

November 19, 2003

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

**ZONE CHANGE CASE NO. 97-172-(5)
CONDITIONAL USE PERMIT CASE NO. 97-172-(5)
PETITIONER: ROBERT CHEN
CASTAIC CANYON ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)**

Dear Supervisors:

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Consider the Mitigated Negative Declaration for Zone Change Case No. 97-172-(5) and Conditional Use Permit Case No. 97-172-(5), together with any comments received during the public review process, find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board, and adopt the Mitigated Negative Declaration and Mitigation Monitoring Program.
2. Instruct County Counsel to prepare an ordinance to change zones within the Castaic Canyon Zoned District as recommended by the Regional Planning Commission (Zone Change Case No. 97-172-(5)).
3. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit Case No. 97-172-(5).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

- Update the zoning on the subject property to allow the property owner to develop a commercial plaza and establish development standards that ensure future development on the subject property will be compatible with the goals and policies of the Santa Clarita Valley Area Plan and the Countywide General Plan.

Implementation of Strategic Plan Goals

This zone change promotes the County's Strategic Plan goal of Service Excellence. The zone change will allow development of an underused site and promote economic growth within the unincorporated community of Castaic, in compliance with the Santa Clarita Valley Area Plan. The project components (zone change and conditional use permit) were carefully researched and analyzed to ensure that quality information regarding the subject property is available.

FISCAL IMPACT/FINANCING

Adoption of the proposed zone change and approval of the conditional use permit 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 and Conditional Use Permit Case Nos. 97-172-(5) on February 19, 2003. The two zoning requests before the Commission were: 1) a zone change from the existing A-1-7,000 (Light Agriculture, 7,000 square foot minimum required area) and C-3 (Unlimited Commercial) zoning to C-3-DP (Unlimited Commercial-Development Program) zoning on the entire 2.74 acres, and 2) a conditional use permit to authorize construction, operation and maintenance of a commercial plaza consisting of retail and service facilities. The Regional Planning Commission voted (5-0) to recommend approval of the requested zone change and to approve the conditional use permit at its June 11, 2003 meeting.

Pursuant to subsection B.2 of Section 22.60.230 of the County Code, the conditional use permit is deemed to be called for review by your Board and shall be considered concurrently with the recommended zone change. A public hearing is required pursuant to Sections 22.16.200 and 22.60.240 of the County Code and Sections 65355 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355 and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, water quality, and traffic/access. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to assure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.

Based on the Mitigated Negative Declaration, adoption of the proposed zone change and approval of the conditional use permit will not have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

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
James E. Hartl, AICP, Director of Planning

Frank Meneses, Acting Administrator
Current Planning Division

Attachments: Commission Resolutions, Findings & Conditions, Staff Report & Attachments

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

FMS:RJF:KMS

November 19, 2003

**CERTIFIED MAIL - RETURN RECEIPT
REQUESTED**

Robert Chen
25425 Magnolia Lane
Stevenson Ranch, CA 91381

RE: ZONE CHANGE & CONDITIONAL USE PERMIT CASE NO. 97-172-(5)
27737 Ferguson Drive, Castaic

Dear Applicant:

PLEASE NOTE: This document contains the Regional Planning Commission's findings and conditions relating to **APPROVAL** of the above referenced Conditional Use Permit as well as their recommendation for **APPROVAL** to the Board of Supervisors of the related zone change.

Your attention is called to condition number 3 of the Conditional Use Permit which states that this grant shall not become effective until the Board of Supervisors has adopted the zone change submitted concurrently with this application.

Pursuant to Section 22.60.230, subsection B.2, when the Regional Planning Commission makes a recommendation on a legislative action concurrently with approval of a nonlegislative land use application, the Board of Supervisors shall call the nonlegislative application up for concurrent review. Please be advised that this may result in modification of the findings and/or conditions attached hereto.

Payment of fees required by the conditions of approval will not be accepted until the Board of Supervisors has approved the zone change.

Very truly yours,

Department of Regional Planning
James E. Hartl, AICP
Director of Planning

Russell J. Fricano, Ph.D., AICP
Zoning Permits Section I

RJF:KMS

Enclosures: Findings and Conditions

c: Board of Supervisors, Department of Public Works (Building and Safety), Department of
Public Works (Subdivision Mapping), Zoning Enforcement

ZONE CHANGE/CONDITIONAL USE PERMIT CASE NO. 97-172-(5)

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION HEARING DATE: FEBRUARY 19,
2003**

SYNOPSIS:

The applicant is requesting a Conditional Use Permit to authorize development of six parcels with commercial retail/service facilities including a bank, restaurants, retail/office buildings and appurtenant parking and landscaping.

The applicant is concurrently requesting a change of zone from A-1-7,000 (Light Agriculture, 7,000 square feet minimum required area) to C-3-DP (Unlimited Commercial, Development Program) on two parcels (1.7 acres), and a change of zone from C-3 to C-3-DP on four adjacent parcels (approximately one acre).

PROCEEDINGS BEFORE THE COMMISSION

February 19, 2003 Public Hearing

A duly noticed public hearing was held before the Regional Planning Commission on February 19, 2003. All Commissioners were present. Two people were sworn in, the owner/applicant, and the president of the Castaic Area Town Council, and testified in favor of the request.

There was discussion regarding the Town Council's suggested conditions of approval, set forth in its letter dated October 19, 2001. One of the Town Council's requested conditions requires the applicant to provide and maintain landscaping next to the west wall of the project on the properties of those adjacent property owners that desire it, which the applicant is willing to do. The Commission acknowledged the applicant's willingness to comply with that request and determined not to include it as a condition of approval of the permit. There was also discussion regarding the street improvements to Ferguson Drive referenced

in the Department of Public Works letter dated July 5, 2001.

The Commission also discussed the parking to be provided for the development and determined that the parking provided should be as shown on the current site plan; all spaces are standard size or accessible to persons with disabilities, no compact parking spaces are depicted.

There being no further testimony, the Commission voted (5-0) to close the public hearing, indicate its intent to approve the conditional use permit, and direct staff to prepare the final environmental documentation and findings and conditions for approval.

Findings

1. The applicant is requesting a Conditional Use Permit to authorize the construction, operation and maintenance of a commercial plaza consisting of retail and service facilities on 2.74 acres located at 27737 Ferguson Drive, Castaic, in the Castaic Canyon Zoned District.
2. The subject property is flat and triangular in shape. Access to the property is via The Old Road to the east.
3. The subject property is currently zoned C-3 (Unlimited Commercial) and A-1-7,000 (Light Agriculture, 7,000 square feet minimum required area). Concurrent with this approval, however, the Commission is recommending that the Board of Supervisors approve Zone Change Case No. 97-172. If approved by the Board of Supervisors, the subject property will be zoned C-3-DP (Unlimited Commercial, Development Program). Approval of this permit will not become effective unless and until the Board of Supervisors has adopted an ordinance effecting the proposed changes of zone and such ordinance has become effective.
4. The project is consistent with the proposed C-3-DP zoning classification. Section 22.28.180 of the County Code provides that retail and service uses are permitted in the C-3 zone, and pursuant to Section 22.40.040 of the County Code, property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of a conditional use permit and approved development program contained therein.
5. Surrounding zoning consists of M-1 (Light Manufacturing) to the north and east, and A-1-7,000 to the south and west.
6. The subject property consists of six parcels. Five parcels are vacant, and one parcel is developed with a single family residence, which is proposed to be demolished. The parcel containing the single family residence is

one of the parcels which is the subject of the change of zone from A-1-7,000 to C-3-DP and is located in the southwest corner of the subject property.

7. Surrounding land uses consist of the Golden State Freeway to the north and east, and single-family residences to the south and west.
8. The project site is within the Urban 2 (U2) land use classification as shown on the Land Use Policy Map in the Santa Clarita Valley Area Plan (SCVAP). This classification allows residential densities of 3.4 to 6.6 dwelling units per acre and does not address non-residential uses within this classification. However, the Community Commercial Policy of the SCVAP Land Use Classifications (Policy V.B.3.a.1) provides that in addition to areas designated "Commercial" on the Land Use Policy Map, other appropriate areas may be developed to locally serving enterprises and small multi-use centers subject to the following Unmapped Community Commercial Conditions for Development:
 - a. Location
 - i. The proposed use should be located on major roadways or at community focal points such as major intersections and established neighborhood shopping facilities. (Policy C.5/"Location"/a.)
 - ii. The proposed use should be located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns. (Policy C.5/"Location"/b.) C.5/"Location"/c.)
 - iii. Scale
 - b. The necessary public services should be readily available. (Policy
 - i. The scale of local service uses, in terms of acreage and permitted floor areas, should be limited to that which can be justified by local community and neighborhood needs. In most instances, such uses, individually or in aggregate, should not exceed five acres in size. (Policy C.5/"Scale"/a.)
 - ii. The height of the proposed service facilities should not exceed the general profile established by existing uses, and should in no event exceed that permitted in the neighboring residential development. (Policy C.5/"Scale"/b.)
 - iii. The overall scale and intensity of proposed local service uses should be in keeping with the surrounding neighborhood or community setting. (Policy C.5/"Scale"/c.)
 - c. Design
 - i. The site should be, to the extent possible, compact and regular in shape to minimize impacts upon adjacent noncommercial developments. (Policy C.5/"Design"/a.)
 - ii. The facility should be designed and operated in such a fashion as to minimize the negative impacts upon adjacent properties:

- (a) All outdoor lighting should be oriented away from adjacent residential areas. (Policy C.5/"Design"/b.1)
 - (b) All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc. (Policy C.5/"Design"/b.2)
 - (c) The site should be landscaped so as to cause it to blend into the surrounding area more easily. (Policy C.5/"Design"/b.3)
 - (d) Development of the site should reflect locally recognized architectural themes and enhance overall community character. (Policy C.5/"Design"/b.4)
 - (e) Consideration should be given to appropriate hours of operation. (Policy C.5/"Design"/b.5)
 - (f) All roof equipment should be screened from the view of adjacent residents. (Policy C.5/"Design"/b.6)
- iii. Local commercial signs and graphic displays should generally be confined to the facade surface of the business establishment, and should not project above the roof line nor disrupt the architectural design of the structure. (Policy C.5/"Design"/c.)
 - iv. With the exception of a monument sign which lists the tenants within the development, free-standing signs should generally be discouraged, and permitted only when a need exists and where they are determined to be aesthetically and functionally appropriate. (Policy C.5/"Design"/d.)
- d. Access and Traffic
- i. The design of the project should insure that anticipated traffic generation does not adversely affect conditions on adjacent streets and highways. Wherever possible, access from adjacent interior residential streets should be prohibited. (Policy 5/"Access and Traffic"/a.)
 - ii. Access, egress and on-site parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse impacts on surrounding neighborhood and community land use patterns. (Policy 5/"Access and Traffic"/b.)

The project meets the criteria listed above in that 1) the project fronts on The Old Road, a major road within the Castaic Community, 2) the project has been designed to be sufficiently buffered from the adjacent residential neighborhood, 3) necessary public services are available, 3) the size of the proposed development, a six building mixed-use center, is appropriately proportioned to local and community needs and is less than 5 acres in size, and 4) the development has been designed not to adversely affect traffic conditions on adjacent streets and highways and access from residential streets to the development is prohibited.

The project, as proposed and with the attached conditions and restrictions, is consistent with the Urban 2 land use classification and complies with the applicable conditions for community commercial development in the SCVAP.

9. In addition, the proposed commercial plaza conforms to the following goals and is consistent with the following policies of the Countywide General Plan:
 - a. Goal: To maintain and enhance the quality of existing residential neighborhoods.
Policy: Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (P4)
 - b. Goal: To situate commercial activities in viable clusters that conveniently serve their market areas.
Policy: Place major emphasis on channeling new intensive commercial development into multipurpose centers. (P6)
 - c. Goal: To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment.
Policy: Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing and traffic. (P15)
10. There are no previous zoning cases noted on the subject property.
11. The applicant's site plan, labeled Exhibit "A" page 1 of 3, depicts the 2.74-acre subject property developed with six (6) commercial buildings with appurtenant parking and landscaping. The buildings are depicted on the west and south sides of the triangular shaped parcel, with the parking along The Old Road. 144 parking spaces are depicted (136 standard, 8 accessible to persons with disabilities). Access to the site is via two driveways from The Old Road to the east. The applicant has also provided a colored site plan of the proposal, which depicts architectural detailing such as landscaping, covered walkways, turrets, and a water fountain.
12. The applicant has provided elevations of all proposed structures, labeled Exhibit "A" pages 2 and 3 of 3. The single-story structures are dimensioned at a height of 17'0" above finished grade. The decorative turrets and arches are dimensioned at differing heights, with a maximum height of 25'0" above finished grade. The applicant has also provided color elevations of the proposed site.
13. At the public hearing, the Commission heard staff's presentation and the applicant's and Town Council's testimony.
14. The proposed project complies with the development standards of the C-3 zone, as set forth in Section 22.28.220 of the County Code, as follows:
 - a. Pursuant to Section 22.28.220.A. of the County Code, no more than 90 percent of the net area of the subject property shall be occupied by buildings, with a minimum of 10 percent of the net area landscaped with a

lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area. The applicant's site plan depicts approximately 21 percent of the net area occupied by buildings. The site plan depicts 21,000 square feet of landscaping, or approximately 18 percent of the net area. The applicant's site plan is in compliance with the lot coverage and landscaping requirements of the C-3 zone.

- b. Pursuant to Section 22.28.220.B. of the County Code, parking facilities shall be provided as required by Part 11 of Chapter 22.52. Pursuant to the County Code the parking requirements for the proposed commercial development are as follows:

Commercial - retail

(1) space/250 square feet of building

Restaurants -

(1) space/each three persons based on the occupant load determined by the County Engineer

Pursuant to Section 22.52.1084 of the County Code, every nonresidential use shall provide and maintain on-site loading and unloading spaces as required by such section. There shall be one Type "A" (24 feet in length by 12 feet in width) loading space for Restaurant "A" and Restaurant "B", and this loading space may be shared as the restaurants are adjacent. One Type "A" loading space shall be provided for the retail/office building. This number of loading spaces may be modified but not waived by the Director of Planning in special circumstances involving, but not limited to, the nature of the use and design of the project. In no event, however, shall the Director require less than one loading space on the subject property.

Per Section 22.52.1060.E.2 of the County Code, a minimum of two percent of the gross area of the parking lot shall be landscaped. Landscaping shall be distributed throughout the parking lot, so as to maximize the aesthetic effect and compatibility with adjoining areas.

The site plan submitted by the applicant dated February 10, 2003 depicts the following commercial building square footage which is used to calculate the commercial/retail parking requirement.

17,000 square feet retail space/250 = 68 parking spaces required

As the restaurants are proposed and not existing, there is no occupant load determination by the County Engineer. The applicant is providing 70 parking spaces for the restaurants. This number of allotted parking spaces will be used in the parking calculations when a restaurant application has been submitted under the Revised Exhibit "A" process. In addition, when the actual restaurants are designed for the site the parking calculations will need to be verified based on the occupant load

determined by the County Engineer.

Total parking spaces required = 138 spaces required

For 138 parking spaces, the Americans with Disabilities Act (ADA) requires six (6) spaces accessible to and reserved for persons with disabilities, and one (1) of these shall be van-accessible.

The applicant's site plan depicts 144 parking spaces, 138 standard and 8 accessible to persons with disabilities. Although no van accessible handicapped parking space is dimensioned on the site plan, it appears it has been provided. No loading spaces are depicted on the site plan. A minimum of one Type "A" loading space shall be provided.

- c. Any outside display and storage shall conform to Sections 22.28.220.C and D of the County Code. The applicant is not proposing any outside display or storage as part of this request.
15. The applicant has not provided any sign plans or elevations. As a condition of approval of this grant, the applicant will be required to submit sign plans and elevations in compliance with Section 22.52.870 of the County Code and with Policy V.C.5 of the SCVAP.
16. The applicant is required to submit a development program, consisting of a plot plan and a progress schedule, in accordance with Section 22.40.050 of the County Code. The plot plan shall show the location of all proposed structures, the alteration or demolition of any existing structures, and development features, including grading, yards, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area. The applicant has provided a site plan depicting the proposed development on the property, but the site plan does not show the existing single-family residence that will be demolished. As a condition of approval of this grant, the applicant will be required to submit a revised site plan that depicts all required features.
17. Pursuant to Section 22.40.050.B. of the County Code, a progress schedule, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made. The applicant has indicated the project will be completed in one (1) phase. The applicant has submitted a progress schedule depicting zoning approvals beginning in February of 2003, construction beginning in April of 2004, and construction of the development completed in March of 2005.
18. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental document reporting

procedures and guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, water quality, and traffic/access. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to assure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program. The applicant will be required to comply with all provisions in the Mitigation Monitoring Program as a condition of approval of this grant.

19. Staff received comments regarding this request from the Department of Public Works, Traffic and Lighting Division and Subdivision Mapping Section, the California Department of Transportation, and the California Department of Conservation. Where appropriate, their comments have been included as conditions of approval of this grant.
20. The applicant presented his proposal to the Castaic Area Town Council and the Town Council's Land Use Committee in October of 2001. The Council provided a letter of unanimous support with recommended conditions. Where appropriate, the Town Council's conditions have been included as conditions of approval of this grant.
21. There is no request for the on-site or off-site sale of alcoholic beverages within any store or restaurant included with this proposal. The applicant would be required to apply for a conditional use permit to allow alcoholic beverage sales at the commercial plaza.
22. Compliance with the recommended conditions of approval and mitigation measures, and with the development program for the subject property, will ensure compatibility with surrounding land uses.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the

surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;

- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required; and
- E. That the development program will provide necessary safeguards to insure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.40.060 and 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After consideration of the Mitigated Negative Declaration together with all comments received during the public review process, the Commission finds on the basis on the whole record before the Commission that 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 Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 97-172-(5) is **APPROVED**, subject to the attached conditions and further subject to approval by the Board of Supervisors of Zone Change Case No. 97-172-(5).

VOTE: 5-0-0-0

Concurring: Commissioners Helsley, Bellamy, Valadez, Modugno, Rew

Dissenting: None

Abstaining: None

Absent: None

Action Date: June 11, 2003

RJF:KMS

06-11-03

1. This grant authorizes the use of the subject property for commercial retail/service facilities, consisting of a commercial plaza with a bank, restaurants, retail/office buildings and appurtenant parking and landscaping, as depicted on the approved Revised 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 monies have been paid pursuant to Condition Nos. 10 and 12. Further, this grant shall not be effective unless and until the Board of Supervisors has adopted Zone Change Case No. 97-172-(5) and an ordinance reflecting such changes of zone has become effective.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. 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 Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, at least six months before the expiration date.
7. If any 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 terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property, as applicable.
9. **This grant will terminate June 11, 2028.**

Entitlement to the use of the property thereafter 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 date of this permit, whether or not any modification of the use is requested at that time.

10. The subject property shall be developed, 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. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$3,750.00**. 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 as well as adherence to development in accordance with the approved site plan on file. The fund provides for **twenty-five (25) annual 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 for 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. . The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

11. 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, 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.
12. 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 \$1,275.00.
13. 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.
14. 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.
15. The subject property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.

16. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
17. 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.
18. 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.
19. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of revised plans, similar to Exhibit "A" as presented at the public hearing, that depict the following: 1) all required and proposed project changes; 2) all development program features required by Section 22.40.050.A of the County Code, including the location of all proposed structures, the alteration or demolition of any existing structures, and development features including grading, yards, walls, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area; 3) driveway and access aisles fully dimensioned; 4) a minimum of 138 on-site standard parking spaces; six (6) spaces shall be accessible to and reserved for persons with disabilities, one (1) of which shall be van accessible; one (1) Type "A" loading space shall be provided. Typical parking spaces shall be dimensioned; 5) a landscape table which depicts a minimum of two percent of the parking lot landscaped (setback landscaping does not count towards this calculation); 6) all architectural details labeled, such as "water fountain"; and 7) the outline of the single-family residence that is to be demolished. The property shall be graded, developed and maintained in substantial conformance with the approved revised 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.
20. The permittee shall present its proposed design for landscaping along the Ferguson Drive frontage to the Castaic Town Council's Land Use

Committee for its review and comment. Prior to obtaining any building or grading permit, the permittee shall submit to the Director for review and approval three (3) copies of a landscape plan together with the Committee's comments on the Ferguson Drive landscape design. The landscape plan, which may be incorporated into a revised Exhibit "A", shall show the size, type, and location of all plants, trees, and watering facilities on the subject property. 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, for the life of this grant.

21. The permittee shall present a proposed signage plan to the Castaic Town Council's Land Use Committee for its review and comment prior to review by the Director. All proposed signs shall be developed in accordance with Part 10 of Section 22.52 of the County Code. Commercial signs and graphic displays shall be confined to the façade surface of the business establishment and shall not project above the roofline or disrupt the architectural design of the structure. No billboards are permitted on the subject property. Prior to the installation of any signs on the subject property, the permittee shall submit to the Director for review and approval three (3) copies of dimensioned sign elevations for all proposed signs together with the Committee's comments on the signage plan.
22. Prior to obtaining any building permit for the proposed project, the permittee shall present the proposed building materials, finishes and colors to the Castaic Town Council's Land Use Committee for its review and comment.
23. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval a revised progress schedule which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made, as required by Section 22.040.050.B of the Los Angeles County Code.
24. The following development program conditions shall apply:
 - a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property.
 - b. No existing building or structure which is to be demolished shall be used.
 - c. All improvements shall be completed prior to the occupancy of any structures.
 - d. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the

foundations have been constructed for such primary building or buildings.

25. All project revisions set forth as “Project Conditions/Changes due to Environmental Evaluation” in the Mitigated Negative Declaration, dated June 20, 2000 are incorporated herein by reference and made conditions of this grant. The permittee shall comply with all mitigation measures in accordance with the attached Mitigation Monitoring Program. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Department of Regional Planning for approval. The reports shall describe the status of the permittee’s compliance with the required mitigation measures.
26. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required Mitigation Monitoring Reports.
27. The construction, operation and maintenance of the proposed use shall be further subject to all of the following restrictions:
 - a. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high winds (i.e. greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
 - b. Project grading and construction and appurtenant activities, including engine warm-up, shall be limited to those hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. Saturday. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby offices, residences and neighborhoods. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences. Parking of construction workers’ vehicles shall be on-site and restricted to areas buffered from residences located to the south and east of the subject property;
 - c. A minimum of 138 on-site standard automobile parking spaces, developed to the specifications provided in Section 22.52.1060 of the County Code, shall be provided and continuously maintained,

as shown on the approved revised Exhibit "A", including six (6) spaces accessible to persons with disabilities, one (1) of which shall be van-accessible. One Type "A" loading space shall also be provided. No compact parking spaces are permitted. Accessible parking spaces shall be clearly marked and reserved for use by persons with disabilities;

- d. 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 uses;
- e. The permittee shall maintain free of litter all areas of the premises over which the permittee has control. All outdoor trash containers shall be covered and all trash enclosure areas shall be screened from public and private view corridors by landscaping, berms, compatible structures, or a combination of these;
- f. To ensure that trash and cooking smells are kept to a minimum, trash bins shall be picked-up a minimum of three (3) times a week;
- g. All exterior lighting shall be shielded and directed away from neighboring residences to prevent direct illumination and glare. The primary parking lot lighting shall be turned off no later than 10:30 p.m. A security lighting system is permitted and may remain on through the night provided it is on motion detectors. 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 a lighting plan, which may be incorporated into the revised Exhibit "A" required by Condition No. 19. The lighting plan shall show the locations, types, and heights of all proposed pole and wall mounted lighting;
- h. This grant does not authorize the sale of alcoholic beverages for on- or off-site consumption;
- i. The use of amplified sound equipment audible outside the buildings is prohibited;
- j. Operating hours of all commercial buildings on the subject property shall not exceed 8:00 a.m. to 10:00 p.m. seven days a week. All deliveries to the subject property shall occur within these operating hours;
- k. The permittee shall comply with all recommended conditions set forth in the attached County of Los Angeles Department of Public Works letter dated July 5, 2001, or as otherwise required by said Department;

- l. Any roof-mounted equipment shall be screened to the extent needed to mitigate visual impacts from off-site residential locations, as determined by the Director;
- m. The storage or use of hazardous materials by the permittee or by tenants of the commercial buildings is prohibited;
- n. Any outside display or storage shall comply with Section 22.28.220.C and D of the County Code;
- o. The permittee shall post a street sign reading "PRIVATE STREET" on the subject properties' Ferguson Drive frontage;
- p. The plaza shall be one-story with the height of the back of the buildings not more than 15 feet above the grade of the adjoining residential properties;
- q. The plaza's architectural features (towers) shall not exceed 25 feet;
- r. All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc.;
- s. Development of the site should reflect locally recognized architectural themes and enhance overall community character, as determined by the Director;
- t. Signs and graphic displays should be confined to the façade surface of the business establishment, and should not project above the roof line nor disrupt the architectural design of the structure;
- u. The permittee shall maintain a current contact name, address, and phone number on file with the Department of Regional Planning at all times.

Attachments:
Mitigation Monitoring Program

KMS
06-12-03

Geotechnical				
The applicant shall process a grading plan to the satisfaction of the Department of Public	Submittal and approval of grading plan.	Prior to issuance of building permit	Applicant	Public Works

Works prior to issuance of building permit.				
Traffic				
The applicant shall enter into a secured agreement with the Department of Public Works to pay \$74,408 towards the installation of traffic signals at the intersections of (1) Golden State Freeway Northbound Ramps/Parker Road, (2) Golden State Freeway Southbound Ramps/Parker Road, and (3) Golden State Freeway Northbound Ramps/Lake Hughes Road. The traffic signals shall only be installed when actual traffic conditions warrant the traffic signals.	Enter into a secured agreement with the Department of Public Works to pay \$74,408 towards the installation of traffic signals at the intersections of (1) Golden State Freeway Northbound Ramps/Parker Road, (2) Golden State Freeway Southbound Ramps/Parker Road, and (3) Golden State Freeway Northbound Ramps/Lake Hughes Road.	Prior to issuance of building permit	Applicant	Public Works
The applicant shall pay the project's fair share of the Castaic Bridge and Thoroughfare Construction Fee District to the satisfaction of the Department of Public Works prior to the issuance of building permit.	Pay the project's fair share of the Castaic Bridge and Thoroughfare Construction Fee District	Prior to issuance of building permit	Applicant	Public Works
Water Quality				
The applicant shall comply with the requirements of the National Pollutant Discharge Elimination System Permit CAS614001 to the satisfaction of the Department of Public Works.	Approval or waiver of NPDES permit.	Prior to issuance of grading permit	Applicant	Public Works

**THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ZONE CHANGE CASE NO. 97-172-(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. 97-172-(5) on February 19, 2003; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from A-1-7,000 (Light Agriculture, 7,000 square feet minimum required area) to C-3-DP (Unlimited Commercial Development, Development Program) on two (2) parcels (1.7 acres), and a change of zone from C-3 to C-3-DP on four (4) adjacent parcels (approximately one acre). The Development Program designation will assure that development occurring after rezoning will conform to the approved plans and will ensure compatibility with the surrounding area. As applied to this case, the conditional use permit will restrict the development of the re-zoned site to the proposed commercial plaza as shown on the approved site plan marked Exhibit "A". No other development is permitted on the property unless a new conditional use permit is first obtained.
2. The subject property is located at 27737 Ferguson Drive, Castaic, in the Castaic Canyon Zoned District (No. 100). The subject property has been zoned A-1-7,000 and C-3 since 1958.
3. The zone change request was heard concurrently with Conditional Use Permit Case No. 97-172-(5) at the February 19, 2003 public hearing.
4. Conditional Use Permit Case No. 97-172-(5) is a related request to authorize the construction, operation and maintenance of a commercial plaza. Since a commercial plaza is not a permitted use in the A-1 zone, the requested zone change is necessary to authorize the proposed use of the subject property. The proposed project is authorized in the C-3-DP zoning classification pursuant to Section 22.40.040 of the County Code, which provides that property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of the conditional use permit and approved development program contained therein. Commercial facilities are permitted in the C-3 zone by Section 22.28.180 of the County Code.
5. The site plan for the conditional use permit depicts the 2.74-acre subject property developed with six (6) commercial buildings with appurtenant parking and landscaping. The buildings are depicted on the west and south sides of the triangular shaped parcel, with the parking along The Old Road. 144 parking spaces are depicted (136 standard, 8 handicapped). Access to the site is via two driveways from The Old Road to the east.

6. The subject property consists of six parcels. Five parcels are vacant, and one is developed with a single-family residence, which is proposed to be demolished.
7. Surrounding properties are zoned M-1 (Light Manufacturing) to the north and east and A-1-7,000 to the south and west. Surrounding land uses consist of the Golden State Freeway to the north and east, and single-family residences to the south and west.
8. The proposed development is a small scale multi-use center which is sufficiently buffered from the adjacent residential neighborhood. The development has been designed not to adversely affect traffic conditions on adjacent street and highways and access from residential streets to the development is prohibited. The proposed zone changes from A-1 and C-3 to C-3-DP are consistent with the goals and objectives of the Countywide General Plan and the Santa Clarita Valley Area Plan.
9. A need for the proposed zone classification exists within the community to allow for the development of needed retail establishments and commercial services to serve the local community.
10. Modified conditions warrant a revision in the zoning of the subject property in that although the subject property and surrounding properties are zoned A-1 (Light Agriculture) the properties have not been developed with agriculture uses, but with single-family residences. The commercial zoning is required to allow the development of service and retail facilities to serve the local residents.
11. 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 and general welfare, and in conformity with good zoning practice. A portion of the property is zoned C-3 and could be developed with commercial uses; changing the remainder of the property to commercial zoning will enhance the commercial development of the property. The project fronts on The Old Road and will take access only from that road, keeping traffic off of the adjacent residential streets. The applicant is proposing an eight foot high block wall on the west property line and 24" box trees every 20 feet along the south property line, which will provide adequate buffering from the single-family residences. In addition, the Development Program designation added to the C-3 zoning will assure that development occurring after rezoning will conform to the approved plans; compatibility with surroundingland uses will be ensured through the conditions of approval of the related conditional use permit and the development program contained therein.

12. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, water quality, and traffic/access. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to assure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program prepared for the project. The applicant will be required to comply with all provisions in the Mitigation Monitoring Program as a condition of approval of this grant.

13. After consideration of the attached Mitigated 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 for the project.

NOW, THEREFORE, BE IT 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 changes of zone from A-1-7,000 (Light Agriculture, 7,000 square feet minimum required area) and C-3 (Unlimited Commercial) to C-3-DP (Unlimited Commercial, Development Program) on the 2.74-acre subject property.
2. That the Board of Supervisors certify completion of and approve the attached Mitigated Negative Declaration and Mitigation Monitoring Program, and determine that Zone Change Case No. 97-172-(5) will not have a significant impact upon the environment.

3. That the Board of Supervisors find the recommended zoning is consistent with the goals, policies and programs of the Los Angeles County General Plan.
4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended changes of zone.
5. That the Board of Supervisors adopt the above recommended changes of zone, changing the zoning classification on the property as described above.

I hereby certify that the foregoing resolution was adopted by a majority of the members of the Regional Planning Commission in the County of Los Angeles on June 11, 2003.

Rosie Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

STAFF ANALYSIS

PROJECT NUMBER

97-172-(5)

CASE NUMBER

Zone Change/Conditional Use Permit Case No. 97-172-(5)

OVERVIEW OF PROPOSED PROJECT

The applicant is requesting a change of zone from A-1-7,000 (Light Agriculture, 7,000 square feet minimum required area) to C-3-DP (Unlimited Commercial, Development Program) on two parcels (1.7 acres), and a change of zone from C-3 to C-3-DP on four parcels (approximately one acre) adjacent to the site. Per the applicant's burden of proof, one of the reasons for the zone change request is to add two parcels to the existing three lots that are already zoned C-3 to facilitate better development of the parcels.

The applicant is further requesting a Conditional Use Permit to authorize development of the six parcels within the C-3-DP zone; the DP (Development Program) designation requires the filing of a Conditional Use Permit. The applicant is proposing to develop the property with commercial retail/service facilities consisting of a bank, restaurants, retail/office buildings and appurtenant parking and landscaping.

This case was previously heard before the Regional Planning Commission on December 20, 2000, March 21, 2001, May 2, 2001, August 22, 2001, October 3, 2001, and December 5, 2001. At the December 5, 2001 public hearing the Commission directed staff to prepare findings and conditions for approval. However, prior to taking a final action on the case the Commission requested revised site plans and elevations that incorporate elements discussed at the public hearing. After numerous attempts by staff to obtain the requested plans from the applicant, the case was recommended to a Department of Regional Planning Hearing Officer for denial on August 8, 2002 for lack of proper information to complete the case processing, pursuant to Section 22.52.060 of the County Code. The applicant appealed the decision to the Regional Planning Commission so that they may proceed with the case processing.

DESCRIPTION OF SUBJECT PROPERTY

Location

The subject property is located at 27737 Ferguson Drive, Castaic. The proposed development fronts The Old Road to the east and Ferguson Drive to the south. The subject property is within 500 feet of the Lake Hughes Road off-ramp from the Golden State Freeway (I-5). The subject property is located in the Castaic Canyon Zoned District.

Physical Features

The subject property is flat and triangular in shape. Access to the property is via The Old Road to the east and Ferguson Drive to the south.

ENTITLEMENT REQUESTED

The applicant has requested a change of zone from A-1-7,000 to C-3-DP on two parcels and a change of zone from C-3 to C-3-DP on four parcels adjacent to the site to form a total area to be zoned to C-3-DP of approximately 2.74 acres (six parcels).

The applicant is further requesting a Conditional Use Permit to authorize development of the six parcels within the C-3-DP zone; the applicant is proposing to develop the property with commercial retail/service facilities with appurtenant parking and landscaping.

EXISTING ZONING

Subject Property

Zoning on the subject property is C-3 (Unlimited Commercial) and A-1-7,000 (Light Agriculture, 7,000 square feet minimum required area).

Surrounding Properties

Surrounding zoning consists of M-1 (Light Manufacturing) to the north and east, and A-1-7,000 to the south and west.

EXISTING LAND USES

Subject Property

Five of the parcels on the subject property are vacant, a single family residence is located on one of the parcels. The parcel containing the single family residence is one of the parcels which is the subject of the change of zone from A-1-7,000 to C-3-DP and is located in the southwest corner of the subject property.

Surrounding Properties

Surrounding land uses consist of the Golden State Freeway to the north and east, and single family residences to the south and west.

PREVIOUS CASES/ZONING HISTORY

There are no previous zoning permit cases on the subject property. The owner of the subject property has three Certificate of Compliances recorded on the subject property, Numbers 88-0747, 88-7243, and 88-0653.

COUNTYWIDE GENERAL PLAN

The project site is designated “Low Density Residential” in the Countywide General Plan. The land use policy map depicts areas particularly suitable for single family detached housing units, including large lot estates and typical suburban tract developments. Densities typically range from one to six units per gross acre. The intent of this classification is to maintain the character of existing low density residential neighborhoods and also to provide additional areas to accommodate future market demand. This land use classification does not address commercial development in these areas, however, land use patterns comprising an area of less than fifty acres are generally not shown on the Countywide Land Use Policy Maps. As the subject property is proposed to be a neighborhood serving commercial plaza in an area where such local commercial services are sparse, it can be found consistent with the provisions of this land use category.

SANTA CLARITA VALLEY AREA PLAN

The project site is designated as Urban 2 (U2) in the Santa Clarita Valley Area Plan (SCVAP). This classification allows residential densities of 3.4 to 6.6 dwelling units per acre, but does not specifically address commercial uses within this classification. However, the SCVAP allows for unmapped community commercial given the proposal conforms to the following general conditions of development:

- **Location**
 - a. The proposed use should be located on major roadways or at community focal points such as major intersections and established neighborhood shopping facilities. (Policy C.5/"Location"/a.)
 - b. The proposed use should be located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns. (Policy C.5/"Location"/b.)
 - c. The necessary public services should be readily available. (Policy C.5/"Location"/c.)

- **Scale**
 - a. The scale of local service uses, in terms of acreage and permitted floor areas, should be limited to that which can be justified by local community and neighborhood needs. In most instances, such uses, individually or in aggregate, should not exceed five acres in size. (Policy C.5/"Scale"/a.)
 - b. The height of the proposed facilities should not exceed the general profile established by existing uses, and should in no event exceed that permitted in the neighboring residential development. (Policy C.5/"Scale"/b.)
 - c. The overall scale and intensity of proposed local service uses should be in keeping with the surrounding neighborhood or community setting. (Policy C.5/"Scale"/c.)

- **Design**
 - a. The site should be, to the extent possible, compact and regular in shape to minimize impacts upon adjacent noncommercial developments. (Policy C.5/"Design"/a.)
 - b. The facility should be designed and operated in such a fashion as to minimize the negative impacts upon adjacent properties:
 - i. All outdoor lighting should be oriented away from adjacent residential areas. (Policy C.5/"Design"/b.1)
 - ii. All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc. (Policy C.5/"Design"/b.2)
 - iii. The site should be landscaped so as to cause it to blend into the surrounding area more easily. (Policy C.5/"Design"/b.3)
 - iv. Development of the site should reflect locally recognized architectural themes and enhance overall community character. (Policy C.5/"Design"/b.4)
 - v. Consideration should be given to appropriate hours of operation. (Policy C.5/"Design"/b.5)
 - vi. All roof equipment should be screened from the view of adjacent residents. (Policy C.5/"Design"/b.6)
 - c. Local commercial signs and graphic displays should generally be confined to the

facade surface of the business establishment, and should not project above the roof line nor disrupt the architectural design of the structure. (Policy C.5/"Design"/c.)

- d. With the exception of a monument sign which lists the tenants within the development, free-standing signs should generally be discouraged, and permitted only when a need exists and where they are determined to be aesthetically and functionally appropriate. (Policy C.5/"Design"/d.)

- ***Access and Traffic***

- a. The design of the project should insure that anticipated traffic generation does not adversely affect conditions on adjacent streets and highways. Wherever possible, access from adjacent interior residential streets should be prohibited. (Policy 5/"Access and Traffic"/a.)
- b. Access, egress and on-site parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse impacts on surrounding neighborhood and community land use patterns. (Policy 5/"Access and Traffic"/b.)

Per the applicant's submitted proposal, plans, burden of proof, and through appropriate conditioning of this request, the proposed zone change and commercial development can be found consistent with the Urban 2 classification.

SITE PLAN

Overview

The applicant's site plan, labeled Exhibit "A" page 1 of 3, depicts the 2.74-acre subject property developed with six (6) commercial buildings with appurtenant parking and landscaping. The buildings are depicted on the west and south sides of the triangular shaped parcel, with the parking along The Old Road. 144 parking spaces are depicted (136 standard, 8 handicapped). Access to the site is via two driveways from The Old Road to the east. The applicant has also provided a colored site plan of the proposal. The site plan depicts architectural detailing such as landscaping, covered walkways, turrets, and a water fountain.

The applicant has provided elevations of all the proposed structures, labeled Exhibit "A" pages 2 and 3 of 3. The single-story structures are dimensioned at a height of 17'0" above finished grade. The decorative turrets and arches are dimensioned at differing heights, with a maximum height of 25'0" above finished grade. The applicant has also provided color elevations of the proposed site.

Compliance with Applicable Zoning Standards

As the applicant is requesting a change of zone from A-1-7,000 and C-3 to C-3-DP, the proposed project shall comply with the zoning standards of the C-3 zone. Pursuant to Section 22.28.220 of the County Code, the proposed commercial development will comply with the development standards of the C-3 zone, as follows:

- Pursuant to Section 22.28.220.A. of the County Code, not to exceed 90 percent of the net area be occupied by buildings, with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area.

The applicant's site plan depicts approximately 21 percent of the net area occupied by buildings. The site plan depicts 21,000 square feet of landscaping, or approximately 18 percent of the net area. The applicant's site plan is in compliance with the landscaping requirements of the C-3 zone.

- Pursuant to Section 22.28.220.B. of the County Code, parking facilities shall be provided as required by Part 11 of Chapter 22.52. Pursuant to the County Code the parking requirements for the proposed commercial development are as follows:

Commercial - retail

(1) space/250 square feet of building

Restaurants -

(1) space/each three persons based on the occupant load determined by the County Engineer

Pursuant to Section 22.52.1084 of the County Code, every nonresidential use shall provide and maintain on-site loading and unloading spaces as required by such section. There shall be one Type "A" (24 feet in length by 12 feet in width) loading space for Restaurant "A" and Restaurant "B", this loading space may be shared as the restaurants are adjacent. One Type "A" loading space shall be provided for the retail/office building. This number of loading spaces may be modified but not waived by the Director of Planning in special circumstances involving, but not limited to, the nature of the use and design of the project. In no event, however, shall the Director require less than one loading space on the subject property.

Per Section 22.52.1060.L.2 of the County Code, a minimum of two percent of the gross area of the parking lot shall be landscaped. Landscaping shall be distributed throughout the parking lot, so as to maximize the aesthetic effect and compatibility with adjoining areas.

The site plan submitted by the applicant dated February 10, 2003 depicts the following building square footages.

17,000 square feet retail space/250 = 68 spaces required

As the restaurants are proposed and not existing, there is no occupant load determination by the County Engineer. The applicant is providing 70 parking spaces for the restaurants. This number of allotted parking spaces will be used in the parking calculations when a restaurant application has been submitted under the Revised Exhibit "A" process. In addition, when the actual restaurants are designed for the site the parking calculations will need to be verified based on the occupant load determined by the County Engineer.

Total parking spaces required = 138 spaces required

Section 22.52.1082 allows a maximum of 40 percent of the required parking spaces to be compact. For 138 parking spaces the Americans with Disabilities Act (ADA)

requires six (6) handicapped accessible spaces, one (1) of these shall be handicapped accessible.

The applicant's site plan depicts 144 parking spaces, 138 standard and 8 handicapped. Although no van accessible handicapped parking space is dimensioned on the site plan, it appears it has been provided. No loading spaces are depicted on the site plan. Unless the Commission determines a loading space is not required for this development, a minimum of one Type "A" loading space shall be provided.

- Pursuant to Section 22.28.220.C. of the County Code, outside display, except uses specifically noted in this section, shall be located within an enclosed building unless specifically authorized by a temporary use permit.

The applicant is not proposing any outside display as part of this request.

- Pursuant to Section 22.28.220.D. of the County Code, outside storage is permitted on the rear of a lot or parcel of land in Zone C-3 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. All such requests for substitution shall be subject to the provisions of Part 12 of Chapter 22.56, on director's review.

The applicant is not proposing any outside storage as part of this request.

Pursuant to Section 22.40.050 of the County Code, an applicant seeking a conditional use permit to develop property in zone ()- DP shall submit a proposed development program. Such development program shall consist of the following elements.

- Pursuant to Section 22.40.050.A. of the County Code, the applicant shall submit a plot plan showing the location of all proposed structures, the alteration or demolition of any existing structures, and development features, including grading, yards, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area.

The applicant has provided a site plan depicting the proposed development on the property. However, the site plan does not indicate the existing single-family residence that is to be demolished. If the Commission approves this request, the applicant will be required to submit a revised site plan showing all development features to the Commission and the Director of Planning for approval prior to final approval of this request.

- Pursuant to Section 22.40.050.B. of the County Code, a progress schedule, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made.

The applicant has indicated the project will be completed in one (1) phase. The applicant has submitted a progress schedule depicting zoning approvals beginning in February of 2003, construction beginning in April of 2004, and construction of the development completed in March of 2005.

BURDEN OF PROOF

Burden of Proof per Code for Conditional Use Permits

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

1. That the requested use at the location proposed will not:
 - A. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - B. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - C. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
2. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
3. That the proposed site is adequately served:
 - A. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - B. By other public or private service facilities as are required.

Applicant's Burden of Proof Responses

See Attached

Burden of Proof per Code for Zone Change

Pursuant to Los Angeles County Code Section 22.16.110, the applicant must meet the burden of proof requirements for a zone change.

1. Modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration because:
2. A need for the proposed zone classification exists within such area or district because:
3. The particular property under consideration is a proper location for said zone classification within such area of district because:
4. 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:

Applicant's Burden of Proof Responses

See Attached

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that a Mitigated Negative Declaration is the appropriate environmental documentation for this project under California Environmental Quality Act (CEQA) reporting requirements. An Initial Study was prepared for this project in compliance with the environmental guidelines and

reporting procedures of the County of Los Angeles. The Initial Study showed that conditions or changes in the project are necessary in order to assure there is no substantial evidence that the project may have a significant effect on the environment. The following potential impacts were identified: geotechnical, water quality, and traffic/access, which is documented in the attached Mitigated Negative Declaration and corresponding Mitigation Monitoring Plan.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County of Los Angeles Department of Public Works

During the environmental review phase of this project staff received a comment letter from the County of Los Angeles Department of Public Works, Traffic and Lighting Division, dated January 20, 1998, in which they recommended a traffic study be prepared to address the potential impacts of the project and appropriate mitigation measures to mitigate project impacts. The permittee submitted a Traffic Impact Study as requested by said Division. A copy of this study dated August 31, 1998 is included as an attachment to this document.

The Department of Public Works, Subdivision Mapping Section, has provided comments dated December 13, 2000 regarding this request; their comments have been included as an attachment to this document.

County of Los Angeles Fire Department

No comments have been received at the time of this report.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

During the environmental review phase of this project staff received a comment letters from the California Department of Transportation dated August 1, 2000, and the California Department of Conservation dated August 7, 2000. Their letters have been included as attachments to this document.

PUBLIC COMMENTS

The applicant presented his proposal to the Castaic Area Town Council and the Town Council's Land Use Committee in October of 2001. The Council has provided a letter of unanimous support with recommended conditions. The Town Council's letter has been included as an attachment to this document.

STAFF EVALUATION

Issues

Four of the six parcels involved with the subject zone change and conditional use permit request are currently zoned C-3. Therefore, a commercial use of these properties has already been established. It is important to note that these properties could be developed with the proposed uses (bank, restaurants, retail, office, medical clinic) through a plot plan review, an administrative process, without a public hearing or obtaining a conditional use permit. The zone change is being requested to form a larger more regular shaped parcel. The DP (Development Program) designation requires a conditional use permit be obtained and allows review of plans whereby current zoning does not. The applicant has submitted site plans, elevations and a progress schedule as required by the development program.

There is no request for the on-site or off-site sale of alcoholic beverages within any store or restaurant included with this proposal. The applicant would need to apply for a conditional use permit to allow alcoholic beverage sales at the commercial plaza.

The proposed project is consistent with the Santa Clarita Valley Area Plan. Compliance with the recommended conditions of approval and mitigation measures will ensure compatibility with surrounding land uses.

If approved, staff recommends a twenty-five (25) year term for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected annually for compliance with the final conditions of approval.

FEES/DEPOSITS

If approved as recommended by staff, the following will apply:

Fish & Game:

- 1. Processing fees of \$1,275.00 related to posting the Notice of Determination with the County Clerk. Fish & Game fees will be required due to the fact that the project will impact natural habitat. The fees will be required prior to the final approval date of the permit.**

Zoning Enforcement:

2. Cost recovery deposit of \$3,750.00 to cover the costs of the twenty-five (25) recommended annual zoning enforcement inspections. Additional funds would be required if violations are found on the property.

STAFF RECOMMENDATION

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.

Approval

If the Commission finds the applicant satisfies the zone change and conditional use permit burden of proof requirements for this request, Staff recommends **Approval** of Zone Change and Conditional Use Permit No. 97-172-(5), subject to the attached draft conditions.

SUGGESTED MOTION

“I MOVE THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION INDICATE ITS INTENT TO RECOMMEND APPROVAL OF ZONE CHANGE NO. 97-172-(5), A CHANGE OF ZONE FROM A-1-7,000 and C-3 to C-3-DP, AND INDICATE ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 97-172-(5), AND INSTRUCT STAFF TO PREPARE THE FINAL ENVIRONMENTAL DOCUMENTATION AND FINDINGS AND CONDITIONS FOR APPROVAL.”

Report prepared by: Karen Simmons, Senior Regional Planning Assistant

Reviewed by: Russell J. Fricano, Ph.D., AICP, Zoning Permits Section I

Attachments:

Copy of Thomas Brothers Map
Draft Conditions
Burden of Proof Statements
Environmental Documentation
Correspondence
Site Plan
Land Use Map

RJF:KMS 02-11-03

1. This grant authorizes the development of six (6) lots into commercial retail/service facilities as depicted on the approved Revised 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 monies have been paid pursuant to Condition Nos. 10 and 12. Further, this grant shall not be effective unless and until the Board of Supervisors has adopted Zone Change 97-172-(5) and an ordinance reflecting such change of zone has become effective.
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 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 with payment of the applicable fee, at least six months before the expiration date.
7. If any 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 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.
9. **This grant will terminate May 7, 2028.**

Entitlement to the use of the property thereafter 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 expiration 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 **\$3,750.00**. 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. The fund provides for **twenty-five (25) annual 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 the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

11. 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, 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.
12. 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 \$1,275.00.
13. 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.
14. 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.
15. The subject property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.

16. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
17. 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 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.
18. 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.
19. Within sixty (60) days of approval of this grant, the permittee shall submit to the Director for review and approval three copies of revised plans, similar to Exhibit "A" as presented at the public hearing that depict, in compliance with Section 22.40.050.A of the County Code, the location of all proposed structures, the alteration or demolition of any existing structures, and development features including grading, yards, walls, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area, and showing the following: 1) driveway and access aisles fully dimensioned, 2) a minimum of 138 on-site parking spaces, six (6) of which shall be handicapped accessible, one (1) of which shall be handicapped van accessible. One Type "A" loading space shall be provided. No compact parking spaces are permitted. Typical parking spaces shall be dimensioned, 3) a landscape table which depicts a minimum of two percent of the parking lot landscaped (setback landscaping does not count towards this calculation), 4) label all architectural details such as "water fountain", and 5) the outline of the single-family residence that is to be demolished. The property shall be developed and maintained in substantial conformance with the approved revised Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner.
20. Prior to obtaining building permits for the proposed development, the applicant shall present the proposed landscape plan to the Castaic Town Council's Land Use Committee for review and approval. Subsequent to the Land Use Committee's approval, the permittee shall submit to the Director for review and approval three (3) copies of a landscape. The landscape plan shall show the size, type, and location of all plants, trees,

and watering facilities. 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 for the life of this grant.

21. The applicant shall develop a signage program for the industrial park that is in conformance with Part 10 of Section 22.52 of the County Code. The applicant shall present the proposed signage plan to the Castaic Town Council's Land Use Committee for review and approval. All proposed signs on the property shall not be installed until a Revised Exhibit "A" is approved for each proposed sign. Commercial signs and graphic displays shall not extend above the façade surface of the business establishment, and should not project above the roofline, nor disrupt the architectural design of the structure. No billboards are permitted on the subject property. Subsequent to the Land Use Committee's approval, the permittee shall submit to the Director for review and approval three (3) copies of a sign plan for the commercial plaza.
22. Prior to obtaining building permits for the proposed development, the applicant shall present the proposed building materials, finishes and colors to the Castaic Town Council's Land Use Committee for review and approval.
23. The following development program conditions shall apply:
 - e. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property.
 - f. No existing building or structure which is to be demolished shall be used.
 - g. All improvements shall be completed prior to the occupancy of any structures.
 - h. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
24. The construction and operation of the proposed use shall be further subject to all of the following restrictions:
 - v. All material graded should be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering should occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high winds (i.e. greater than 20 mph

averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;

- w. Project construction activity shall be limited to those hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. Saturday. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby offices, residences and neighborhoods. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences. Parking of construction workers' vehicles shall be on-site and restricted to areas buffered from residences located to the south and east of the subject property;
- x. A minimum of 138 on-site parking spaces shall be provided and continuously maintained as shown on the approved revised Exhibit "A", including six (6) spaces accessible to persons with disabilities, one (1) of which shall be van-accessible. One Type "A" loading space shall also be provided. No compact parking spaces are permitted. Accessible parking spaces shall be clearly marked and reserved for use by persons with disabilities;
- y. 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 uses;
- z. The permittee shall maintain free of litter all areas of the premises over which the permittee has control. All outdoor trash containers shall be covered and all trash enclosure areas shall be screened from public and private view corridors by landscaping, berms, compatible structures, or a combination of both of these;
- aa. To ensure that trash and cooking smells are kept to a minimum, trash bins shall be picked-up a minimum three (3) times a week;
- bb. All exterior lighting shall be shielded and directed away from neighboring residences to prevent direct illumination and glare. The primary parking lot lighting shall be turned off no later than 10:30 p.m. A security lighting system is permitted and may remain on through the night. The permittee shall submit for approval three (3) copies of a lighting plan, which may be incorporated into a revised Exhibit "A" discussed in Condition No. 19, to the Director of Planning for approval within sixty (60) days of the approval date of this grant. The lighting plan shall show the locations, types, and heights of all proposed pole and wall mounted lighting.

- cc. This grant does not include the authorization for the on-site or off-site sale of alcoholic beverages;
- dd. The use of amplified sound equipment intended to be audible outside the buildings is prohibited;
- ee. Operating hours of all commercial buildings in the development program shall not exceed 8:00 a.m. to 10:00 p.m. seven days a week. All deliveries to the subject property shall also be within these operating hours;
- ff. The permittee shall comply with the attached conditions from the County of Los Angeles Department of Public Works dated July 5, 2001, or as otherwise modified by said Department;
- gg. The permittee shall comply with the Department of Regional Planning Project Conditions/Changes due to Environmental Evaluation dated June 20, 2000 and corresponding mitigation monitoring plan;
- hh. The uses are limited to those permitted as a matter of course in the C-3 Zone and those uses which are suitable to the approved development plan;
- ii. The tenants of the commercial buildings shall not store or use hazardous materials;
- jj. The permittee shall maintain a current contact name, address, and phone number on file with the Department of Regional Planning at all times.

KMS
04-15-03

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

MITIGATED NEGATIVE DECLARATION

PROJECT NUMBER: CUP/ZC 97-172

1. 1. **DESCRIPTION:**

The proposed project is a request for a zone change and conditional use permit to develop six lots into commercial retail/service facilities consisting of a bank, two restaurants, a medical clinic, and retail/office with parking. The zone change request is from A-1-7000 to C-3-DP. The conditional use permit is for the Development Program zone.

2. **2. LOCATION:**

27737 Ferguson Drive,
Castaic

3. **3. PROPONENT:**

James and Susan Chen
27737 Ferguson Drive
Castaic, CA 91384

4. **4. FINDINGS OF NO SIGNIFICANT EFFECT:**

BASED ON THE INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

5. **LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:**

THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012

PREPARED BY: Impact Analysis Section, Department of Regional Planning

DATE: June 20, 2000

**PROJECT CHANGES/CONDITIONS
DUE TO ENVIRONMENTAL EVALUATION**

PROJECT No. CUP/ZC 97-172

The Department of Regional Planning (DRP) staff has determined that the following conditions or changes in the project are necessary in order to assure that there will be no substantial evidence that the proposed project may have a significant effect on the environment.

Geotechnical

The applicant shall process a grading plan to the satisfaction of the Department of Public Works prior to issuance of building permit.

Traffic

The applicant shall enter into a secured agreement with the Department of Public Works to pay \$74,408 towards the installation of traffic signals at the intersections of (1) Golden State Freeway Northbound Ramps/Parker Road, (2) Golden State Freeway Southbound Ramps/Parker Road, and (3) Golden State Freeway Northbound Ramps/Lake Hughes Road. The traffic signals shall only be installed when actual traffic conditions warrant the traffic signals.

The applicant shall pay the project's fair share of the Castaic Bridge and Thoroughfare Construction Fee District to the satisfaction of the Department of Public Works prior to the issuance of building permit.

Water Quality

The applicant shall comply with the requirements of the National Pollutant Discharge Elimination System Permit CAS614001 to the satisfaction of the Department of Public Works.

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

Applicant

Date

No response with 10 days. Environmental Determination requires that these

changes/conditions be included in the project.

Staff	Date			
Geotechnical				
The applicant shall process a grading plan to the satisfaction of the Department of Public Works prior to issuance of building permit.	Submittal and approval of grading plan.	Prior to issuance of building permit	Applicant	Public Works
Traffic				
The applicant shall enter into a secured agreement with the Department of Public Works to pay \$74,408 towards the installation of traffic signals at the intersections of (1) Golden State Freeway Northbound Ramps/Parker Road, (2) Golden State Freeway Southbound Ramps/Parker Road, and (3) Golden State Freeway Northbound Ramps/Lake Hughes Road. The traffic signals shall only be installed when actual traffic conditions warrant the traffic signals.	Enter into a secured agreement with the Department of Public Works to pay \$74,408 towards the installation of traffic signals at the intersections of (1) Golden State Freeway Northbound Ramps/Parker Road, (2) Golden State Freeway Southbound Ramps/Parker Road, and (3) Golden State Freeway Northbound Ramps/Lake Hughes Road.	Prior to issuance of building permit	Applicant	Public Works
The applicant shall pay the project's fair share of the Castaic Bridge and Thoroughfare Construction Fee District to the satisfaction of the Department of Public Works prior to the issuance of building permit.	Pay the project's fair share of the Castaic Bridge and Thoroughfare Construction Fee District	Prior to issuance of building permit	Applicant	Public Works
Water Quality				
The applicant shall comply with the	Approval or waiver of NPDES permit.	Prior to issuance of	Applicant	Public Works

STAFF USE ONLY

requirements of the National Pollutant Discharge Elimination System Permit CAS614001 to the satisfaction of the Department of Public Works.		grading permit		
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PROJECT NUMBER: 97172

CASES: ZC, CUP



***** INITIAL STUDY *****

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

GENERAL INFORMATION

I.A. Map Date: 11/5/97 Staff Member: Tabitha Lam

Thomas Guide: 4369 G7 USGS Quad: Newhall

Location: 27737 Ferguson Dr., Castaic

Description of Project: The proposed project is a request for a zone change and Conditional Use Permit to authorize the development of six lots into commercial retail./ service facilities consisting of a bank, two restaurants, a medical clinic, and retail/office with parking. The proposed zone change request is to change the existing C-3 and

A-1-7000 zones to

Gross Area: 119,427 s.f.

Environmental Setting: The project site currently contains one residential unit. Site topography is relatively flat. Surrounding uses consist of commercial and single family residential uses and the Golden State Freeway.

Zoning: C-3 (Unlimited Commercial), A-1-7000 (Light Agriculture)

General Plan: Low Density Residential

Community/Areawide Plan: Santa Clarita Valley Areawide Plan: Commercial

Major projects in area:

Project Number

Description & Status

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

REVIEWING AGENCIES

Responsible Agencies

- | | | |
|---|--|--|
| <input type="checkbox"/> None | <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> State Fish and Game |
| <input type="checkbox"/> Regional Water Quality Control Board | <input type="checkbox"/> Army Corps of Engineers | <input type="checkbox"/> State Parks |
| <input type="checkbox"/> Los Angeles Region | <u>Caltrans</u> | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Lahontan Region | <u>Trustee Agencies</u> | <input type="checkbox"/> _____ |
| | <u>None</u> | |

Special Reviewing Agencies

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

— AQMD

Regional Significance

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

County Reviewing Agencies

- Health
- Public Works Traffic
- Transportation Planning
- Drainage & Grading
- Geology & Soils

IMPACT ANALYSIS MATRIX

ANALYSIS SUMMARY (See individual pages for details)

CATEGORY	FACTOR	Pg	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	
HAZARDS	1. Geotechnical	5	x			
	2. Flood	6		x		
	3. Fire	7	x			
	4. Noise	8	x			
RESOURCES	1. Water Quality	9	x			
	2. Air Quality	10	x			
	3. Biota	11	x			
	4. Cultural Resources	12	x			
	5. Mineral Resources	13	x			

	6. Agriculture Resources	14	x		
	7. Visual Qualities	15	x		
SERVICES	1. Traffic/Access	16	x		
	2. Sewage Disposal	17	x		
	3. Education	18	x		
	4. Fire/Sheriff	19	x		
	5. Utilities	20	x		
OTHER	1. General	21	x		
	2. Environmental Safety	22	x		
	3. Land Use	23	x		
	4. Pop./Hous./Emp./Rec.	24	x		
	Mandatory Findings	25		x	

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.

- Development Policy Map Designation: Conservation/Maintenance
- Yes No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
- 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: _____

Approved by: _____ Date: _____

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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone?
_____ |
| b. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an area containing a major landslide(s)?
_____ |
| c. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an area having high slope instability?
_____ |
| d. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction?
<i>Potential for hydroconsolidation</i>
_____ |
| e. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?
_____ |
| f. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Will the project entail substantial grading and/or alteration of topography including slopes of over 25%?
_____ |
| g. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____
_____ |

STANDARD MITIGATION MEASURES

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

OTHER CONSIDERATIONS/MITIGATIONS

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

- b. — Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone?
Flood prone area

- c. — Is the project site located in or subject to high mudflow conditions?

- d. — Could the project contribute or be subject to high erosion and debris deposition from run-off?

- e. — Would the project substantially alter the existing drainage pattern of the site
or area?

- f. — Other factors (e.g., dam failure)? *Within dam or debris basin flood*
boundary

STANDARD MITIGATION MEASURES

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

OTHER CONSIDERATIONS/MITIGATIONS

- Lot Size Project Design

Prior to issuance of grading permit, the applicant shall submit grading and drainage plans to

the satisfaction of the Department of Public Works.

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

HAZARDS - 3. Fire

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|--------------------------|--------------------------|--------------------------|--|
| a. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located in a high fire hazard area (Fire Zone 4)?
_____ |
| b. | <input type="checkbox"/> | <input 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 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 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 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 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 MITIGATION MEASURES

- Water Ordinance No. 7834 Fire Ordinance No. 2947 Fire Prevention Guide No. 46

OTHER CONSIDERATIONS/MITIGATIONS

- Project Design Compatible Use
- _____
- _____

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

- | | | | | |
|----|--------------------------|--------------------------|--------------------------|---|
| | Yes | No | Maybe | |
| a. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located near a high noise source (airports, railroads, freeways, industry)? |
| | — | | | <u>Golden State Freeway</u> |
| b. | <input 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 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 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"/> | Other factors? _____ |

STANDARD MITIGATION MEASURES

- Noise Ordinance No. 11,778
- Building Ordinance No. 2225--Chapter 35

OTHER CONSIDERATIONS/MITIGATIONS

- Lot Size
- Project Design
- Compatible 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

Yes No Maybe

- a. Is the project site located in an area having known water quality problems and proposing the use of individual water wells?

- b. Will the proposed project require the use of a private sewage disposal system?

- 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?

- c. Could the project's associated construction activities significantly impact the quality of groundwater and/or stormwater runoff to the stormwater conveyance system and/or receiving water bodies?

- d. Could the project's post-development activities potentially degrade the quality of stormwater runoff and/or could post-development non-stormwater discharges contribute potential pollutants to the stormwater conveyance system and/or receiving bodies?

- e. Other factors? _____

STANDARD MITIGATION MEASURES

- Industrial Waste Permit
- Health Code — Ordinance No. 7583, Chapter 5
- Plumbing Code — Ordinance No. 2269
- NPDES Permit CAS614001 Compliance (DPW)

OTHER CONSIDERATIONS/MITIGATIONS

- Lot Size
- Project Design

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

- | | Yes | No | Maybe | |
|----|--------------------------|--------------------------|--------------------------|---|
| a. | <input type="checkbox"/> | <input 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 non-residential uses)?

_____ |
| b. | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input 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?

<i>Exceeds AQMD threshold</i>
_____ |
| d. | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Would the project conflict with or obstruct implementation of the applicable air quality plan?

_____ |
| f. | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors: _____

_____ |

STANDARD MITIGATION MEASURES

- Health and Safety Code — Section 40506

OTHER CONSIDERATIONS/MITIGATIONS

- 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 impact 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

CONCLUSION

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

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

RESOURCES - 4. Archaeological/Historical/Palaeontological

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|--------------------------|--------------------------|--------------------------|---|
| a. | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the project site contain rock formations indicating potential palaeontological resources?
_____ |
| c. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the project site contain known historic structures or sites?
_____ |
| d. | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
_____ |
| f. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? _____
_____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

- Lot Size Project Design Archaeology Report
- _____
- _____
- _____

CONCLUSION

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

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

RESOURCES - 5.Mineral Resources

SETTING/IMPACTS

a. Yes No Maybe
 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. 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. 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 impact
- Less than significant with project mitigation
- Less than significant/No

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

Yes No Maybe

a. 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. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

c. 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. 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 impact
- Less than significant with project mitigation
- Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|--------------------------|--------------------------|--------------------------|--|
| a. | <input type="checkbox"/> | <input 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?
_____ |
| b. | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an undeveloped or undisturbed area which contains unique aesthetic features?
_____ |
| d. | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project likely to obstruct unique views from surrounding residential uses?
_____ |
| f. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project likely to create substantial sun shadow, light or glare problems?
_____ |
| g. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors (e.g., grading or landform 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 impact Less than significant with project mitigation Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

- Yes No Maybe
- a. Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (mid-block or intersections)?

- b. Will the project result in any hazardous traffic conditions?

- c. Will the project result in parking problems with a subsequent impact on traffic conditions?

- d. Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area?

- e. 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?

- f. Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

- g. Other factors? _____

MITIGATION MEASURES/OTHER CONSIDERATIONS

- Project Design Traffic Report Consultation with Traffic & Lighting Division
-
-

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

SETTING/IMPACTS

- Yes No Maybe
- a. If served by a community sewage system, could the project create capacity problems at the treatment plant?
-

- b. Could the project create capacity problems in the sewer lines serving the project site?
-

- c. Other factors? _____
-
-

STANDARD MITIGATION MEASURES

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

OTHER CONSIDERATIONS/MITIGATIONS

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

SERVICES - 3. Education

SETTING/IMPACTS

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

_____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

Site Dedication Government Code Section 65995 Library Facilities Mitigation Fee

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

b. Are there any special fire or law enforcement problems associated with the project or the general area?

c. Other factors? _____

MITIGATION MEASURES/OTHER CONSIDERATIONS

Fire Mitigation Fees

CONCLUSION

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

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

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

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

- c. Could the project create problems with providing utility services, such as electricity, gas, or propane?

- d. Are there any other known service problem areas (e.g., solid waste)?

- e. 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. Other factors? _____

STANDARD MITIGATION MEASURES

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

OTHER CONSIDERATIONS/MITIGATIONS

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

OTHER FACTORS - 1. General

SETTING/IMPACTS

Yes No Maybe

a. Will the project result in an inefficient use of energy resources?

b. Will the project result in a major change in the patterns, scale, or character of the general area or community?

c. Will the project result in a significant reduction in the amount of agricultural land?

d. Other factors? _____

STANDARD MITIGATION MEASURES

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

OTHER CONSIDERATIONS/MITIGATIONS

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 impact 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 type="checkbox"/> | <input type="checkbox"/> | Are any hazardous materials used, transported, produced, handled, or stored on-site?
_____ |
| b. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are any pressurized tanks to be used or any hazardous wastes stored on-site?
_____ |
| c. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected?
_____ |
| d. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Have there been previous uses which indicate residual soil toxicity of the site?
_____ |
| e. | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input 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. 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. 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. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

j. Other factors? _____

MITIGATION MEASURES/OTHER CONSIDERATIONS

Toxic Clean-up Plan

CONCLUSION

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

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

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

Yes No Maybe

a. Can the project be found to be inconsistent with the plan designation(s) of the subject property?

b. 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:

Hillside Management Criteria?

SEA Conformance Criteria?

Other? _____

d. Would the project physically divide an established community?

e. 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. Could the project cumulatively exceed official regional or local population projections?

b. 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. Could the project displace existing housing, especially affordable housing?

d. Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?

e. Could the project require new or expanded recreational facilities for future residents?

f. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

g. 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:

- Yes No Maybe
- a. 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. 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. 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

