

LOS ANGELES COUNTY LETTERGRAM

TO	Gina Natoli Hearing Officer	FROM	Diane Aranda Zoning Permits East Section
-----------	--------------------------------	-------------	--

SUBJECT: DENIAL DUE TO INACTIVITY

DATE: 12/06/11

AGENDA ITEM NO. 9

PROJECT: 03-017-(5)

CASE NUMBER: 03-017-(5)

Conditional Use Permit 03-017-(5) is an application to authorize the operation of a water distribution facility located at 33314 Aqua Dulce Canyon Road in the C-1 (Restricted Business), R-3 (Limited Multiple Residence) and A-1-10,000 (Light Agricultural) Zones within the Soledad Zoned District.

The above mentioned project has been inactive since September 2003. Staff sent various incomplete letters to the applicant in 2003 and sent letters of inactivity on April 9, 2009 and on October 18, 2011. In addition, staff attempted to contact the applicant on the phone with no response. Staff has not received the requested information or materials to enable further project evaluation. Copies of the abovementioned correspondence are attached.

Pursuant to County Code Section 22.56.060 and Part A-7 and Part A-11 of Section 22.56.030 staff requests this application be **Denied** for lack of submittal of proper information to process the case.

HEARING OFFICER ACTION:

I concur with the requested action.

Conditional Use Permit No. 03-017-(5) is hereby denied.

Gina Natoli, Hearing Officer DATE: _____

Attachment

DA

HEARING OFFICER'S FINDINGS AND ORDER:

PROJECT NUMBER 03-017-(5)

CONDITIONAL USE PERMIT NUMBER 03-017-(5)

HEARING DATE: December 6, 2011

SYNOPSIS:

The applicant is requesting to authorize the operation of a water distribution facility located at 33314 Aqua Dulce Canyon Road in the C-1 (Restricted Business), R-3 (Limited Multiple Residence) and A-1-10,000 (Light Agriculture) Zones within the Soledad Zoned District.

PROCEEDINGS BEFORE THE HEARING OFFICER

A meeting was held on December 6, 2011 before the Hearing Officer.

Findings

1. The applicant is requesting a Conditional Use Permit (CUP) to authorize the operation of a water distribution facility located at 33314 Aqua Dulce Canyon Road in the C-1 (Restricted Business), R-3 (Limited Multiple Residence) and A-1-10,000 (Light Agriculture) Zones within the Soledad Zoned District.
2. The project is located at 33314 Aqua Dulce Canyon Road in the unincorporated community of Hacienda Heights within the Soledad Zoned District.
3. The subject property is located in the C-1 (Restricted Business), R-3 (Limited Multiple Residence) and A-1-10,000 (Light Agriculture) Zones with surrounding properties developed as commercial to the north and west, and vacant land to the east and south.
4. The project was filed on January 14, 2003 and has been inactive since September 2003. Staff sent various incomplete letters to the applicant in 2003 and sent letters of inactivity on April 9, 2009 and on October 18, 2011. In addition, staff attempted to contact the applicant on the phone with no response. Staff has not received the requested information or materials to enable further project evaluation.
5. Staff sent a letter to the applicant dated October 18, 2011 informing the applicant that pursuant to Section 22.56.060 (Denial For Lack Of Information) of the County Code, the case would be scheduled before a Hearing Officer for denial due to inactivity on December 6, 2011.
6. The October 18, 2011 letter also directed the applicant to submit the requested materials by November 21, 2011 for the project to remain active.
7. The applicant has failed to submit the required materials within the required timeframe which was November 21, 2011.
8. During the December 6, 2011 Hearing Officer public meeting, staff made a brief presentation summarizing the process for denial of a project due to inactivity.

9. At the December 6, 2011 Hearing Officer public meeting, the project applicant was not present. There were no testifiers in support of or in opposition to the project.
10. During the December 6, 2011 Hearing Officer public meeting, the Hearing Officer denied Conditional Use Permit Case No. 03-017-(5) due to inactivity.

Therefore, in view of the findings of fact presented above, **Conditional Use Permit Case No. 03-017-(5) is DENIED.**

MM:DA

11/21/2011



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

October 18, 2011

Richard J. Bruckner
Director

Ed Bolden
Andel Engineering Company
P.O. Box 220428
Newhall, CA 91321

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

SUBJECT: HEARING NOTICE – DENIAL DUE TO INACTIVITY
Project: 03-017-(5)
Address: 33314 Agua Dulce Canyon Road

Dear Applicant:

The above referenced application has been inactive since September 2003. The following information/materials were requested on January 5, 2009, March 26, 2009 and April 9, 2009 :

1. Submit required water study and additional materials requested from the Department of Public Works.
2. Illustrate CEQA compliance by submitting materials requested by the California Regional Water Quality Control Board and other agencies.

To date, we have not received the above mentioned materials. We are unable to proceed further in processing your application. Los Angeles Zoning Ordinance, Section 22.56.060 provides that the hearing officer may deny, without public hearing, an application for a conditional use permit if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040. We have scheduled your application for **denial** with the hearing officer on December 6, 2011 . If our office receives the materials, and they are found to be adequate by November 21, 2011 the case will be removed from the hearing officer agenda and processing will resume.

If you have any questions regarding this matter, please contact Diane Aranda at (213) 974-6435, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at daranda@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Richard J. Bruckner
Director

Maria Masis, Supervising Regional Planner
Zoning Permits East Section

MM:DA

cc: Owner



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

April 9, 2009

Ed Bolden
Andel Engineering Company
23655 San Fernando Road
Newhall, CA 91321

*Letter sent again on 4/23/09
to P.O. Box 220428
Newhall, CA 91321*

Subject: **Inactivity of Application for Conditional Use Permit**
Project Number 03-017-(5)
33314 Agua Dulce Canyon Road

Dear Mr. Bolden:

The above referenced application has been inactive since September, 2003. On January 5, 2009 and again on March 26, 2009, I contacted you to determine the intentions of your client, Lang Ranch Properties with regard to this application. I understand from our January conversation that there were family considerations that prevented the applicant from making a decision at that time. Four months have now passed and we have not received confirmation that the applicant intends to pursue this application.

Please be advised that this project has been placed on the Hearing Officer's agenda for May 19, 2009 for denial due to inactivity. I suggest that you contact the applicant and recommend either withdrawing the application, in which case there may be a partial refund of permit fees, or provide information that will allow this permit application to be completed. Failure to respond by April 30, 2009 may result in denial of the permit application by the Hearing Officer on May 19, 2009.

If you have any questions regarding this matter, please contact Mark Child at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at mchild@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Jon Sanabria
Acting Director of Planning

Mark Child, Supervising Regional Planner
Zoning Permits Section

MC:

[Faint, illegible text, likely a routing slip or administrative notes]



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Jon Sanabria
Acting Director of Planning

April 9, 2009

Ed Bolden
Andel Engineering Company
23655 San Fernando Road
Newhall, CA 91321

**Subject: Inactivity of Application for Conditional Use Permit
Project Number 03-017-(5)
33314 Agua Dulce Canyon Road**

Dear Mr. Bolden:

The above referenced application has been inactive since September, 2003. On January 5, 2009 and again on March 26, 2009, I contacted you to determine the intentions of your client, Lang Ranch Properties with regard to this application. I understand from our January conversation that there were family considerations that prevented the applicant from making a decision at that time. Four months have now passed and we have not received confirmation that the applicant intends to pursue this application.

Please be advised that this project has been placed on the Hearing Officer's agenda for May 19, 2009 for denial due to inactivity. I suggest that you contact the applicant and recommend either withdrawing the application, in which case there may be a partial refund of permit fees, or provide information that will allow this permit application to be completed. Failure to respond by April 30, 2009 may result in denial of the permit application by the Hearing Officer on May 19, 2009.

If you have any questions regarding this matter, please contact Mark Child at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at mchild@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Jon Sanabria
Acting Director of Planning

Mark Child, Supervising Regional Planner
Zoning Permits I Section

MC:



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

September 3, 2003

Andel Engineering Co.
ATTN: Ed Bolden
P.O. Box 220428
Newhall, CA 91322-0428

**SUBJECT: PROJECT NO. 03-017-(5)
33314 AGUA DULCE CANYON ROAD, AGUA DULCE
NOTICE OF INCOMPLETE FILING AND REQUEST
FOR MATERIALS/INFORMATION**

Dear Applicant:

A review of the materials submitted by you in this case indicates that your application is incomplete. The following information must be submitted to enable processing to proceed:

1. After discussing your case with the Department of Public Works with respect to water supply issues in Agua Dulce, we have determined that a water supply study is needed. The study must evaluate whether the project will impact the long term sustainability of the Agua Dulce groundwater basin, with regards to water quantity and water quality. The study should also identify adjacent wells and provide data to demonstrate how the proposed use of the well and the amount of water pumped will impact the operation of adjacent wells. The cost for Public Works to review the report, including the cost to hire a consultant if necessary, will need to be funded by the applicant. Please contact Mr. Dennis Hunter of the Department of Public Works at (626) 458-4995 regarding the format and contents of the study. Please note that this is also being required for the Agua Dulce Winery project, another water-intensive use in the vicinity.
2. Please provide written responses to the following questions for inclusion in the Initial Study:
 - a. Do you plan to expand the facility or increase the amount of water distributed in the future? We were informed that a second well is being drilled for purposes of this operation.
 - b. What is the capacity of the two existing water tanks onsite?

- c. What is the capacity of the trucks that will be delivering water?
- d. What is the maximum amount of water to be extracted annually?
- e. What has been the annual average of extraction and sale of water for the past 5 years?
- f. You had indicated previously that there will be a maximum of 50 truck trips related to water delivery. Is this one way or two way? In other words, what is the maximum number of water delivery via trucks per day.

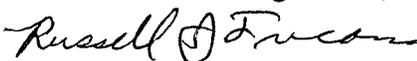
Please note that any zoning violations on the property discovered after the filing of this case may affect the scheduling of a public hearing pursuant to the "Clean Hands" provisions of the County Code in Section 22.04.110.

We request that you expeditiously comply with the above requirements. If no activity occurs within 60 days of this letter, your case will be scheduled before a Hearing Officer for denial pursuant to Section 22.56.060 of the County Code.

If you have any questions, please contact Kevin Johnson at (213) 974-6443 Monday through Thursday from 7:30 to 5:30 or via email at kjohnson@planning.co.la.ca.us. Our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning



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

RJF:KJ

LOS ANGELES COUNTY LETTERGRAM

TO	Kevin Johnson Zoning Permits	FROM	Christina Tran Impact Analysis <i>CT</i>
-----------	---	-------------	---

SUBJECT: CUP 03-017

DATE: August 28, 2003

Kevin,

In light of new information we've received from you regarding several complaints from the community about the water issue, we are requesting that prior to the hearing date, applicant shall obtain clearance from Dennis Hunter of the Land Development Division of the Department of Public Works with respect to the water supply assessment. We assume that you will consult with Dennis Hunter regarding this issue as part of your consultation with various departments.

To get a better understanding of this issue, it would be most helpful if we can get answers for the following questions from applicant:

1. The capacity of the two existing water tanks onsite.
2. The capacity of the trucks that will be delivering water.
3. The maximum amount of water to be extracted annually.
4. Provide the annual average of extraction and sale of water for the past 5 years.
5. Applicant indicated that there will be a maximum of 50 truck trips related to water delivery. We need to clarify if this number is for one way or two way. In essence, we want to know the maximum number of water delivery via trucks per day.

Thanks for apprising us of the community's concern and we would appreciate being informed of all additional information you receive.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



June 23, 2003

James E. Hartl, AICP
Director of Planning

Andel Engineering Company
P.O. Box 220428
Newhall, CA 91322-0428

SUBJECT: FINAL REQUEST FOR REVIEW MATERIALS
Project No: CUP 03-017

In our initial environmental review of your project, the Impact Analysis Section requested, in our letter dated May 20, 2003, the following additional materials in order to complete our review. The requested materials were:

1. Submit a drainage concept/SUSMP report to the Department of Public Works for their review and approval. For specific questions regarding this request, please contact Mr. Amir Ajim at 626-458-4925.

Quite some time has expired since our previous letter. Although this office endeavors to complete the environmental review of your project in a timely manner, we are unable to proceed further without the stated additional materials. We are also unable to leave your case open indefinitely. We, therefore, have no choice but to give you this final notice.

Please be informed that unless the stated additional review materials are submitted to this office by July 23, 2003, the file for your project will be inactivated and further processing will cease.

If clarification on this matter is needed, please feel free to contact Christina Tran of the Impact Analysis Section at (213)974-6461, Monday through Thursday from 7:30 a.m. to 6:00 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Christina Tran

for Daryl Koutnik, Senior Biologist
Impact Analysis Section

JEH:DLK:cdt

Cc: Lang Ranch Properties, Inc.



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

May 20, 2003

Andel Engineering Company
P.O. Box 220428
Newhall, CA 91322-0428

SUBJECT: REQUEST FOR REVIEW MATERIALS
Project No: CUP 03-017

Dear Applicant:

The Impact Analysis Section is currently reviewing the project identified above and additional materials are required before we can proceed further. Final environmental determination for your proposed project **will not** be issued until you have furnished us with the following information/materials:

1. Submit a drainage concept/SUSMP report to the Department of Public Works for their review and approval. For specific questions regarding this request, please contact Mr. Amir Alim at 626-458-4925.

If you have any question regarding this matter, please contact Christina Tran of the Impact Analysis Section at (213) 974-6461, from 7:30 a.m. to 6:00 p.m., Monday through Thursday. Our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

ph Daryl Koutnik, Senior Biologist
Impact Analysis Section
JEH:DLK:cdt



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

January 27, 2003

James E. Hartl, AICP
Director of Planning

Andel Engineering Co.
P.O. Box 220428
Newhall, CA 91322-0428

**SUBJECT: PROJECT NO. 03-017-(5)
33314 AGUA DULCE CANYON ROAD, AGUA DULCE
NOTICE OF INCOMPLETE FILING AND REQUEST
FOR MATERIALS/INFORMATION**

Dear Applicant:

A review of the materials submitted by you in this case indicates that your application is incomplete. The following information must be submitted to enable processing to proceed:

1. Please contact Mr. Andrew Fried of the Agua Dulce Town Council at (661) 268-1519 or andyjudy@as.net to schedule a date to present your proposal to the Town Council. A letter from the Town Council must be received before a public hearing can be scheduled.
2. The application indicates that the proposed use is existing on the property. Please provide documentation indicating when and by what authority the use was established on the property.
3. The environmental review of this case is still pending. Contact the Impact Analysis Section at (213) 974-6461 if you have questions regarding their review. All information requested by said section must be provided in a timely manner.

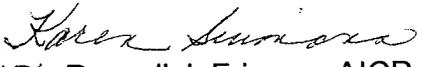
Please note that any zoning violations on the property discovered after the filing of this case may affect the scheduling of a public hearing pursuant to the "Clean Hands" provisions of the County Code in Section 22.04.110.

We request that you expeditiously comply with the above requirements. If no activity occurs within 60 days of this letter, your case will be scheduled before a Hearing Officer for denial pursuant to Section 22.56.060 of the County Code.

If you have any questions, please contact Kevin Johnson at (213) 974-6443 Monday through Thursday from 7:30 to 5:30 or via email at kjohnson@planning.co.la.ca.us. Our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning


for Dr. Russell J. Fricano, AICP
Acting Section Head
Zoning Permits I Section

C: Lang Ranch Properties, Inc.

RJF:kj