



# THE REGIONAL PLANNING COMMISSION

County of Los Angeles

## MINUTES

Meeting Place: Room 150 Hall of Records  
320 W. Temple Street  
Los Angeles, California 90012

Meeting Date: March 6, 2013 - Wednesday

Time: 9:00 a.m.

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Present:

Commissioners Louie, Valadez, Helsley, Pedersen, Modugno

Ex Officio Members:

Director of Public Works: Mr. Andy Narag, Senior Civil Engineer

County Counsel: Ms. Patricia Keane, Senior Deputy

Planning Director: Mr. Mark Child, Assistant Administrator, Current Planning Division

Forester and Fire Warden: Ms. Janna Masi, Supervising Fire Prevention Engineer

### PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance was led by Commissioner Pedersen representing the Fourth Supervisorial District.

### APPROVAL OF AGENDA

2. Motion/second by Commissioners Modugno/Valadez – That the agenda for March 6, 2013 be approved.

Vote-Ayes: Unanimous

### COUNTY COUNSEL REPORT

3. There were no reports given by County Counsel.

### DIRECTOR/DEPUTY DIRECTOR

4. There were no reports given by Director/Deputy Director.

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MINUTES FOR APPROVAL

5. Motion/second by Commissioners Helsley/Valadez – That the minutes for February 13, 2013 be approved.

Vote-Ayes: Unanimous

PUBLIC HEARINGS

Zoning Permits

Action Taken as Noted

6. **Project No. R2010-01829-(5). Conditional Use Permit No. 2011000174. Applicant: Lake LA Dairy. 40245 170<sup>th</sup> Street East, Palmdale. Antelope Valley East Zoned District. To authorize the sale of alcoholic beverages (beer and wine) for offsite consumption at a gas station and mini-market in the C-2 (Neighborhood Business) Zone. The project is categorically exempt under Classes 1 (Existing Facilities) and 2 (Replacement or Reconstruction), pursuant to CEQA reporting requirements.**

Ms. Siemers presented her staff report and informed the Commission that the applicant had not arrived and County Counsel requested that the Commission table the item.

Motion/second by Commissioners Helsley/Modugno – That the item be table until the arrival of the applicant.

Vote-Ayes: Unanimous

Project Approved

7. **Project No. R2012-01036-(5). Applicant: Redding Properties LLC. 24233 The Old Road, Newhall. Newhall Zoned District. a. Conditional Use Permit No. 201000068. To authorize the construction and operation of a private historic vehicle collection facility and conversion of a single-family residence to a caretaker's residence located in the A-2-1 Zone (Heavy Agricultural – One Acre Minimum Required Lot Area) and within the Santa Susana Mountains Significant Ecological Area. b. Environmental Assessment No. 201200120. To consider a Negative Declaration as it has been determined that the project will not have a significant effect on the environment pursuant to CEQA reporting requirements.**

Mr. Glaser presented his staff report followed by testimony from the applicant's representative Ernie Urioste. The Commission inquired if the water tower and windmill were non-functioning and whether a wireless telecommunication facility (WTF) can be located on them. Mr. Glaser replied that both were non-functioning and that the height of

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PUBLIC HEARINGS (Cont.)

Zoning Permits

both structures were not tall enough for WTF reception in relation to the location of the area. In addition, the Commission asked if there was flexibility in the permit for cars of non-historic character to be allowed in the facility, staff replied that there is flexibility in the permit. There were no members of the public to address this project and no need for rebuttal or discussion amongst the Commissioners.

Motion/second by Commissioners Modugno/Helsley – That the Regional Planning Commission close the public hearing and adopt the Negative Declaration pursuant to the California Environmental Quality Act.

Motion/second by Commissioners Modugno/Helsley – That the Regional Planning Commission approve Conditional Use Permit No. 201200067 with findings and conditions of approval. The appeal period for this project ends on Wednesday, March 20, 2013.

Vote-Ayes: Unanimous

Project Approved

6. **Project No. R2010-01829-(5). Conditional Use Permit No. 2011000174. Applicant: Lake LA Dairy. 40245 170<sup>th</sup> Street East, Palmdale. Antelope Valley East Zoned District. To authorize the sale of alcoholic beverages (beer and wine) for offsite consumption at a gas station and mini-market in the C-2 (Neighborhood Business) Zone. The project is categorically exempt under Classes 1 (Existing Facilities) and 2 (Replacement or Reconstruction), pursuant to CEQA reporting requirements.**

Motion/second by Commissioners Helsley/Modugno – That the item be removed from the table.

Vote-Ayes: Unanimous

Upon arrival of the applicant, Ms. Siemers summarized her report and discussion was held between staff and Commission. Jim Hanbali, Project engineer and applicant Yasser Mubarkeh.

Motion/second by Commissioners Modugno/Helsley – That the Regional Planning Commission close the public hearing and determine that the project is exempt from the California Environmental Quality Act.

Motion/second by Commissioners Modugno/Helsley – That the Regional Planning Commission approve Conditional Use Permit No. 2011000174 with findings and

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PUBLIC HEARINGS (Cont.)

Zoning Permits

conditions of approval and to include: 1) Condition that limits alcohol sales to prepackaged manufacture less than 1 liter and not broken up for individual sales. The appeal period for this project ends on Wednesday, March 20, 2013

Vote-Ayes: Unanimous

Action Taken as Noted

8. **Project No. R2012-00691-(3). Applicant: Michael and Susan Messina. 29200 Wagon Road, Agoura. The Malibu Zoned District. a. Conditional Use Permit No. 201200051. To authorize a 30,312 square foot private vineyard on a residential property in the R-1-2 (Single-Family Residence – Two Acre Minimum Required Lot Area) Zone in the unincorporated Santa Monica Mountains North Area. b. Environmental Assessment No. 201200086. To consider a Negative Declaration as it has been determined that the project will not have a significant effect on the environment pursuant to CEQA reporting requirements.**

Mr. Seawards presented his staff report and was followed by discussion between staff and Commissioners, with testimony heard from the applicant's representative Tim Riley and the owner, Sue Messina. Testimony was heard from 27 members of the public who were opposed to this project, followed by a rebuttal from the applicant's representative Fernando Villa and Sue Messina.

In further discussion, the Commission noted several concerns: 1) clarification on when the threshold is met for accessory use or agricultural use on a residential property; 2) clarification on CCNRs and the Commission's land use authority; 3) the requirement to notify the community prior to use of pesticides (restricted materials); and 4) whether property is a commercial operation or a residential "hobby" activity".

Motion/second by Commissioners Helsley/Modugno – Due to extensive concern in regards to public health and safety, and concerns that the project was a commercial operation in a residential area, the Commission considered that the Burden of Proof may not be met and requested that the item be continued to Wednesday, April 3, 2013 to allow staff to bring back findings for denial for their consideration.

Vote-Ayes: Commissioners Helsley, Modugno, Louie, Pedersen  
Absent from Vote: Commissioner Valadez (Left at 12 noon)

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PUBLIC COMMENT

**9. Public comment pursuant to Section 54954.3 of the Government Code.**

There were no requests by members of the public to address the Commission.

CONTINUATION OF REPORTS

**10. Possible Call for Review of Decisions by Hearing Officer, pursuant to Section 22.60.200 of the Los Angeles County Code.**

There were no items Called up for Review by the Commission.

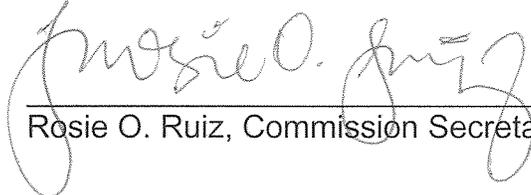
**11. Commission/Counsel/Director Reports**

There were no reports given by Commission/Counsel/Director.

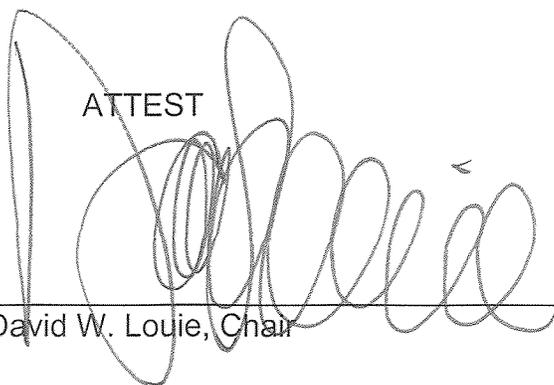
ADJOURNMENT

A recording of the testimony received and the discussions held at this meeting and a copy of all findings and resolutions acted upon by the Commission are on file in the Department of Regional Planning.

The Commission adjourned at 12:53 p.m. to Wednesday, March 13, 2013.

  
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Rosie O. Ruiz, Commission Secretary

APPROVE

ATTEST  
  
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David W. Louie, Chair

  
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Mark Child, Assistant Administrator  
Current Planning Division