included in the conditions.

Section 22.44.126-C.3 – Architectural Style and Project Design Considerations - All uses in commercial land classifications and all non-residential uses within urban residential or non-urban land classifications which are not accessory to residential structures shall a) not exceed a height of 35 feet, b) be designed in a "Western frontier village, circa 1890's style", and c) be designed to conceal from public view all external utilities.

The proposed commercial building will reach a height of 25 feet on the north side and 30 feet 8 inches from the natural grade on the south side. The building features an elevated storefront and covered porch on the north and south sides of the building. The commercial building is designed with "Western Frontier Village, circa 1890's style" features. External utilities will also be required to be hidden from public view. Elevations have not been included for the storage areas or trash enclosure and shall be required in the conditions.

Section 22.44.126-C.4 – Drainage - The maximum impervious finished services for nonresidential uses, including stores, shall not exceed 90 percent.

The site plan indicates that approximately 0.57 acres or 29.2 percent of the site shall be landscaping or pervious surfaces. The site plan also indicates that runoff shall be directed to a pervious surface. This requirement has been met.

Section 22.44.126-C.5 and C.6 – Signage - Section 22.44.126-C.5, billboard signs are prohibited. According to Section 22.44.126-C.6, the following regulations apply to signage: a) signage shall be unobtrusive and in the style of Western frontier architectural guidelines, b) lighting shall be external with internal illumination prohibited, c) wall businesses signs shall not exceed the highest point of the building. The maximum area permitted of a wall sign is one and one-half square feet for each one linear foot of building frontage, not to exceed 100 square feet per tenant, and d) 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 five 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.

No signage has been proposed. All signage shall conform to these requirements. These requirements shall be included in the conditions.

Section 22.44.126-C.7 – Fencing - In addition to standards provided in Section 22.48.160 concerning the height of fences, the following fence design features shall apply to the construction of perimeter fencing: a) only split rail, open wood, wire or wrought iron style or similar open-type perimeter fences shall be permitted or unless view-obscuring fences are required for visual shielding by other provisions of this title; and b) except where otherwise required by ordinance, at least 70 percent of the entire fence area shall be non-view-obscuring; no slats or other view-obscuring materials may be inserted into or affixed to such fences. Any solid lineal sections must be primarily for structural purposes or provide minor architectural design features.

No fencing has been proposed. All fencing shall conform to these requirements. These requirements shall be included in the conditions.

Section 22.44.126-C.8 Lighting - Exterior lighting shall be designed to minimize off site illumination, within requirements for public safety. Where lights are required, cut-off fixtures in keeping with the Western frontier architectural style will be specified.

No light fixtures have been proposed. All on-site lighting fixtures shall conform to these requirements. These requirements shall be included in the conditions.

Section 22.44.126.C.9 – Street Improvements - Street improvements shall complement the rural character of the Acton community. All required local and highway streetlights shall utilize cut-off "Mission Bell" design fixtures, as specified by the local electric utility.

The subject property is developed with a sidewalk. Any street lighting shall conform to these requirements. These requirements shall be included in the conditions.

Compliance with Applicable Development Standards for C-3 Zone

According to Section 22.28.040 any development within the C-3 zone is subject to the following standards.

Section 22.28.220.B – Parking - Parking shall be provided as required by Part 11 of Chapter 22.52. Parking requirements for commercial uses areas is one parking space per 250 square feet.

The 10,800 square foot commercial structure and 3,200 square foot enclosed outdoor storage will require 56 parking spaces. Fifty-six parking spaces are shown on the site plan, however several parking spaces along the west side of the commercial building are not to standard. Adequate parking can be provided on the site. This requirement shall be included in the conditions.

Section 22.28.220-C – Outside Display - All outside display shall be located within an enclosed building.

This requirement shall be included in the conditions.

Section 22.28.220-D - Outside Storage – Outside storage is permitted when such storage is strictly incidental to the permitted use existing in a building on the front portion of the same lot or parcel of land, and provided no storage is higher than the enclosure surrounding it nor nearer than 50 feet to the front property line. Any outdoor area used for storage shall be completely enclosed by a solid masonry wall and solid gate, not less than five feet nor more than six feet in height, except that the director may approve the substitution of a fence or decorative wall where, in his opinion, such wall or fence will adequately comply with the provisions of this section.

The site plan depicts one 1,600 square foot accessory storage building and one 1,600 square foot roofed, area designated for outside storage. The site plan indicates that the outdoor storage area will be at least eight feet in height, while the elevations indicate that the storage area will reach 20 feet in height with design features reaching 28 feet in height. The storage areas exceed the six foot maximum. A modification has been requested for the rear wall of the storage area. Dimensioned and scaled elevations and corresponding depiction on the site plans shall be required for these the storage areas. These requirements shall be included in the conditions.

Compliance with Applicable Development Standards for -DP Zone

According to Section 22.28.040 any development within the -DP zone is subject to the following standards.

Section 22.40.050 – Progress Schedule – A progress schedule which shall include all phases of development and indicate the sequence and time period within the improvements described will be made.

The applicant indicates that the development will be completed in one phase.

BURDEN OF PROOF

In addition to the information required in the permit application, the applicant shall substantiate the following to the satisfaction of the Hearing Officer and/or the Commission:

Zone Change Burden of Proof per Code

Pursuant to Los Angeles County Code Section 22.16.110 the applicant must meet the burden of proof requirements.

1. The modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and
2. That a need for the proposed zone classification exists within such area or district; and
3. That the particular property under consideration is a proper location for said zone classification within such area or district; and
4. That the placement of the proposed zone at such location will be in the interest of public health, safety, and general welfare, and in conformity with good zoning practice.

Conditional Use Permit Burden of Proof per Code

Pursuant to Los Angeles County Code Section 22.56.040 the applicant must meet the burden of proof requirements.

- A. That the requested use at the location proposed will not:
 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, wells, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
- 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
 2. By other public or private service facilities as are required.

The applicant has addressed the required Burden of Proof in a statement attached to this report. Staff is of the opinion that the applicant's requests for a zone change from A-1-10,000 to C-3-DP and a conditional use permit for a commercial building are appropriate at the subject location. Properties immediately adjacent to the property are

zoned C-3 or C-3-DP and uses include commercial uses consistent with the subject request for a commercial building.

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that a Mitigated Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The Mitigation Monitoring Program includes considerations for impacts from fire, flooding, and water quality. The Initial Study concludes that the project design and/or suggested conditions will adequately mitigate these impacts to a level of no significance.

FIELD INVESTIGATION

Staff visited the site on January 18, 2007 and found that the site was undeveloped and that the public hearing notice was properly posted.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATION

The Department of Public Works has provided comments regarding traffic and street improvements. In their letter, dated March 16, 2006, Public Works recommends improvements to be included in the conditions. The letter is attached to this report and is included as part of the draft conditions.

The Fire Department has provided requirements regarding fire hydrants and access. Their letter, dated June 27, 2006, is attached to this report and is included as part of the draft conditions.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

A total of 33 public hearing notices were mailed out to property owners within 1,000 feet of the subject property on January 16, 2007 regarding the subject request. The notice was published in the Antelope Valley Press and La Opinion newspapers on January 16, 2007. Case-related material, including the hearing notice, factual and burden of proof were available on or before January 16, 2007 at the Antelope Valley Bookmobile located at 601 West Lancaster Boulevard, in Lancaster. According to the applicant, the hearing notice has been posted on the property for 30 days prior to the public hearing.

PUBLIC COMMENTS

In a letter dated December 9, 2006, The Acton Town Council indicated that they had reviewed the project and commented in support of the project. At the time of this report, staff received no other comments from the public.

STAFF EVALUATION

The proposed zone change and use are consistent with the Antelope Valley Areawide plan. With the exception of parking, the project meets all requirements of the Acton Community Standards District and the C-3 zone. Adequate parking can be provided on the site. As conditioned, the proposed use will not be out of character and not cause general adverse impacts to the surrounding community. If approved, staff recommends

that the project be inspected biennially (every other year) for twenty years for compliance with the final conditions of approval.

FEE/DEPOSITS

If approved, the following fees will apply unless modified by the Planning Commission.

Zoning Enforcement

- Cost recovery deposit of \$1500.00 to cover the costs of the ten (10) recommended biennial zoning enforcement inspections for the case. Additional funds would be required if violations are found on the property.

Fish and Game Fees

- Fish and Game Fees of \$1,800.00 and processing fees of \$50.00 related to posting the Notice of Determination with the County Clerk.

Mitigation Monitoring Program:

- Cost recovery deposit of \$3,000 to cover the costs of staff review of the required mitigation monitoring reports.

The fees will be requested within fifteen (15) calendar days of the final approval of this grant.

STAFF RECOMMENDATIONS

Prior to making a decision on this case, Staff recommends the Planning Commission consider the facts, analysis and correspondence contained in this report along with the oral testimony and/or written comments received during the public hearing.

If the Commission finds the applicant satisfies the zone change and conditional use permit burden of proof requirements for this request, than Staff recommends Approval of Zone Change Number 200400004-(5) and Conditional Use Permit No. 200500184-(1), subject to the attached draft conditions.

SUGGESTED MOTIONS

"I move that the Regional Planning Commission close the public hearing and indicate its intent to approve Zone Change Number 200400004-(5) and Conditional Use Permit Number 200500139-(5) and instruct staff to prepare final environmental documentation and findings and conditions for approval."

Attachments:

Applicant's Burden of Proof
Environmental Documentation
Site Plan/Site Photos
Land Use Map
Fire Department Letter, dated June 27, 2006

**PROJECT NUMBER R2004-00998-(5)
CASE NUMBERS RCUP200500139-(5), RZC200400004-(5)**

**STAFF ANALYSIS
PAGE 9 OF 9**

Department Of Public Works letter, dated March 16, 2006
Public Comments

MC:AN
02/15/07



1. This grant authorizes the use of the subject property for any use permitted in the C-3 zone as depicted on the approved Exhibit "A", subject to all of the following conditions of approval:
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. 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 Department of 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. 8, and until all required inspection and processing fees have been paid pursuant to Condition No. 10, 11, and 12.
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. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with the Los Angeles County Code Section 2.170.010
6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing and with payment of the applicable fee, at least six months before the expiration date.
7. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
9. **This grant shall terminate on xx xxx, 20xx (twenty years after the date of approval)** unless renewed by the Director for an additional period, not to exceed twenty (20) years, upon the permittee's request made in accordance with the procedures set forth in Part 12 of Chapter 22.56 of the County Code. A request for Director's Review must be made at least six months before the expiration date. Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.
10. 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. The permittee shall deposit with the County of Los Angeles the sum of **\$1,500.00** within the 90 days of the date of approval. These monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. These funds provide for annual inspections for the term of the grant, for a total of ten (10) 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 condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.
11. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$1,850.00**.
12. The permittee shall comply with the attached "Project Mitigation Measures Due to Environmental Evaluation" and the corresponding Mitigation Monitoring Program. The

applicant shall deposit the sum of \$3,000.00 with the Department of Regional Planning to defray the cost of reviewing and verifying the information contained in the required mitigation monitoring reports. This deposit is due and payable within 30 days of the approval date of this grant.

13. 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 or a hearing officer may, after conducting a public hearing, revoke or modify this grant in accordance with Section 22.60.174 of the County Code, 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 health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County of all necessary fees associated with such hearing.
14. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of an Exhibit "A", similar to that presented at the public hearing, that depicts all required project changes, including a) project elevations, including verification of the north/south/east/west designations and the patio roof overhang on the elevations for the commercial building and scaled and dimensioned elevations for the outdoor storage facilities and trash enclosure; b) a minimum of 56 parking spaces provided in accordance to county code; and c) depict the roof overhang on the site plan. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.
15. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
16. The permittee shall submit three (3) copies of a sign plan depicting the location and size of all signage on the property in compliance with the Zoning Ordinance prior to installation of the signage. The signage plan may be incorporated into the Exhibit "A". All signage shall be in compliance with Section 22.44.126-C.6 and Part 10 of Section 22.52 of Los Angeles County Code. Billboards are expressly prohibited.
17. The permittee shall submit a detailed landscape plan to include all disturbed areas. The landscape plan shall utilize drought resistant plants native to the area and shall be subject to review by the Director prior to approval. Not less than ten (10) percent of the net area shall be landscaped. For the life of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.
18. All fencing on the site shall comply with Section 22.48.160 and shall consist of split rail, open wood, wire or wrought iron style, unless required otherwise. A minimum of 70 percent of the fence shall be non view-obscuring.

19. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
20. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
21. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Health Services.
22. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water, sewage, and food storage and handling shall be provided to the satisfaction of said Department.
23. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. 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.
24. All parking lot and other exterior lighting shall be hooded and directed away from neighboring properties to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot. All on-site lighting fixtures shall be provided in the "Western frontier village, circa 1890's style" design. All lighting fixtures within the public right-of-way shall be provided with cut-off "Mission Bell" design features.
25. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
26. All buildings and structures shall be consistent with "Western frontier village, circa 1890's style" design.
27. All equipment, including roof-mounted and ground equipment shall be screened from public view with materials consistent with the Western frontier village, circa 1890's style.
28. Outside display or display of products or merchandise outside of the commercial building or storage areas is expressly prohibited.
29. Any permitted use in the C-3 zone is allowed on the subject property under this request in accordance with the approved Exhibit "A" or subsequent revised Exhibit "A". Any use subject to a permit under the C-3 zone will require a new conditional use permit.

30. A minimum of 56 parking spaces shall be provided (one space per 250 square feet for general commercial uses). At least three (3) of these spaces shall be reserved for persons with disabilities and at least one (1) shall be van-accessible. All compact spaces shall be labeled accordingly. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of one (1) Type A, 12'x24' loading space shall be provided.
31. The permittee shall comply with all Public Works requirements provided in their correspondence dated March 2, 2005 or as otherwise modified by said Department.
32. The permittee shall comply with all Fire Department requirements provided in their correspondence dated February 24, 2005 or as otherwise modified by said Department.

MC:AN

02/15/07

Public Works Letter dated March 2, 2005

Fire Department Letter dated February 24, 2005

Mitigation Monitoring Program dated November 20, 2006





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
www.ladpw.org

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

March 16, 2006

IN REPLY PLEASE
REFER TO FILE: LD-4

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Witler *Barry S. Witler*
Transportation Planning and Subdivision Review Section
Land Development Division

CONDITIONAL USE PERMIT NO. R2005-00998

We have reviewed the subject Permit in the Acton area in the vicinity of Sierra Highway and Crown Valley Road (3910 Sierra Highway). This Permit is for the construction of a retail feed store.

If this Permit is approved, we recommend the following conditions:

1. Dedicate the right to restrict vehicular access on Sierra Highway along the property frontage.
2. Repair any displaced, broken, or damaged curb, gutter, sidewalk, and pavement on Sierra Highway along the property frontage to the satisfaction of Public Works.

A revised site plan is required to show the following additional information:

3. Show adjacent and opposite driveways within the vicinity of the property along Sierra Highway.
4. Move the proposed entry driveway far east as possible (towards the east lot boundary) to avoid turning movement conflicts with opposing driveway on north side of Sierra Highway.

Russell Fricano
March 16, 2006
Page 2

5. Call-out to install "ENTER" and Type 1 Arrow pavement markings at proposed entry driveway and "EXIT" and Type 1 Arrow pavement marking at proposed exit driveway. The proposed pavement markings shown on the plan must be relocated and shown within the property line. Provide appropriate signing at proposed entry to restrict egress and proposed exit to restrict ingress.

If you have any questions regarding comments Nos. 3-5, please contact Robert Torres at (626) 300-4794 or Sam Richards at (626) 300-4842.

WH:ik

P:\dpub\Trans\CUPs\CUPR2005-00998 CONSTRUCTION OF RETAIL FEED STORE

Adrienne



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

DATE: June 27, 2006

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2004-00998

LOCATION: 3910 Sierra Hwy.

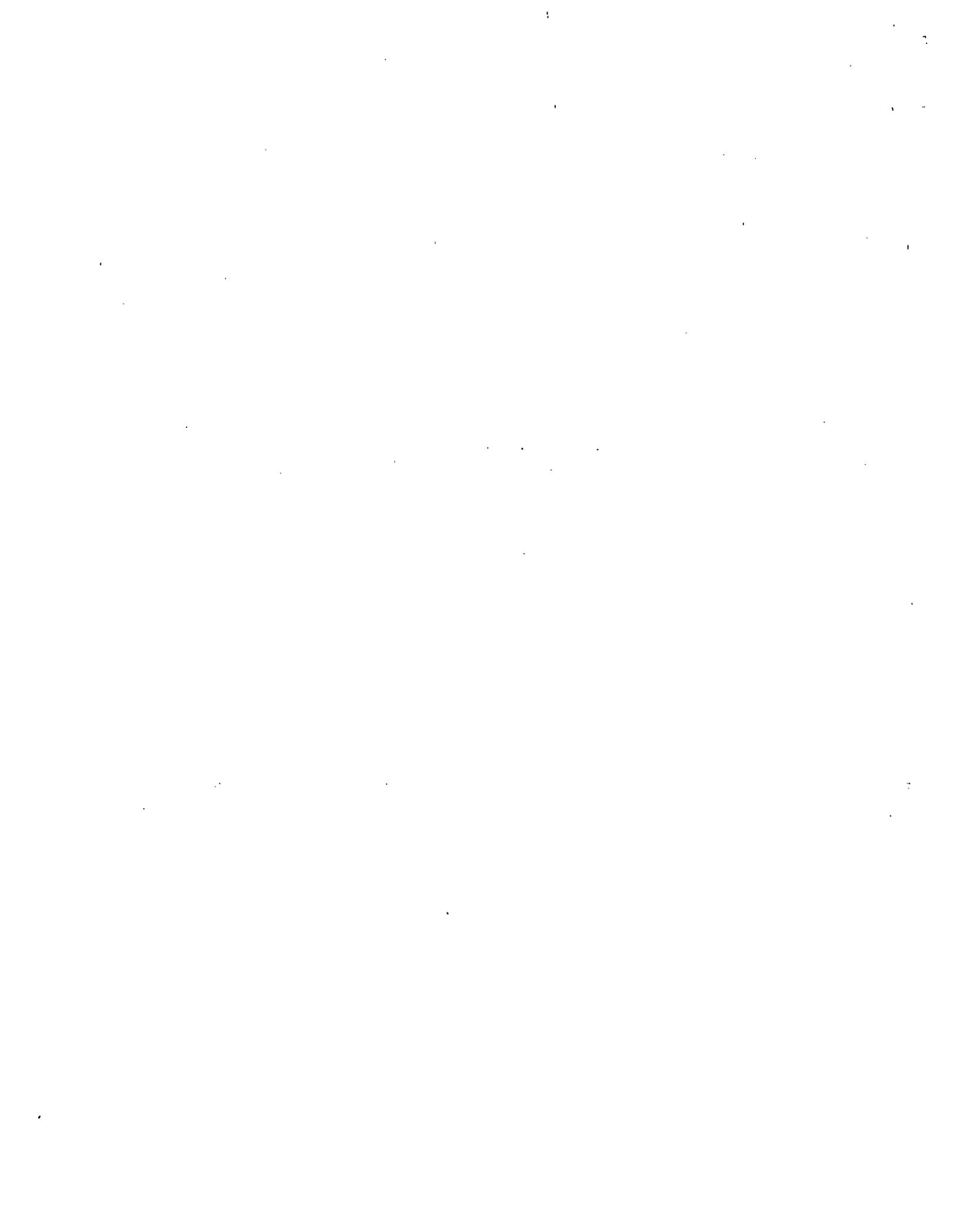
- The Fire Department has no additional requirements for this permit.
- The required fire flow for this development is ____ gallons per minute for _ hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- Install __ Public and/or _ On-site and/or __ Verify / Upgrade 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments: Per LACWWD #37, existing fire hydrants meet current Fire Department fire flow requirements.
- Location: _____
- Access: Access as shown on the site plan is adequate.
- Special Requirements: Architectural drawings must be submitted to our Fire Prevention Regional Office in Lancaster for approval prior to issuance of any building permits. Contact them at 661-949-6319 for submittal requirements.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: *Juan C. Padilla*

Co.CUP 04/04

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783





Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

November 20, 2006

Bruce W. McClendon FAICP
Director of Planning

**PROJECT MITIGATION MEASURES
DUE TO ENVIRONMENTAL EVALUATION**

PROJECT NUMBER: R2004-00998-(5)

CASE NUMBERS: RENV200400085, RZC200400004, RCUP200500139

The Department of Regional Planning (DRP) staff has determined that the following mitigation measures in the project are necessary in order to assure that the proposed project will not cause significant impacts on the environment.

The permittee shall deposit the sum of \$3000.00 with the Department of Regional Planning within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.

FIRE

Prior to construction, applicant shall submit an updated fuel modification plan, a landscape plan, and an irrigation plan to the satisfaction and approval of the Department of Regional Planning and the Fire Department, Fire Prevention Division.

FLOOD

Prior to the commencement of any grading activity, the applicant shall comply with the drainage concept/Standard Urban Stormwater Mitigation Plan (SUSMP) conceptually approved on September 19, 2005 to the satisfaction of said the Department of Public Works.

WATER QUALITY

At the time of construction, if public sewer is available within 200 feet of the property line, all plumbing and waste water drainage system, on such lot or premises shall be connected to such public sewer.

Prior to the issuance of a building permit, potable water to the entire property shall be supplied through an approved public water system to the satisfaction of the DHS.

Prior to issuance of a building permit, applicant shall demonstrate to the full satisfaction of the Los Angeles County Department of Health Services (DHS) that the proposed private sewage disposal systems shall conform to the requirements of the Los Angeles County Plumbing Code. In the event that the requirements of the plumbing code cannot be met, due to future grading, geological limitations, close proximity of a drainage course, or for any other reason, a building permit shall not be issued. Applicant shall submit a clearance letter to the Department of Public Works from DHS indicating that the project is in compliance with plumbing code to DRP.

Mitigation Compliance

As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting five (5) annual mitigation compliance reports after the issuance of grading permit to DRP for review. Additional compliance reports

are required if the mitigation measures have not been implemented and completed, the applicant and subsequent owner(s) shall replenishing the mitigation monitoring account if necessary.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by the Planning Commission will be on the project as changed/conditioned.

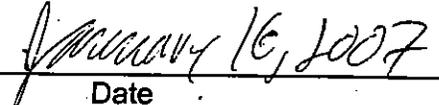
Applicant

Date

No response within 10 days. Environmental Determination requires that these changes/conditions be included in the project.



Staff



Date

MITIGATION MONITORING PROGRAM
PROJECT NO. R2004-00998-(5)
REN200400085-(5), RCUP200500139-(5), RZC200400004-(5)

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Fire				
Prior to construction, applicant shall submit a/an fuel modification plan, landscape plan, and irrigation plan to the satisfaction and approval of the Department of Regional Planning and the Fire Department, Fire Prevention Division.	Submittal and approval of fuel modification plan, a landscape plan and an irrigation plan	Prior to issuance of grading permits	Applicant	Department of Regional Planning Fire Department, Fire Prevention Division
Flood				
Prior to the commencement of any grading activity, the applicant shall comply with the drainage concept/Standard Urban Stormwater Mitigation Plan (SUSMP) conceptually approved on September 19, 2005 to the satisfaction of said the Department of Public Works.	Compliance with drainage concept/Standard Urban Stormwater Mitigation Plan (SUSMP)	Prior to issuance of grading permits	Applicant	Department of Public Works
Water Quality				
At the time of construction, if public sewer is available within 200 feet of the property line, all plumbing and waste water drainage system, on such lot or premises shall be connected to such public sewer.	Connect to public sewer if available	Prior to issuance of building permit	Applicant	Department of Health Services
Prior to the issuance of a building permit, potable water to the entire property shall be supplied through an approved public water system to the satisfaction of the DHS.	Demonstrate availability of potable water	Prior to issuance of building permit	Applicant	Department of Health Services
Prior to issuance of a building permit, applicant shall demonstrate to the full satisfaction of the Los Angeles County Department of Health Services (DHS) that the proposed private sewage disposal systems shall conform to the requirements of the Los Angeles County Plumbing Code. In the event that the requirements of the plumbing code cannot be met, due to future grading, geological limitations, close proximity of a drainage course, or for any other reason, a building permit shall not be issued.	Compliance with all County Plumbing Code requirements; submittal of compliance letter to Departments of Public Works	Prior to issuance of building permits	Applicant	Department of Health Services Department of Public Works, Building and Safety Division

MITIGATION MONITORING PROGRAM

PROJECT NO. R2004-00998-(5)

REN200400085-(5), RCUP200500139-(5), RZC200400004-(5)

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Mitigation Compliance As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting five (5) annual mitigation compliance reports after the issuance of grading permit to DRP for review. Additional compliance reports are required if the mitigation measures have not been implemented and completed, the applicant and subsequent owner(s) shall replenishing the mitigation monitoring account if necessary.</p>	<p>Submittal of annual mitigation compliance report until such time as all mitigation measures have been implemented and completed; replenishing mitigation monitoring account</p>	<p>Seven annual mitigation compliance reports after the issuance grading permit</p>	<p>Applicant</p>	<p>Department of Regional Planning</p>

Conditional Use Permit Case - Burden of Proof

- A. **The proposed project consists of one story building of approximately 10,000 sq. ft. architecturally finished with material that will continue the formation of the surrounding buildings.
Given the surrounding use is commercial and retail, the addition of the proposed project will fill in and provide for the needs of not only the surrounding businesses, but also the community and residents that acquire the product.**

- B. **The proposed project planning fits well within the vacant 2 acre site providing for landscaping, fencing, parking, walls, and building meeting all or exceeding all the requirements as set by the County of Los Angeles for the proposed use.**

- C. **The project site is located on Sierra Hwy., a major arterial street of 100 foot right away. Fronting the property is fully improved street section including curb, gutter, and sidewalk. Access to the property will be provided directly from Sierra Hwy.**

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Commission the following facts. Answers must be made complete and full:

- A. Modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration because:

The surrounding zoning in the immediate area is a majority of commercial and retail use, this will eliminate the possibility of spot zoning and provide more uniform zoning within the zoning plan.

- B. A need for the proposed zone classification exists within such area or district because:

The current zoning will continue the trend of existing zoning, having an A zone surrounded by C zones is just not practical for it's allowed uses.

- C. The particular property under consideration is a proper location for said zone classification within such area of district because:

The businesses in the immediate area will be more versatile for the consumer. This particular business is not a competition to any existing businesses rather a continuation of consumer need.

- D. Placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice because:

The size of the property and its location near the major freeway does not allow for a beneficial agricultural use. The proposed use fits the property much better.

STAFF USE ONLY

PROJECT NUMBER: R2004-00998-(5)

CASES: CUPT200500139

ENVT200400085



**** INITIAL STUDY ****

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING**

GENERAL INFORMATION

I.A. Map Date: December 4, 2005

Staff Member: Adrienne Ng

Thomas Guide: 4375 A-6

USGS Quad: Acton

Location: APN 3217-021-022, second parcel west of the intersection of Crown Valley Road and Sierra Highway

Description of Project: A request for a Zone Change from A-1-10,000 to C-3-DP on 1.95 acres and a Conditional Use Permit to authorize a single story, retail commercial complex and storage areas. A 10,800 square foot building will be constructed in the center of the property. One covered and one enclosed 1,600 square foot (each) storage area will be constructed in the southwest corner of the property. The subject property is located on the south side of Sierra Highway, west of the intersection between Sierra Highway and Crown Valley Parkway and is located between Sierra Highway and the Antelope Valley Freeway. The site shall be accessed via two driveways – one ingress and one egress – on Sierra Highway, a county designated major highway. Fifty-one parking spaces are shown on the site plan. Proposed operating hours are a single shift between 9 a.m. through 6 p.m. daily with 6 people per shift and will employ up to 10 people. Approximately 2,100 cy of cut and 1,880 cy of fill occur on site. The remaining 300 cy will be exported. Approximately 87.5% of the property will be hardscaped.

Gross Area: 1.95 acres

Environmental Setting: The subject property is a vacant disturbed dirt lot within an established commercial area. Commercial uses exist to the north, east, and west, including retail uses, gas stations, and restaurants. Residential uses exist to the north. The Antelope Valley Freeway and vacant properties exist to the south. Sierra Highway, a designated secondary highway exists along the northern boundary of the property. The property slopes downward from north to south.

Zoning: A-1-10,000

General Plan: 6 – Non-Rural Communities

Community/Area Wide Plan: Commercial, C - Antelope Valley Area Plan

Major projects in area:

Project Number

Description & Status

ZC83-064/CUP2370

Zone change and auto center (approved 8/7/84)

CP93148

Wireless telecommunications facility (approved 7/11/94)

03-329/TR060464

Subdivision - 56 lots on 86.9 acres (pending)

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

Special Reviewing Agencies

Regional Significance

- None
- Regional Water Quality Control Board
 - Los Angeles Region
 - Lahontan Region
- Coastal Commission
- Army Corps of Engineers
- _____

- None
- Santa Monica Mountains Conservancy
- National Parks
- National Forest
- Edwards Air Force Base
- Resource Conservation District of the Santa Monica Mtns.

- None
- SCAG Criteria
- Air Quality
- Water Resources
- Santa Monica Mtns Area
- _____

Trustee Agencies

- None
- State Fish and Game
- State Parks
- _____
- _____

- City of Palmdale
- _____
- _____
- _____
- _____
- _____
- _____

County Reviewing Agencies

- Subdivision Committee
- DPW: Land Development Division, Drainage & Grading, Watershed Management (NPDES), Traffic and Lighting
- Health Services: Mountain and Rural
- _____
- _____

IMPACT ANALYSIS MATRIX

		ANALYSIS SUMMARY (See individual pages for details)			
				Less than Significant Impact/No Impact	
				Less than Significant Impact with Project Mitigation	
				Potentially Significant Impact	
				Potential Concern	
CATEGORY	FACTOR	Pg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAZARDS	1. Geotechnical	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2. Flood	6	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <i>Majority of site will be paved.</i>
	3. Fire	7	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <i>Fire Zone 4</i>
	4. Noise	8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RESOURCES	1. Water Quality	9	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <i>Septic, provision of water</i>
	2. Air Quality	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	3. Biota	11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4. Cultural Resources	12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5. Mineral Resources	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6. Agriculture Resources	14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	7. Visual Qualities	15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SERVICES	1. Traffic/Access	16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <i>New 10,800 sq ft commercial space</i>
	2. Sewage Disposal	17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	3. Education	18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4. Fire/Sheriff	19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5. Utilities	20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OTHER	1. General	21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2. Environmental Safety	22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	3. Land Use	23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4. Pop./Hous./Emp./Rec.	24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mandatory Findings	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DEVELOPMENT MONITORING SYSTEM (DMS)

As required by the Los Angeles County General Plan, DMS shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

1. Development Policy Map Designation: Rural Communities
2. Yes No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
3. Yes No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

Check if DMS printout generated (attached)

Date of printout: _____

Check if DMS overview worksheet completed (attached)

*EIRs and/or staff reports shall utilize the most current DMS information available.

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

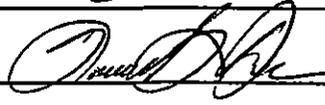
MITIGATED NEGATIVE DECLARATION, inasmuch as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant."

At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

Reviewed by:  Date: November 20, 2006

Approved by:  Date: November 27, 2006

This proposed project is exempt from Fish and Game CEQA filling fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

Determination appealed--see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

Yes No Maybe

- a. Is the project site located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone?
(Special Studies Zone – State of California/USGS, Acton Quad)
- b. Is the project site located in an area containing a major landslide(s)?
(Special Studies Zone – State of California/USGS, Acton Quad)
- c. Is the project site located in an area having high slope instability?
(Slope Stability – ESRI Variable 14, Acton Quad)
- d. Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction?
- e. Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?
- f. Will the project entail substantial grading and/or alteration of topography including slopes of more than 25%?
- g. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- h. Other factors? _____

STANDARD CODE REQUIREMENTS

Building Ordinance No. 2225 C Sections 308B, 309, 310 and 311 and Chapters 29 and 70.

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design Approval of Geotechnical Report by DPW

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, geotechnical factors?

- Potentially significant
- Less than significant with project mitigation
- Less than significant/No impact

HAZARDS - 2. Flood

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|-------------------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is a major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site?
_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone?
_____ |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in or subject to high mudflow conditions?
_____ |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project contribute or be subject to high erosion and debris deposition from run off?
_____ |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Would the project substantially alter the existing drainage pattern of the site or area?
<i>Majority of the lot will be paved</i>
_____ |
| f. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors (e.g., dam failure)? _____ |

STANDARD CODE REQUIREMENTS

- Building Ordinance No. 2225 C Section 308A Ordinance No. 12,114 (Floodways)
 Approval of Drainage Concept by DPW

MITIGATION MEASURES / OTHER CONSIDERATIONS

- Lot Size Project Design

In documents dated September 21, 2006 and October 16, 2006, the Department of Public Works granted conceptual approval for a Drainage Concept and SUSMP and recommended compliance with all requirements of the conceptual approval prior to issuance of a building permit.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

HAZARDS - 3. Fire

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)?
_____ |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site in a high fire hazard area and served by inadequate access due to lengths, widths, surface materials, turnarounds or grade?
_____ |
| c. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project site have more than 75 dwelling units on a single access in a high fire hazard area? _____ |
| d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an area having inadequate water and pressure to meet fire flow standards? _____ |
| e. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?
_____ |
| f. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the proposed use constitute a potentially dangerous fire hazard?
_____ |
| g. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____ |

STANDARD CODE REQUIREMENTS

Water Ordinance No. 7834 Fire Ordinance No. 2947 Fire Regulation No. 8

Fuel Modification/Landscape Plan

MITIGATION MEASURES / OTHER CONSIDERATIONS

Project Design

Compatible Use

Fuel modification and landscaping plan shall be included in the mitigation monitoring program.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by fire hazard factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

- | | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> No | <input type="checkbox"/> Maybe | |
|----|---|-------------------------------------|--------------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located near a high noise source (airports, railroads, freeways, industry)?

<u>Project located between Highway 14 (Antelope Valley Freeway) and Sierra Highway, a major highway.</u> |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity?

_____ |
| c. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project?

_____ |
| d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?

_____ |
| e. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____

_____ |

STANDARD CODE REQUIREMENTS

- Noise Ordinance Title 12, Chapter 8 Building Ordinance No. 2225--Chapter 35

MITIGATION MEASURES / OTHER CONSIDERATIONS

- Lot Size Project Design Compatible Use

Proposed commercial center is not considered a sensitive use.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by noise?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

- | | <input checked="" type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Maybe | |
|----|---|--|-------------------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an area having known water quality problems and proposing the use of individual water wells?
<hr/> |
| b. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Will the proposed project require the use of a private sewage disposal system?
<hr/> |
| | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations or is the project proposing on-site systems located in close proximity to a drainage course?
<hr/> |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies?
<hr/> |
| d. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies?

<i>51 space parking lot</i>
<hr/> |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Other factors? <i>In a will-serve letter, dated December 20, 2005, the Department of Public Works states that water can be provided if the property is annexed in to the Water District 37.</i>
<hr/> |

STANDARD CODE REQUIREMENTS

Industrial Waste Permit Health Code Ordinance No. 7583, Chapter 5

Plumbing Code Ordinance No. 2269 NPDES Permit Compliance (DPW)

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design

In a letter dated February 9, 2006, the Department of Health Services, Mountain and Rural/Water, Sewage, and Subdivision Program granted conceptual approval of the project with comments which will be included in the mitigation monitoring program.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, water quality problems?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

- | | <input checked="" type="checkbox"/> YES | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Maybe | |
|----|---|--|--------------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential uses or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for nonresidential uses)? |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use? |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure, or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook? |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project generate or is the site in close proximity to sources which create obnoxious odors, dust, and/or hazardous emissions? |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project conflict with or obstruct implementation of the applicable air quality plan? |
| f. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? |
| g. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? |
| h. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors: _____ |

STANDARD CODE REQUIREMENTS

- Health and Safety Code Section 40506
- MITIGATION MEASURES / OTHER CONSIDERATIONS
- Project Design Air Quality Report

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **air quality**?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

Yes No Maybe

a. Is the project site located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural?

b. Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas?

c. Is a major drainage course, as identified on USGS quad sheets by a blue, dashed line, located on the project site?

d. Does the project site contain a major riparian or other sensitive habitat (e.g., coastal sage scrub, oak woodland, sycamore riparian woodland, wetland, etc.)?

e. Does the project site contain oak or other unique native trees (specify kinds of trees)?

f. Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?

g. Other factors (e.g., wildlife corridor, adjacent open space linkage)?

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design Oak Tree Permit ERB/SEATAC Review

Subject property is disturbed and within a developed area.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on biotic resources?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 4. Archaeological / Historical / Paleontological

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) which indicate potential archaeological sensitivity?
_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project site contain rock formations indicating potential paleontological resources?
_____ |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project site contain known historic structures or sites?
_____ |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?
_____ |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
_____ |
| f. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____
_____ |

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design Phase I Archaeology Report

Project area is disturbed and unlikely to contain archaeological artifacts.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on archaeological, historical, or paleontological resources?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?
_____ |
| c. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____ |

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on mineral resources?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

- | | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Maybe | |
|----|---|-------------------------------------|--------------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

_____ |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

_____ |
| d. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____

_____ |

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on agriculture resources?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?

<u>Project is within a commercial area.</u> |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail?

_____ |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an undeveloped or undisturbed area, which contains unique aesthetic features?

_____ |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?

_____ |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project likely to create substantial sun shadow, light or glare problems?

_____ |
| f. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors (e.g., grading or land form alteration): _____

_____ |

MITIGATION MEASURES / OTHER CONSIDERATIONS

- Lot Size
 Project Design
 Visual Report
 Compatible Use
-

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on scenic qualities?

- Potentially significant
 Less than significant with project mitigation
 Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|-------|-------------------------------------|-------------------------------------|-------------------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (roadway or intersections)? |
| <hr/> | | | | |
| b. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Will the project result in any hazardous traffic conditions?
<i>One egress and one ingress on to Sierra Highway, a county designated major highway.</i> |
| <hr/> | | | | |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project result in parking problems with a subsequent impact on traffic conditions? |
| <hr/> | | | | |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area? |
| <hr/> | | | | |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded?
<i>New 10,800 square feet of commercial space.</i> |
| <hr/> | | | | |
| f. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? |
| <hr/> | | | | |
| g. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____ |
| <hr/> | | | | |

MITIGATION MEASURES / OTHER CONSIDERATIONS

- Project Design Traffic Report Consultation with Traffic & Lighting Division

In a letter dated February 9, 2006, the Department of Public Works had no comments regarding traffic or access.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **traffic/access** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

SERVICES - 2. Sewage Disposal
N/A

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | If served by a community sewage system, could the project create capacity problems at the treatment plant?
_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project create capacity problems in the sewer lines serving the project site?
_____ |
| c. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____

_____ |

STANDARD CODE REQUIREMENTS

- Sanitary Sewers and Industrial Waste Ordinance No. 6130
 Plumbing Code Ordinance No. 2269

MITIGATION MEASURES / OTHER CONSIDERATIONS

Septic system proposed

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

SERVICES - 3. Education

N/A

SETTING/IMPACTS

- | | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Maybe | |
|----|---|-------------------------------------|--------------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project create capacity problems at the district level?
_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project create capacity problems at individual schools which will serve the project site?
_____ |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project create student transportation problems?
_____ |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project create substantial library impacts due to increased population and demand?
_____ |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____ |

MITIGATION MEASURES / OTHER CONSIDERATIONS

- Site Dedication Government Code Section 65995 Library Facilities Mitigation Fee

Non-residential project

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

- a. No Maybe
Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?

- b. No Maybe
Are there any special fire or law enforcement problems associated with the project or the general area?

- c. No Maybe
Other factors? _____

MITIGATION MEASURES / OTHER CONSIDERATIONS

Fire Mitigation Fees

Closest Fire Station - 1533 W. Sierra Hwy, Acton, CA, 0.5 miles

Closest Sheriff Station - 1020 E Palmdale Blvd, Palmdale, CA 7.8 miles

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

Yes No Maybe

- a. Yes No Maybe Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells?

- b. Yes No Maybe Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs?

- c. Yes No Maybe Could the project create problems with providing utility services, such as electricity, gas, or propane?

- d. Yes No Maybe Are there any other known service problem areas (e.g., solid waste)?

- e. Yes No Maybe Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?

- f. Yes No Maybe Other factors? _____

STANDARD CODE REQUIREMENTS

Plumbing Code Ordinance No. 2269 Water Code Ordinance No. 7834

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities/services**?

Potentially significant Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project result in an inefficient use of energy resources?
_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project result in a major change in the patterns, scale, or character of the general area or community?
_____ |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project result in a significant reduction in the amount of agricultural land?
_____ |
| d. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____
_____ |

STANDARD CODE REQUIREMENTS

State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot size Project Design Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors? _____

Potentially significant Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are any hazardous materials used, transported, produced, handled, or stored on-site?
_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are any pressurized tanks to be used or any hazardous wastes stored on-site?
_____ |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected?
_____ |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Have there been previous uses which indicate residual soil toxicity of the site?
_____ |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment?
_____ |
| f. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
_____ |
| g. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment?
_____ |
| h. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip?
_____ |
| i. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
_____ |
| j. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____ |

MITIGATION MEASURES / OTHER CONSIDERATIONS

Toxic Clean up Plan

Proposed use will conform to all countywide standard practices for the storage, handling, and use of hazardous materials

CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Can the project be found to be inconsistent with the plan designation(s) of the subject property?
_____ |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Can the project be found to be inconsistent with the zoning designation of the subject property?
_____ |
| c. | | | | Can the project be found to be inconsistent with the following applicable land use criteria: |
| | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Hillside Management Criteria? |
| | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | SEA Conformance Criteria? |
| | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other? _____ |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project physically divide an established community?
_____ |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____
_____ |

MITIGATION MEASURES / OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

Yes No Maybe

- a. Yes No Maybe Could the project cumulatively exceed official regional or local population projections?

- b. Yes No Maybe Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)?

- c. Yes No Maybe Could the project displace existing housing, especially affordable housing?

- d. Yes No Maybe Could the project result in a substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?

- e. Yes No Maybe Could the project require new or expanded recreational facilities for future residents?

- f. Yes No Maybe Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- g. Yes No Maybe Other factors? _____

MITIGATION MEASURES / OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment, or recreational** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

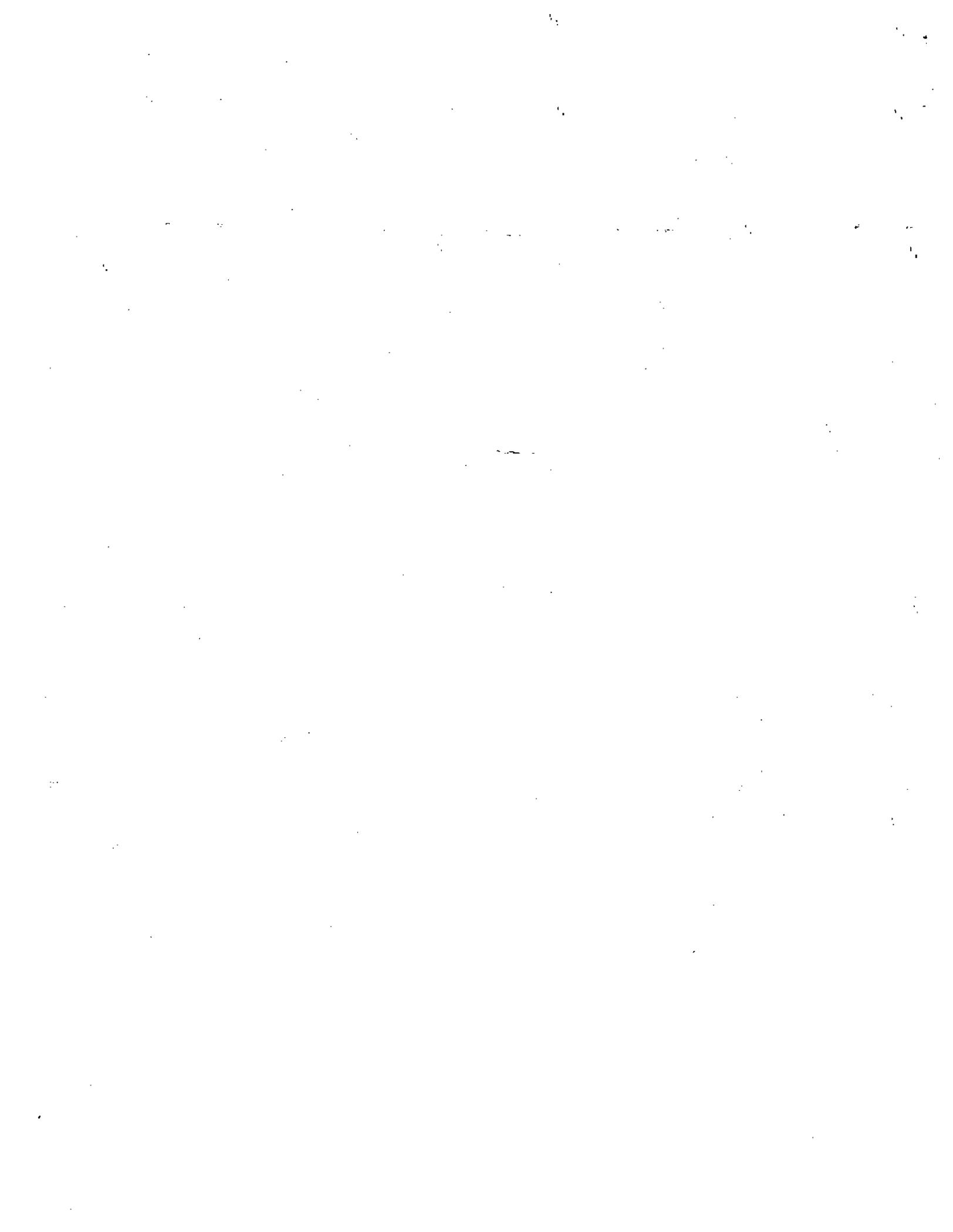
Based on this Initial Study, the following findings are made:

- a. Yes No Maybe Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
-
- b. Yes No Maybe Does the project have possible environmental effects which are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
-
- c. Yes No Maybe Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly?
-

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

- Potentially significant Less than significant with project mitigation Less than significant/No impact





ACTON TOWN COUNCIL

P.O. BOX 810 ACTON, CALIFORNIA 93510

December 9, 2006

Susie Tac
 Regional Planning Commission
 Department of Regional Planning
 Room 150, Hall of Records
 320 West Temple Street
 Los Angeles, CA 90012

Re: Application for TM#21321 Country Club Feed

Dear Ms. Tac

On April 3rd, 2006 Joan and Douglas Guadi appeared at the Acton Town Council presenting their intent to construct a Feed Store and other retail spaced in Acton on Sierra Highway between the current location of Jack in the Box and the Acton Auto Center. The subject property also requires a change in Zoning from A1-1 to C3-DP.

The applicant had been requested in their initial presentation (made in February of this year) to supply additional information regarding the DP uses that they contemplated as well as a presentation of drainage and parking issues. The Applicant identified that they anticipated the following uses in addition to their Feed Store. These uses included a Bakery, Bookstore, Delicatessen, Hardware store, Ice cream shop, Pet Store, Pet Grooming, Small business (such as Insurance Broker), and Restaurant.

After discussion the Town Council voted, determining that the proposed project meets the Acton CSD's, and therefore supports both the Zoning change, the proposed design and the anticipated space uses.

Respectfully submitted,

Dick Morris
 Vice President
 Acton Town Council

Ray Garwacki Jr.
 President
 Acton Town Council

President
 Ray Garwacki Jr.
 269-8080

Vice-President
 Dick Morris
 547-5273

Secretary
 Michael Hughes
 269-1342

Treasurer
 Jim Connelly
 269-5675

Jacki Ayer
 269-1981

Ray Billet
 947-2796

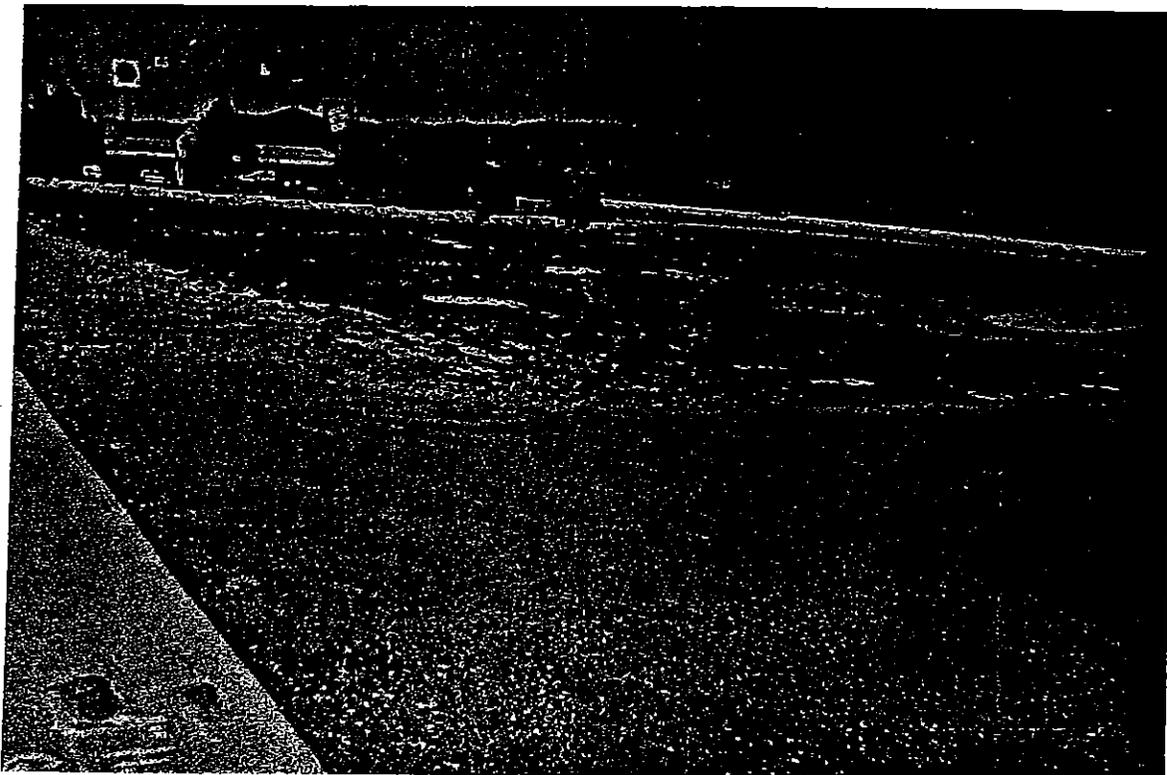
Bill Davis
 269-3682

Mike Foster
 714-3349

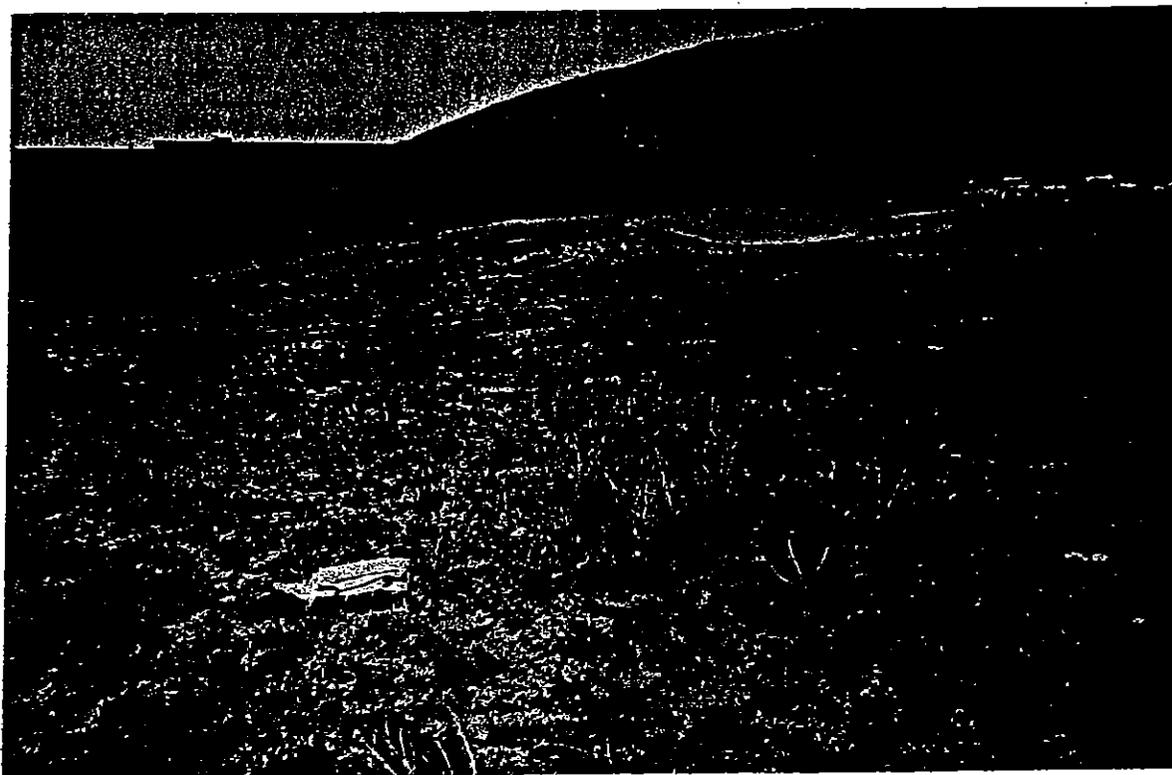
Carl Young
 342-1983

2P

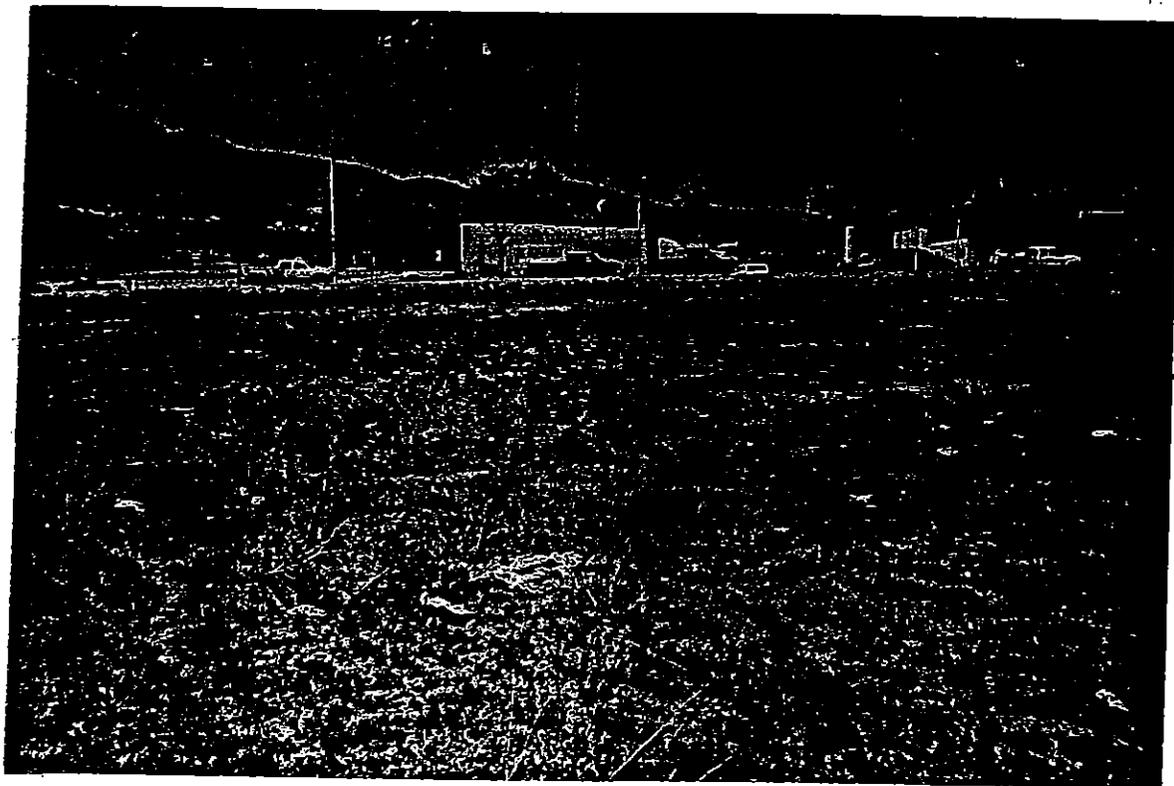




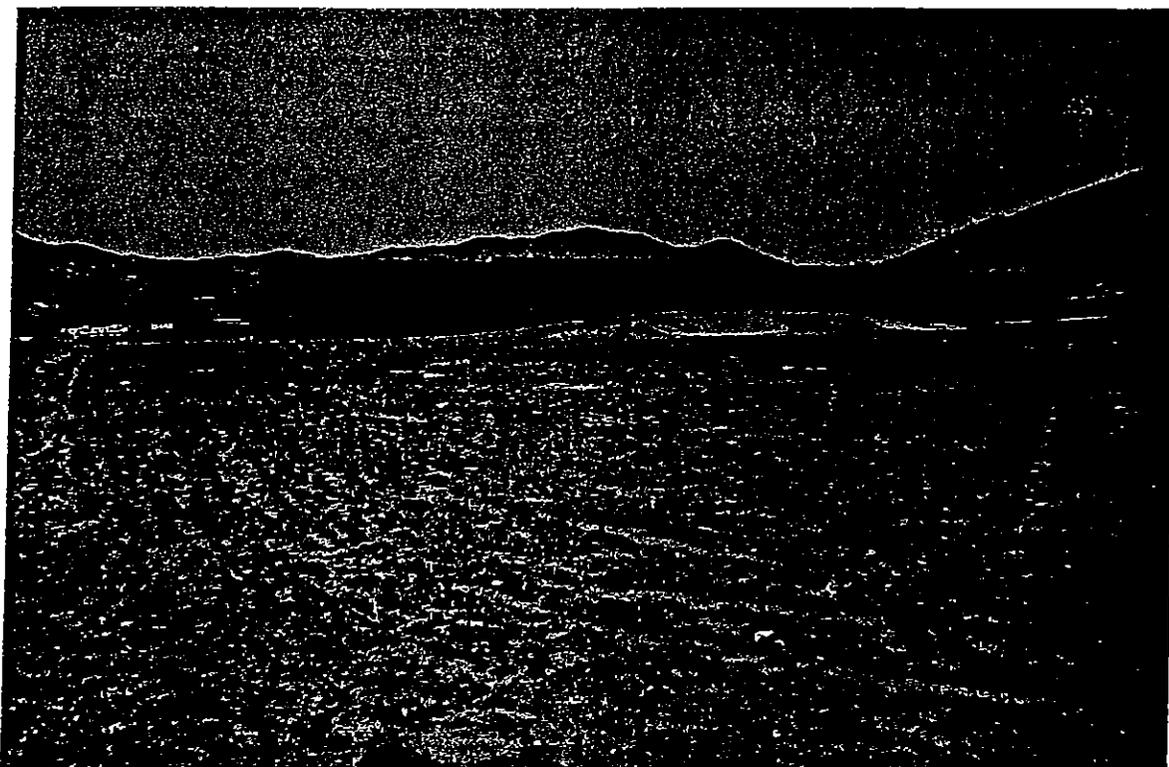
Facing Southeast



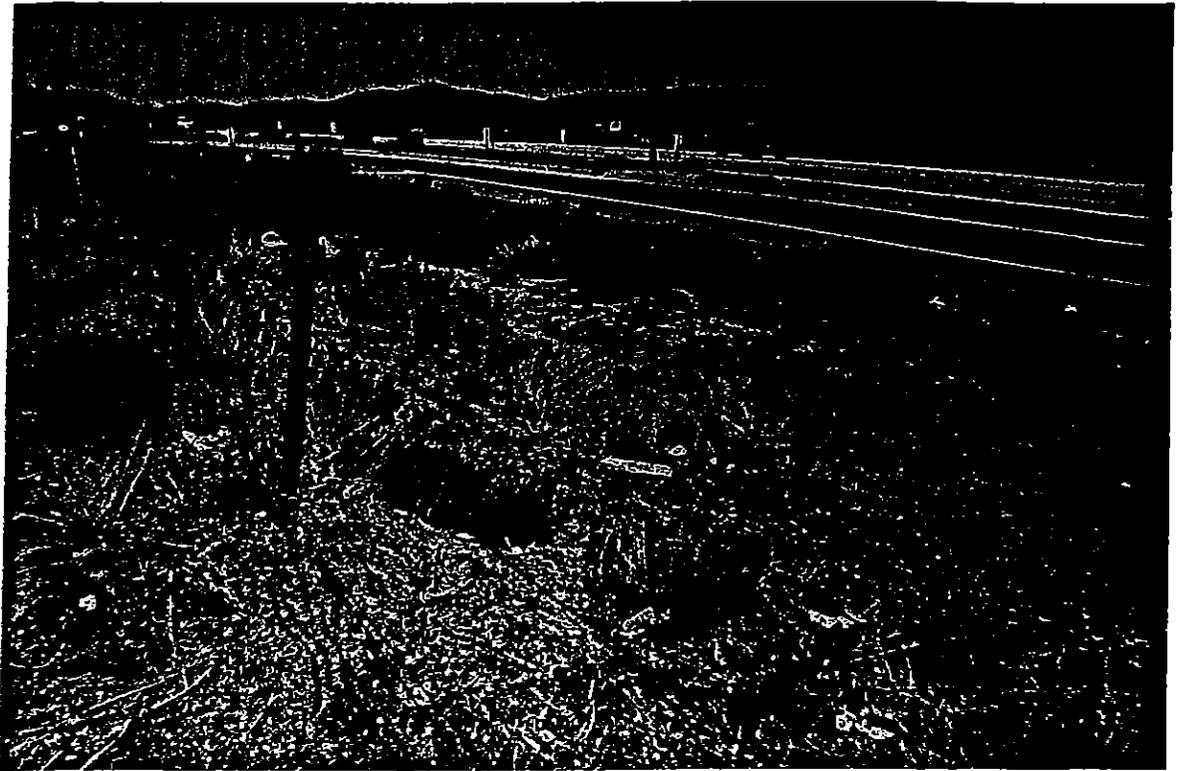
Facing West



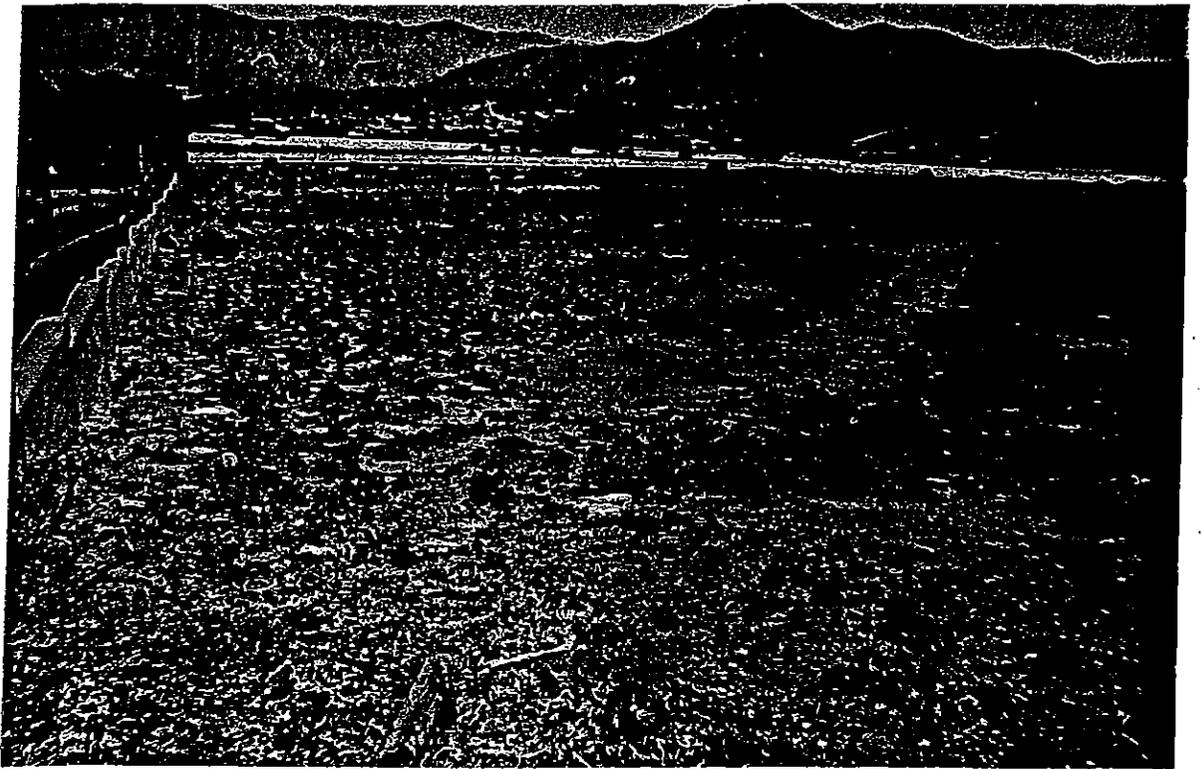
Facing north



Facing West



Facing South



Facing South

