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

Re: PROJECT NO. R2015-03796-(3)  
CONDITIONAL USE PERMIT NO. RCUP 2015-00135-(3)  
PARKING PERMIT NO. RPPL2017-009910-(3)  
THIRD SUPERVISORIAL DISTRICT/THREE-VOTE MATTER

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permits, which sought to authorize a remote wine tasting room and special events with tandem parking on-site, located at 31424 Mulholland Highway in the unincorporated community of Agoura Hills, applied for by Diana and Richard Hirsh. At the conclusion of the hearing, your Board indicated an intent to approve the permits and instructed our office to prepare findings and conditions for your approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

MARY C. WICKHAM  
County Counsel

By

ROLAND TRINH  
Deputy County Counsel

APPROVED AND RELEASED:

THOMAS J. FAUGHNAN  
Senior Assistant County Counsel

RT: bh  
Enclosure  
c: Sachi A. Hamai, Chief Executive Officer  
Celia Zavala, Executive Officer, Board of Supervisors  
Amy J. Bodek, Director, Department of Regional Planning

HOA.102478914.1
FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. R2015-03796-(3)
CONDITIONAL USE PERMIT NO. RCUP 2015-00135-(3)
PARKING PERMIT NO. RPPL2017-009910-(3)

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on December 18, 2018, in the matter of Project No. R2015-03796-(3), consisting of Conditional Use Permit No. RCUP 2015-00135-(3) ("CUP") and Parking Permit No. RPPL2017-009910-(3) ("Parking Permit") (collectively, the "Project Permits"). The County Department of Regional Planning ("Regional Planning") Commission ("Commission") previously conducted a duly-noticed public hearing on the Project Permits on October 31, 2018, and a hearing officer for Regional Planning ("Hearing Officer") conducted a duly-noticed public hearing on the Project Permits on April 17, 2018, prior to the Commission's hearing.

2. The permittees, Diana and Richard Hirsh (collectively, the "Permittee"), request the Project Permits to authorize a remote wine tasting room and accessory special events with tandem parking ("Project") on a property, located at 31424 Mulholland Highway in the unincorporated community of Agoura Hills ("Project Site"). The CUP requests the authorization of a remote tasting room associated with on-site vineyards and an offsite winery in the A-1-10 (Light Agricultural - 10 acres minimum required lot area) zone, pursuant to Title 22 of the Los Angeles County Code ("County Code") Section 22.24.100, and includes the construction of a new 441-square-foot restroom building, use of an existing 950-square-foot barn as the tasting room and gift shop, moveable temporary sound walls, glass sound barriers along fencing, development of two parking lots on existing graded pads, and installation of landscaping and lighting. The Parking Permit is a request to authorize tandem parking for a non-residential use for special events with an occupancy of 100 to 200 guests, with a valet service plan for the proposed tandem parking plan.

3. The Project Site is located in the Malibu Zoned District and is located within the N10-Mountain Lands (one dwelling unit per 10 acres max) land use category of the Santa Monica Mountains North Area Plan ("SMMNAP").

4. Surrounding zoning within a 500-foot radius includes:

    North: A-1-2 (Light Agricultural - two acres minimum required lot area);
    South: A-1-10;
    East: A-1-10; and
5. Surrounding land uses within a 500-foot radius include:

North: Single-family residences and Rocky Oaks State Park;
South: Single-family residences and vacant land;
East: Single-family residences and vacant land; and
West: Single-family residences and Calamigos Ranch.

6. The Project Site is accessible via Mulholland Highway to the north.

7. The Project Site is 24.92 gross acres in size and consists of six legal lots. The Project Site is sloping, with four rectangular lots, one triangular lot, and one irregularly shaped flag lot, and is currently developed with a single-family residence and attached garage, swimming pool, barn, access road, vineyards, and two graded pads. The zoning and case history for the Project Site is as follows:

A. The Project Site was previously identified as A-1-1 zone at the time of adoption of the SMMNAP on October 24, 2000;

B. The Project Site's current zone of A-1-10 was adopted as a part of Ordinance 2002-0062 on August 20, 2002;

C. The residence, access road, and pool were authorized by Plot Plan No. RPP200801471, associated with Project No. R200400554 and Oak Tree Permit No. 98-128-(3);

D. The vineyards were in existence prior to the enactment of County Code Section 22.44.133.D.8, which went into effect on January 7, 2016, and establishes comprehensive regulations of vineyards within the SMMNAP Community Standards District. The vineyards at the Project Site are non-conforming and will be required to be removed or brought into conformance within five years of the effective date of the vineyard regulations;

E. The barn was constructed as part of Plot Plan No. 200400274 in 2004 and later revised through a Zoning Conformance Review No. 200800706 in 2008; and

F. The two existing graded pads were authorized along with the construction of two single-family residences and related accessory buildings that were never constructed. The residence pads were graded, pursuant to various entitlements granted under Plot Plan Nos. 200400274, 200400344, 200801096, and 200801471. The graded pads remain vacant of structures and have been informally used for parking associated with agricultural uses at the Project Site.
8. The site plan for the Project depicts:

A. Six parcels totaling 24.92 acres: Assessor's Parcel Numbers ("APNs") 4464-008-019, 4464-008-029, 4464-008-032, 4464-008-036, 4464-008-044, and 4464-008-045;

B. The existing single-family residence is located on APN 4464-008-045, with an access driveway which enters from Mulholland Highway and crosses four parcels starting at APN 4464-008-032 before crossing APNs 4464-008-045, 4464-008-044, and 4464-008-029;

C. The existing 950-square-foot barn and new 441-square-foot restroom building, with an outdoor assembly space measuring 10,500 square feet, located on the barn pad on APN 4464-008-044;

D. Two parking lots located on APNs 4464-008-029 and 4464-008-044, which collectively measure 22,100 square feet. The Project includes no modifications to the length, width, or design of the existing driveway, but includes planting and maintenance of 34 olive trees around the two parking lots;

E. New and existing lighting to be installed and used in parking lots, along driveways, and on the barn pad, which would be night-sky friendly;

F. The installation of an on-site waste treatment system; and

G. The use of on-site vineyard trails for wine tasting tours and educational activities.

9. The CUP makes the following use requests related to its wine tasting room, which is regulated by County Code Section 22.52.2400 et seq.:

A. Service of no more than four glasses (5 oz. per glass) or one bottle (750 ml) of wine per customer per day;

B. No limit on the quantity of off-site sale of wine (for off-site consumption);

C. Expansion of operating hours to 10:00 a.m. to 9:00 p.m. and from 11:00 a.m. to 11:00 p.m. for special events, with the service of alcohol and outdoor amplified voice or music concluding by 10:00 p.m.; and

D. Additional wine events and the on-site consumption of additional food items or additional types or quantities of alcohol.

10. The Parking Permit request includes two parking configurations: a self-park plan providing 58 spaces, and a tandem valet plan providing 72 spaces. The primary parking lot has 48 self-park parking spaces with two Americans with Disabilities Act ("ADA")-accessible parking spaces located adjacent to the tasting room. A
secondary parking lot will provide eight additional parking spaces and areas for employees and vendor parking. The tandem parking plan is proposed to accommodate events exceeding the occupancy of the primary parking lot, and would provide a total of 72 parking spaces in the primary parking lot with valet service.

11. Prior to any public hearings on the Project, Permittee worked with neighboring property owners to address Project impacts and concerns. The Project includes construction of a sound wall along the western driveway, glass along the barn pad fences, water pump housing, and installation of olive and spruce trees to further buffer noise and light resulting from the Project.

12. The County Department of Public Works ("Public Works") recommended approval of the Project, with recommended conditions of approval. The County Department of Public Health ("Public Health") also recommended approval of the Project, with recommended conditions of approval. The County Fire Department ("Fire Department") found that the Project will provide adequate fire access, water flow, and fire suppression technology, and recommended approval of the Project, with recommended conditions of approval.

13. The County Department of Parks and Recreation has indicated that the proposed Project will not have impacts to its facilities and, therefore, further review by that department was not required.

14. Prior to the public hearings on the Project, Regional Planning staff ("Staff") determined that the Project qualified for a Class 1 (Existing Facilities) and a Class 3 (New Construction or Conversion of Small Structures) categorical exemption from the California Environmental Quality Act (Public Resources Code § 21000 et seq.) ("CEQA"), pursuant to the State CEQA Guidelines (§§ 15301 and 15303), and the County Environmental Document Reporting Procedures and Guidelines, because the Project involved the continued operation of a remote tasting room and special events with negligible or no expansion of use beyond that which was previously existing.

15. A duly noticed public hearing was held before the Hearing Officer on April 17, 2018. Permittee's representative presented testimony in favor of the Project and answered questions presented by the Hearing Officer, who then permitted public testimony on the Project. Six people spoke in favor of the Project and nine spoke against it. Generally, the speakers in favor of the Project spoke to Permittee's business acumen, integrity, and efforts to respond to concerns related to the Project. The speakers opposed to the Project noted their concerns for the noise levels resulting from the Project, traffic impacts within the vicinity, and the general commercialization of the area. A noise consultant for Permittee was then given an opportunity to rebut comments and questions raised during the public testimony regarding noise levels. The Hearing Officer then closed the public hearing and considered the testimony. The Hearing Officer identified several issues that required additional information or clarification, including items.
addressing noise analysis and noise monitoring, quantity of events, vineyard compliance and vineyard tours, an evacuation and emergency plan, community outreach, alternative transportation and vehicle use, and the County Rural Outdoor Lighting District requirements (County Code § 22.44.500 et seq.) ("ROLD"). Following extensive discussion on these issues, the Hearing Officer continued the public hearing to June 19, 2018, to allow both Permittee and Staff time to respond to the comments and concerns raised at the hearing.

16. On June 19, 2018, Staff requested a continuance of the hearing to July 17, 2018, to allow Permittee additional time to complete noise analysis studies and reports for the Project. Upon verification that no members of the public were present to comment on the Project, the Hearing Officer continued the hearing to July 17, 2018.

17. On July 17, 2018, a continued public hearing on the Project was held before the Hearing Officer. Following a presentation by Permittee's representative, three people spoke against the Project and four people spoke in favor of it. Generally, the three speakers against the Project raised concerns with the noise levels generated by the Project and, to a lesser extent, traffic impacts to the surrounding area. The four speakers in favor of the Project spoke to the integrity of Permittee, the positive nature of the Project and the recreational quality of the vicinity due to nearby beaches and mountains, and identified the efforts made by Permittee to address the concerns of neighboring residents. Following the public testimony, Permittee's representative clarified various aspects of the Project that were raised during the public comment period, including information regarding noise from activities occurring in the vicinity that are not related to the Project; that the Project was determined to comply with the County's noise control ordinance (County Code § 12.08.010 et seq. hereinafter the "Noise Control Ordinance") as verified by Public Health; and, information from a traffic study which showed that events of up to 300 persons would not generate traffic impacts requiring further analysis.

18. There being no further testimony, the Hearing Officer considered all the testimony, closed the public hearing, and approved the Project with the following changes to the Project's conditions of approval:

   A. All guests for special events must be counted upon entry, by a gate or parking attendant, to ensure compliance with maximum permitted occupancies;

   B. Clean-up after special events must occur on the following day after an evening event, and not during the nighttime hours;

   C. The proposed temporary sound wall should be placed seasonally and taken down following the period of March 15 through October 15 of each year;
D. The Project must include at least three noise monitoring locations (not two as originally proposed) with the third location near the southeastern corner of the Project Site to address noise concerns of neighboring residents as authorized by Public Health;

E. In addition to 36 special events for 100 to up to 200 guests, 36 additional smaller special events of fewer than 99 guests (as requested by Permittee) are permitted, provided there is no outdoor live entertainment (e.g., live band or DJ music or other amplified performances) and all amplified noise would be maintained within the barn structure;

F. That the public be able to contact the Project's site management, not only during an event, but also before and after, and that express language referencing "before, during, and after" be utilized to provide notice of this at events to ensure continual responsiveness of Permittee to the community; and

G. Minor typographical revisions.

19. On July 30, 2018, Leslie Gail ("Appellant"), a neighboring resident, appealed the approval of the Project by the Hearing Officer, citing the following as the basis in her appeal application: proximity of the Project's location near Appellant's private residence, with the Project's driveway located 23 feet from Appellant’s front door and just three feet from the Appellant’s driveway; noise, including noise generated by staff and delivery vehicles, which are frequent and disruptive; temporary sound wall improperly installed and not left up continually as proposed; concern regarding the effects of alcohol consumption by customers resulting in "out of control and loud and obnoxious" behavior; economic impacts to Appellant’s use of her residence as a vacation rental; and, that Permittee is "not forthright, honest" and is "difficult to deal with."

20. A duly noticed public hearing was held on October 31, 2018, before the Commission to consider the appeal of the Hearing Officer's approval of the Project. Following a brief summary of the Project by Staff, Appellant presented slides showing the proximity of her property to the Project Site and alleged impacts thereon resulting from Permittee's use of the Project Site. Appellant's primary issues were noise and security concerns related to privacy due to the use of drones and photography at the Project Site. Permittee's representative rebutted Appellant's comments with a slide presentation primarily focused on noise data, which included traffic and noise studies that were conducted and mitigation measures that were implemented to show that the Project complies with the Noise Control Ordinance. The Commission heard public comments from 13 speakers, of which seven supported the Project and six opposed it. Generally, those against the Project cited concerns related to noise levels, traffic and safety, privacy, and security concerns. Those in favor of the Project spoke highly of Permittee as a neighbor, the high quality of Permittee’s business
operations, and that they, as neighbors and residents, have no concerns regarding the Project's impacts on traffic or noise.

21. Following the public comments, the Commission asked questions of Appellant regarding her experiences with Permittee and previous events held at the Project Site. After some discussion, the Commission then summarized the Appellant’s primary concerns to be: 1) the overall noise levels and extended hours of the Project, recognizing that Appellant was less concerned with smaller events of less than 100 persons, which tend to be quieter; 2) the seasonal and temporary nature of the sound wall (rather than it being required year-round); and 3) general security concerns, including privacy. The Commission also directed questions at Permittee, whose representative clarified various operational aspects of the Project, such as the fact that the tasting room is for members only (not open to the general public), the improved internet service on-site (to improve access to online ridesharing services and alternative transportation options), measures taken at the Project Site to reduce noise levels, and the existence of nearby noise created by other event facilities, including tasting rooms, not related to the Project.

22. There being no further testimony, the Commission closed the public hearing, found the project categorically exempt from CEQA, pursuant to CEQA guidelines sections 15301 and 15303, denied the appeal, and approved the Project with instructions to Staff to prepare revised findings and conditions to reflect the Commission’s recommendations, as follows:

A. The Commission indicated that special events are only accessory to the primary use, which is a remote tasting room. To reduce impacts and bring the number of special events in line with an accessory use, the Commission recommended a reduction in the number of larger special events of 100 or more guests to occur a maximum of 10 times per year;

B. The Commission recommended limiting the use of drones to the barn pad at the Project Site, which would prevent offsite privacy impacts to neighboring properties;

C. Due to the Project Site’s location within the High Fire Hazard Zone in the Santa Monica Mountains, the Commission recommended that the Project Site not allow smoking;

D. The Commission found that the temporary sound wall should remain in place year round, since there is no limit on which seasons events may occur;

E. The Commission required that the Project include security at all events; and
F. The Commission recommended that the Project include 34 trees, as shown on the Project's landscape plan, rather than the minimum required by the County Code, to help ensure adequate screening.

23. The Commission's approval of the Project was timely appealed to the Board by both Permittee and Appellant. Permittee appealed the condition set by the Commission, which limited the number of events for groups of 101 to 200 people to 10 events per year, a reduction from the Hearing Officer's approval of 36 such events. Permittee asserted that such a limitation renders the Project effectively infeasible, and as to noise concerns, stated that mitigation measures were taken and professional noise testing confirmed that the Project would comply with the Noise Control Ordinance. Additionally, Permittee argued that both the Hearing Officer and Public Health visited the Project Site multiple times and approved the Project, and erroneously claimed that no member of the Commission visited the Project Site (one member of the Commission did with Staff). Appellant's stated reason for her appeal was that there is no permanent barrier in place between the Project Site and Appellant's property, and that the foliage that acted as a temporary barrier was destroyed by recent wild fires.

24. The Board held its duly-noticed public hearing on the appeals of the Commission's approval of the Project on December 18, 2018. Staff provided a brief summary of the Project's procedural history, and summarized the basis of the appeals before the Board. Permittee's representative testified before the Board, first outlining all event venues in the surrounding area, including a wedding venue that is owned and operated by Appellant, and event venue centers at every corner of the major intersection near the Project Site, to show that the Project is consistent with the character of the neighborhood. The representative then outlined the mitigation measures that have been implemented for the Project, which include: 1) moving the location of live music from the front of the Project Site to the back of the barn, so the sound is directed away from Appellant; 2) reconfiguration of the sound system into three sections that are independently operable; 3) installation of three separate water fall features to serve as white noise; 4) installation of glass barriers; 5) re-installation of a sound wall on the driveway that was destroyed by fire, as requested by Appellant; and 6) relocation of the proposed restroom building to the back of the Project Site. The representative went on to add that independent professional sound studies have been performed to show that the Project complies with the Noise Control Ordinance, with which Public Health concurred, as did the Hearing Officer who visited the Project Site numerous times and indicated he was "amazed" he could not hear (more noise). Finally, the representative indicated that Permittee will be installing permanent monitoring systems to ensure full compliance with noise regulations moving forward, and with that, requested that the Board revert back to the Hearing Officer's grant of 36 events of 101 to 200 guests, instead of 10, as granted by the Commission.

25. Appellant then testified before the Board, first expressing content with the planned installation of the permanent sound wall by Permittee. Appellant stated
that foliage is needed for privacy purposes, however, since the Project's event site is elevated and Appellant's property is below and visible therefrom. Appellant indicated she previously used her property as a vacation rental, but can no longer do so due to the noise from Permittee's events, and added that Permittee's events are the reason why she is now also doing special events (weddings). Appellant emphasized that the Project's event site is 150 feet from her personal residence, with the driveway only 54 feet from her home, so she is also requesting that Permittee install a wall on the upper pad where the event site is because the glass wall which was installed, while helpful in reducing noise, is not adequate because it is an open air space. In support of this claim, she pointed out that decibel levels range anywhere from 74 decibels to 95 decibels during Permittee's events, and the reduction to 10 large events was very helpful to her, whereas 36 such events would make it impossible for her to utilize her home as a vacation rental. Appellant added that the barn that serves as the primary event site for the Project has double sets of doors on each side, so every time guests exit the barn, Appellant is "blasted with noise," which happens repeatedly during events. She reiterated again that this makes it impossible for her to run her vacation rental, since her guests come for "peace and quiet." Finally, Appellant said that even though there are event centers all around the area, she acknowledged that some have been in the area longer than she has, and they are farther away or hold their events indoors.

26. There were over 10 speakers from the public that testified before the Board on the Project. Eight spoke in favor of the Project and in support of Permittee, and five spoke against the Project and in support of Appellant. Generally, those that spoke in favor testified to what a great neighbor Permittee is, how good Permittee is for the community, that Permittee's vineyard played a positive role in helping to prevent the spread of the recent wildfire, and that in general, the area is already loud with many event spaces, in addition to loud cars and motorcycles that frequent the winding streets nearby. An engineer and acoustical consultant also testified in support of Permittee stating that since the start of the Project, five professional studies on noise have been conducted and numerous noise mitigation measures taken, which has resulted in total compliance with the Noise Control Ordinance, while noise from other venues further away actually produced more audible noise than the Project Site. Those that testified in support of Appellant and against the Project generally spoke of what a kind person Appellant is, that it is unfair that Appellant can no longer operate her vacation rental due to the noise impacts from the Project, and to corroborate how loud the noise and music is at Appellant's residence when there is an event at the Project Site. A real property appraiser and realtor both also testified that loud parties and noise have a real effect on the value of real property, and, therefore, the Project is having a detrimental impact on Appellant's real property value.

27. After completion of the public testimony, the Board considered the testimony and found that Appellant and Permittee had legitimate bases for their appeals, thereby upholding both, in part. The Board recognized the need to strike a balance between the residents' quality of life and the need for appropriate
recreational use in the Santa Monica Mountains. It acknowledged that the special events at the Project Site were impacting neighbors, but expressed appreciation for the efforts that Permittee has put into mitigating those impacts. The Board stated that, while not all mountain areas are appropriate for a special events venue, the Santa Monica Mountains is since it is surrounded by other large, commercial, and agricultural visitor-serving businesses. It added that in the next year, there will be amendments to the SMMNAP to further limit noise in the area, including requirements for professional noise monitoring reporting. The Board then closed its public hearing, indicated its intent to uphold both appeals, in part, and took the following actions:

A. Directed Permittee to construct a permanent wall of between six feet to eight feet in height along the common boundary to the west in the approximate location of the existing temporary wall, with mature trees to be planted along both sides of the wall to improve visual screening and help mitigate noise; and

B. Authorized the Project to hold 18 events of less than 150 guests and 18 events of less than 200 guests per year, instead of 10 events with 100 to 200 guests per year, the number of special events with fewer than 100 guests, as approved by the Commission, was upheld by the Board (i.e., 36).

In addition, the Board added the following conditions to the conditions of approval of the Project set forth by the Commission:

A. Relocation of the temporary restrooms to a location adjacent to the waterfall at the tasting lawn;

B. Utilization of a remote calling valet parking system, whereby guests wait on the venue lawn for their vehicles, rather than at the currently identified valet stand near the parking lot; and

C. Setting the noise monitoring system to automatically turn off the Project’s event venue sound system, if noise exceeds the applicable County noise standards more than twice in any 30-minute period.

The Board also instructed County Counsel to prepare, for the Board’s consideration, final findings and revised conditions of approval for the Project.

28. The Board finds that the Project is consistent with the underlying land use of the SMMNAP. The Project is located within the N10 – Mountain Lands Land Use Category, which is intended to accommodate clustered development, including low-density housing, agriculture, equestrian uses, retreats, monasteries, private campgrounds, bed-and-breakfast lodging, low-intensity conference centers, schools, and other commercial and public facilities. The Project is a request to operate a commercial wine tasting room and associated special events, similar to other anticipated land uses in the SMMNAP. The Project would maintain the
existing sloping terrain, and would require only minimal construction activities related to the placement of the bathroom building and completion of the parking lots, consistent with the SMMNAP scenic resource policies. The Project includes orientation of noise generating activities, primarily on the north side of the barn structure, and specified hours of operation to ensure compliance with the Noise Control Ordinance. Additionally, the conditions of approval for the Project include a noise monitoring provision, which would prevent nuisance noise beyond the noise standards authorized by the Noise Control Ordinance. The Project also includes a lighting plan indicating night-sky friendly lighting, which is shielded and downward facing, also consistent with the scenic resource policies of the SMMNAP. The Project includes installation of 34 olive and spruce trees surrounding the parking lots, which will further screen neighboring uses from the Project Site.

29. The Board finds that the Project is consistent with the A-1-10 Zone. Such agricultural zones are established to permit a comprehensive range of agricultural uses in areas particularly suited for agricultural activities. Permitted uses are intended to encourage agricultural pursuits and such other uses required for, or desired by, the inhabitants of the community. An area so zoned may provide the land necessary to permit low-density single-family residential development, outdoor recreation, and needed public and institutional facilities. The Project proposes a remote tasting room, which is a use subject to a CUP in the A-1-10 Zone, pursuant to County Code Section 22.24.100.A.

30. The Board finds that the Project is consistent with ROLD established by County Code Sections 22.44.500 to 22.44.590. The ROLD is established in rural areas of the County to promote and maintain dark skies for the health and enjoyment of individuals and wildlife. The Project proposes to install lighting fixtures which are low wattage, downward facing and shielded, in compliance with the ROLD standards and verified by a certified lighting consultant to comply with the ROLD.

31. The Board finds that the Project meets the remote tasting room development standards, pursuant to County Code Section 22.52.2470, as modified, pursuant to County Code Section 22.52.2490.A.2, and that the Project meets the tree planting requirements identified in County Code Section 22.52.2120. The Project includes the planting of 34 olive and spruce trees surrounding the upper and lower uncovered parking lots, which adequately meets the minimum planting of nine trees and shading of 50 percent of the parking areas, as required by the County Code.

32. The Board finds that the Project meets the burden of proof for a CUP, as required by County Code Section 22.56.040:

   A. The Board finds that the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, or jeopardize,
endanger, or otherwise constitute a menace to the public health, safety, or
general welfare. The Project includes conditions of approval addressing
the hours of operation, noise impacts, noise monitoring and tracking
system, lighting, and business operations of the Project to comply with
County regulations and the general well-being of the surrounding
community. Specifically, the Project includes a condition requiring a
"Good Neighbor System" to inform the community of scheduled special
events with at least 15 days' prior notice, contact information so that
concerns can be directly addressed with Permittee, and the ability to
report violations and nuisances directly to Regional Planning when
corresponds cannot be addressed informally with Permittee;

B. The Board finds that the Project Site is adequate in size and shape to
accommodate the yards, walls, fences, parking and loading facilities,
landscaping, and other development features prescribed by the County
Code, or as is otherwise required to integrate the Project with the uses in
the surrounding area. The Project meets both the development standards
required for remote tasting rooms, as set forth in County Code
Section 22.52.2470, and the guidelines outlined in the "Subdivision and
Zoning Ordinance Interpretation No. 2016-01 – Clarification on Special
Event Facilities;"

C. The Board finds that that the Project Site is adequately served by
highways or streets of sufficient width, and improved as necessary to carry
the kind and quantity of traffic the Project would generate, and is
adequately served by other public or private service facilities as are
required. The Project included a traffic study, which was reviewed by
Public Works, that concluded that the Project meets the general standards
for access and traffic safety, based on the expected occupancy and type
of use. Additionally, as a condition of the Project, if vehicle queuing issues
are observed and/or substantiated by Public Works, Permittee shall
prepare a "Queuing Analysis Study" to be submitted to Public Works for
review and approval.

33. The Board finds that the Project is consistent with the intent and goals of the
parking permit procedures of County Code Section 22.56.990, and meets the
burden of proof, as set forth in County Code Section 22.56.1020, for a parking
permit for tandem on-site business parking. The Project includes two parking lot
configurations, the first based on a typical self-park arrangement (58 spaces) and
the second a tandem configuration with the use of a valet service (72 spaces).
The self-park configuration would provide 48 spaces in the upper lot, two ADA
spaces near the barn pad and eight spaces in the lower lot, and provides
adequate parking for the operation of the tasting room, with a maximum
occupancy of 100 persons. The tandem configuration would provide 62 tandem
spaces in the upper lot, two ADA spaces near the barn pad, and eight spaces in
the lower lot. Use of the tandem configuration would occur for any events
exceeding an occupancy of 174 persons, or for events where valet service is
desired. The Board finds that with the proposed parking lot configurations, the Project can provide all parking on-site and would meet the requirements for a parking permit under the County Code. Further, with such parking plans, the Board finds that the Project meets the parking permit burden of proof, as there are no anticipated conflicts arising from special parking arrangements allowing for tandem spaces because the Project will employ valet parking service when utilizing tandem spaces, and the parking permit will not result in traffic congestion, off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

34. The Board finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Project Permits to 20 years.

35. The Board finds that, because the Project involves the continued operation of a remote tasting room and special events with negligible or no expansion of use beyond that which was previously existing, the Project is exempt from CEQA, pursuant to a Class 1 (Existing Facilities, § 15301) and a Class 3 (New Construction or Conversion of Small Structures, § 15303) categorical exemption under the State CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines.

36. The Board finds that, pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the Project's public hearings by mail, newspaper, and property posting. Notification included notices sent to 56 property owners, as identified on the County Assessor's record within a 500-foot radius from the Project Site, and publication of the hearing notice in the Malibu Times on March 15, 2018, and subsequently, notices sent to 38 neighboring property owners and publication in the Malibu Times, on September 27, 2018. Additionally, 19 notices were sent to those on the courtesy mailing list for the Malibu Zoned District and to any additional interested parties, and the Project was noticed and case materials were available on the Regional Planning website and at the Agoura Hills Library located in the vicinity of the Agoura Hills community.

37. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Coastal Permits Section, Department of Regional Planning.
BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:

Regarding the Conditional Use Permit:

A. The proposed use with the attached conditions will be consistent with the adopted Santa Monica Mountains North Area Plan and the County General Plan.

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

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

D. The Project 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 is adequately served by other public or private service facilities as are required.

Regarding the Parking Permit:

E. There will be no conflicts arising from special parking arrangements allowing shared vehicle parking facilities, tandem spaces, or compact spaces because the Project's requested use of tandem spaces will employ valet parking service.

F. The Project's proposed parking plan will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

G. The Project Site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in the County Code.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Finds that the Project is exempt from CEQA, pursuant to sections 15301 and 15303 of the State CEQA Guidelines (Class 1-Existing Facilities and Class 3-New Construction or Conversion of Small Structures categorical exemptions);

2. Denies the appeals, in part; and
3. Approves Conditional Use Permit No. RCUP 2015-00135-(3) and Parking Permit No. RPPL2017-009910-(3), subject to the attached conditions of approval.
CONDITIONS OF APPROVAL
PROJECT NO. R2015-03796-(3)
CONDITIONAL USE PERMIT NO. RCUP 2015-00135-(3)
PARKING PERMIT NO. RPPL2017 009910-(3)

1. This grant authorizes a remote tasting room, special events, and tandem parking plan at 31424 Mulholland Highway in the unincorporated Los Angeles County ("County") Santa Monica Mountains North Area, within the A-1-10 (Light Agricultural – 10 acres required minimum lot area) zone (collectively, the "Project"). The Project is as depicted on the Exhibit "A" approved by, and on file at, the County Department of Regional Planning ("Regional Planning") and is subject to all of the following conditions of approval ("Conditions").

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

3. This grant shall not be effective for any purpose until permittee has filed at Regional Planning its affidavit stating that it is aware of and agrees to accept all of the Conditions of this grant, and that the Conditions of the grant have been recorded, as required by Condition No. 5, and until all required monies have been paid, pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 6, 7, 8, and 9 shall be effective immediately upon the date of final approval of this grant by the County.

4. As used in this grant, the term "date of final approval" shall mean the date these Conditions are approved by the County Board of Supervisors.

5. Prior to the use of this grant, permittee shall record the terms of these Conditions in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the subject property during the term of this grant, permittee shall promptly provide a copy of the grant and its Conditions to the transferee or lessee of the subject property.

6. 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 grant for the Project, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

7. In the event that any claim, action, or proceeding as described above is filed against the County, permittee shall, within 10 days of the filing, make an initial
deposit with Regional Planning in the amount of $5,000 from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel. If, during any litigation, actual costs or expenses incurred reach 80 percent of the amount on deposit, permittee shall deposit additional funds sufficient to bring the balance up to the amount of $5,000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation. At the sole discretion of permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents shall be paid by permittee according to Los Angeles County Code ("County Code") Section 2.170.010.

8. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, this grant shall be void and the privileges granted hereunder shall lapse.

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

10. This grant shall terminate on October 31, 2038. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If permittee intends to continue operations after such date, whether or not permittee proposes any modifications to the use at that time, permittee shall file a new Conditional Use Permit and Parking Permit application with Regional Planning, or shall otherwise comply with the requirements applicable at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the applicable required fee. In the event that permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

11. The Project site 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 Project site. Failure of permittee to cease any development or activity not in full compliance shall be a violation of these Conditions. Inspections shall be made to ensure compliance with the Conditions of this grant, as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. Permittee shall deposit with the County the sum of $4,000, which shall be placed in a performance fund and be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine permittee's compliance with these Conditions. The fund provides for 20 annual inspections. Inspections shall be unannounced.
12. If additional inspections are required to ensure compliance with the Conditions of this grant, or if any inspection discloses that the Project site is being used in violation of any one of the Conditions of this grant, permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the Project site into compliance. The amount charged for additional inspections shall be $200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

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

14. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department ("Fire Department"), and shall conform to the requirements of the County Departments of Public Works ("Public Works") and Public Health ("Public Health"), to the satisfaction of those departments.

15. All development pursuant to this grant shall comply with the requirements of the County Code and of the specific zoning of the Project site, unless specifically modified by this grant, as set forth in these Conditions or as shown on Exhibit "A," or a revised Exhibit "A" that is approved by the Director of Regional Planning ("Director").

16. Permittee shall maintain the Project site in a neat and orderly fashion. Permittee shall maintain free of litter all areas of the premises over which permittee has control.

17. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event of graffiti or other extraneous markings occurring, 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.

18. The Project site shall be developed and maintained in substantial conformance with the plans depicted on Exhibit "A." In the event of any subsequent revisions
to Exhibit "A," including any change as a result of instruction given at a public
hearing, permittee shall submit three copies of the proposed plans to the Director
for review and approval. All revised plans must substantially conform to the
original Exhibit "A." All revised plans must be accompanied by the written
authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – CONDITIONAL USE PERMIT

19. This grant shall remain in effect, during the grant term, provided the existing on-
site vineyards are made to conform to the vineyards standards of the 2015
Update to the Santa Monica Mountains North Area Community Standards
District Vineyard Ordinance No. 2015-0062, as identified in County Code
Section 22.44.133.D.8.a.ii., which notes that within five years of the effective date
of the Ordinance (by December 12, 2020), the vineyards shall be brought into
conformance with said requirements. At such time, should the vineyards not
become compliant, this grant for the tasting room shall immediately terminate,
along with the associated special events and parking permit.

20. This grant shall remain in effect, during the grant term, provided the existing off-
site winery associated with the vineyards and tasting room remain active and
licensed by the State of California Department of Alcoholic Beverage Control
("ABC"). At such time, should the winery not remain compliant with such
licensing requirement, this grant for the tasting room shall immediately terminate,
along with the associated special events and parking permit. A copy of the
associated and active ABC license(s) shall be submitted to Regional Planning's
Zoning Enforcement Section assigned to the Project site ("Zoning Enforcement")
on an annual basis with other required annual reports.

21. This grant shall remain in effect, during the grant term, provided the tasting room
remains active and licensed by the ABC. At such time, should the tasting room
not remain compliant with such licensing requirement, this grant for the tasting
room shall immediately terminate, along with the associated special events and
parking permit. A copy of the associated and active ABC license(s) shall be
submitted to Zoning Enforcement on an annual basis with other required annual
reports.

22. The Conditions of this grant shall be retained on the premises at all times and
shall be immediately produced upon request of any County Sheriff, Zoning
Enforcement Inspector, or ABC agent. The manager and all employees of the
Project shall be knowledgeable of the Conditions herein.

23. Within 30 days of the date of final approval of this grant, permittee shall record in
the office of the County Recorder a covenant and agreement, pursuant to County
Code Section 22.52.2470.C.2.b (i.e. "Covenant and Agreement For Tasting
Rooms, To Lease Or Own Adjoining Parcel") which ties together the Project
parcels for the duration of the operation of the tasting room and associated
special events for the purpose of access, compliance with vineyard requirements, and parking facilities.

24. Prior to the issuance of a certificate of occupancy for the tasting room barn and restroom building, permittee shall submit an evacuation/emergency management plan for all persons working at or visiting the Project site. The evacuation/emergency management plan shall be to the satisfaction of the Director, in consultation with other County departments. Permittee shall be allowed to submit to the Director revisions to the evacuation/emergency management plan as needed. At no time shall the occupancy of the facility exceed 200 persons, unless modified as indicated in Condition No. 59.

25. Guests shall be counted as they enter the property from the gated entrance, by a gate or parking attendant, and shall only be permitted access to the Project site by a gate or parking attendant.

26. Permittee, and its managers and designated employees of the Project's business establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program (or equivalent program) provided by the ABC, within 90 days of the date of final approval of this grant. All new employees who will serve alcoholic beverages shall be required to attend said training within 90 days following their hiring or designation to serve alcohol. The licensee shall display a certificate or plaque in a publicly accessible area such as the lobby, indicating participation in this program. Proof of completion of the foregoing training program by permittee, employees, and managers shall be available, at any time, upon request by Regional Planning or the County Sheriff's Department.

27. Permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the Project site, including on windows, walls, fences, or similar structures.

28. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.

29. Permittee shall develop and implement a designated driver program (e.g., free soft drinks or coffee to a designated driver of a group). Permittee shall submit the program to the Director as part of Exhibit "A."

30. All servers of alcoholic beverages must be at least 21 years of age.

31. On-site preparation of food shall only be prepared by a licensed caterer or similar professional holding an appropriate food safety license.

32. Permittee shall provide adequate lighting above all entrances and exits on the Project site and in all parking areas and walkways during operating hours.
33. Any lighting associated with the grant shall be indicated on the Exterior Lighting Exhibit of Exhibit "A" and shall comply with the Rural Outdoor Lighting District requirements set forth in County Code Sections 22.44.500 to 22.44.590 ("ROLD"). The Project shall not include any lighting directed upward or off-site, including but not limited to DJ lighting, motion lights, or other special effects lighting of the Project site or event. All parking lot and other exterior lighting shall be hooded and directed down and away from neighboring residences to prevent direct illumination and glare, and shall be turned off within 30 minutes after conclusion of events or activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.

34. String lights and other site lighting shall be of low Kelvin ("K") color temperature having warmer tones (less than 4,000 K) and shall not be high Kelvin, cooler, white or blue light color tones (greater than 4,000 K). All lights shall be shielded or capped, as shown on Exhibit "A," to ensure compliance with ROLD.

35. In-ground well lights shall be angled or shielded to direct light towards landscaping or structures and shall not be directed towards the sky or off-site.

36. The Project may use the existing on-site vineyard trails, as mapped on Exhibit "A," for educational tours, exercise activities and other small walking groups. Use of on-site trails shall be limited to daylight hours. Lighting is not permitted on vineyard trails as part of this grant. No amplified sounds shall be permitted on walking trails. This grant shall not authorize changes or expansion of any existing vineyard trails. Small weather-proof signs shall be installed at each vineyard trail head and mapped on Exhibit "A" indicating no public access or use beyond daylight hours.

37. Permittee shall install small signs near the parking areas and exit of the tasting room instructing guests and staff to use quiet speech in respect of neighboring residential uses. The size, location, and the text of the signs shall be approved by Regional Planning prior to installation. The signs shall be installed within 90 days of the date of final approval of this grant.

38. No vehicles, equipment, or trucks with back-up sounding devices shall be operated on the site, and no event break down shall be conducted, between the hours of 10:00 p.m. and 9:00 a.m. Event break down and clean-up shall not be conducted beyond the end of a scheduled event or after 10:00 p.m., whichever is earlier. All event break down activities shall be concluded by 10:00 p.m. the day following a scheduled event.

39. Activities permitted by this grant are prohibited on the house pad, private drive, or fire lane, as identified on Exhibit "A" and labeled "non-commercial area."

40. The Project shall maintain a minimum of 34 trees to provide parking lot shade coverage, consistent with the tree planting requirements of Part 20 of
Chapter 22.52 of the County Code, noise buffering, and light screening, as depicted on Exhibit "A." Tree planting locations may vary slightly provided that shade coverage, noise buffering, and light screening is maintained along parking lot borders facing adjacent residential uses and planting continues to comply with Part 20 of Chapter 22.52 of the County Code.

41. Permittee shall construct a permanent wall of between six and eight feet in height along the common boundary line on the west side of the Project site at approximately the same location where the temporary wall is installed, with mature trees planted along both sides of the wall to improve visual screening and help mitigate noise, as indicated on Exhibit "A."

42. Outdoor amplified sound shall be positioned between the barn and restroom building to the north of the barn, with noise emitting devices directed in a northern orientation. A dance floor, DJ booth, and all speakers may be placed only as indicated on Exhibit "A." Amplified music may be performed on the barn pad, provided the sound complies with Part 1 of Chapter 12.08 of the County Code ("Noise Control Ordinance"). Noise dampening elements, including glass fencing attachments and a water pump housing, shall remain in place throughout the life of the Project, as indicated on Exhibit "A."

43. A noise monitoring system shall be implemented, with prior authorization of Public Health, prior to the use of amplified noise at the Project site, as authorized by this grant. The noise monitoring system shall include at least three adequate noise monitoring microphones, data storage devices, and other features to record and monitor noise levels during the operation of this grant. The three noise monitoring devices shall be placed in three locations, as specified by Public Health: one on the western property line, one along the southern property line, and one on southeastern property line. The noise monitoring system shall notify an on-site Project manager ("Manager") whenever noise exceeds the permitted levels, as indicated by Public Health and by the Noise Control Ordinance. All noise amplification devices, including speakers or amplifiers, shall be connected to a common power system, which would be monitored by the noise monitoring system. If noise exceeds the applicable County noise standards more than twice in any 30-minute period, the noise monitoring system shall automatically turn off the Project's event venue sound system.

44. Permittee shall maintain a record of the incidents when the noise monitoring system indicates excessive noise beyond permitted levels, and how such noise levels were addressed ("noise incident report"). Permittee shall record the date, time, and level of exceedance for incidents in the noise incident report. At the conclusion of each calendar year, a copy of the noise incident report for the prior 12 months shall be provided to Zoning Enforcement and a copy shall be maintained on-site at all times for review by County staff. At any time, the County may request further noise analysis for a time period less than the annual report, as deemed appropriate by Regional Planning or Public Health. Noise
violations shall be reviewed by Public Health. Review of nuisance or complaints related to noise may result in fees assessed by Public Health.

45. Smoking is prohibited at all times on the Project site.

46. Use, operation, and flight of unmanned aerial vehicles (e.g., drones) shall be limited to the air space above the barn pad, only, as indicated on Exhibit "A."

PERMIT SPECIFIC CONDITIONS – REMOTE TASTING ROOM

47. This grant authorizes the operation of a remote tasting room with a maximum occupancy of 100 guests at any given time on the Project site. The tasting room shall include the barn, restroom, and lawn area near the barn pad. The tasting room may operate seven days a week between the hours of 10:00 a.m. and 9:00 p.m. for no more than eight hours per day. The tasting room may provide the sale and service of wine between these same hours and no later than one hour prior to close.

48. During construction of the new restroom building, the temporary restroom shall be moved further away from the western property line and relocated to an area near the waterfall on the lawn of the barn pad.

49. The tasting room shall be operated through a private reservation system managed by permittee and shall not be opened to the general public.

50. Music or other audible noise at the tasting room shall comply with Noise Control Ordinance within the purview of Public Health.

51. The tasting room shall serve a wine-tasting customer no more than four standard glasses of wine (5 oz. pour) or one 750 ml bottle of wine per day for on-site consumption. There is no limit set forth by this grant for sale of wine for off-site consumption.

52. Food or snacks shall be available during all operating hours when alcohol is served. The tasting room may sell, or provide complimentary, prepared, or packaged foods or snacks to accompany any tasting room event serving alcohol. The tasting room may offer food items to wine-tasting customers, including but not limited to, fruit slices, cheese, and crackers, provided that no advertisements for such food items are placed on any signage for the associated winery, and the food items are prepared and offered in accordance with any and all regulations and/or requirements of applicable government agencies regarding the preparation, licensing, and inspection of such food items.

53. The tasting room may engage in the retail sale of packaged food for off-site consumption, including but not limited to, jam, jellies, and olive oil, provided that the packaged food is produced from agricultural products grown on lots or parcels of land owned or leased by the holder of an ABC Type 02 license; the associated winery's logo is permanently and prominently affixed to all such
packaged food sold; and, the packaged food is prepared and offered in accordance with any and all regulations and/or requirements of applicable government agencies regarding the preparation, licensing, and inspection of such packaged food.

54. Permittee may provide on-site activities that are accessory to the wine tasting activities such as yoga, meditation, picnicking, art classes, lawn games, or other passive activities enjoyed by the guests of the wine tasting event. Outdoor classes or activities shall conclude by the close of the tasting room on any given day or at sunset, whichever is earlier. Indoor activities, within the barn structure, may proceed until the close of the tasting room. Accessory activities not outlined in this Condition may be permitted by the Director if it is determined that the proposed activity is clearly appurtenant to the wine tasting event.

55. The tasting room shall provide complimentary water or other complimentary non-alcoholic beverages during all operating hours.

56. The tasting room may sell incidental merchandise, provided that the associated winery’s logo is permanently and prominently affixed to all such items sold.

57. The tasting room shall serve beer or spirits, pursuant to Chapter 22.52, Part 23 of the County Code titled “Wineries and Tasting Rooms” and as regulated by the ABC Type 02 License.

PERMIT SPECIFIC CONDITIONS – SPECIAL EVENTS

58. This grant authorizes 72 special events per calendar year accessory to the tasting room. Of these, this grant authorizes no more than 18 special events with an occupancy of 150 to 200 guests, 18 special events with an occupancy of 100 to 149 guests, and 36 special events with an occupancy of 99 or fewer guests. Each special event shall be counted as one day or 24-hour period, and events occurring over multiple days shall be counted as separate events for each day. No more than two special events, regardless of size, shall occur in a continual seven-day period. Special events may include birthday parties, dinners, weddings, receptions, fundraisers, charity events, etc., and shall take place primarily on the tasting room pad. Outdoor live entertainment is not permitted for special events with 99 or fewer guests, though amplified sound may be used within the barn structure. Special events with 100 or more guests may make use of outdoor amplified sound subject to all other parameters set forth in these Conditions. Special events shall occur only on Fridays, Saturdays, or Sundays, as well as on the calendar day prior to and on recognized federal holidays. All special events shall be limited to the hours of 11:00 a.m. to 11:00 p.m. The sale or service of alcohol is permitted during the same hours as the scheduled special events from 11:00 a.m. to 10:00 p.m. or one hour prior to the close of the special event, whichever is earlier.
59. The maximum occupancy of on-site special events shall not exceed 200 persons at one time; however, the maximum occupancy may be increased to 216 persons, provided that permittee obtain written authorization from Public Health, the Los Angeles Regional Water Quality Control Board, and the Director.

60. All special events, whether for-profit, not-for-profit, or for private use of permittee shall be counted toward the total number of special events permitted by this grant.

61. Outdoor or indoor amplified sound associated with special events shall comply with the Noise Control Ordinance within the purview of Public Health.

62. All special events shall be recorded in a scheduling log ("schedule"). The schedule shall be maintained on-site and shall be made available to, at any time upon request, Regional Planning staff. All special events in the prior 12-month period and any planned events in the upcoming two-month period shall be noted in the schedule. The schedule shall include a description of the event, the occupancy of the event, type of music or noise on-site, hour(s) of event, caterers or vendors used, and any special circumstances that arose during the event (for example, call for service from safety or Sheriff personnel).

63. Permittee shall implement a Good Neighbor System ("GNS") which shall include the following components:

A. A publically accessible website ("website") that provides contact information for the Manager whom members of the public may contact regarding concerns, questions, or complaints about events. The Manager shall be available to the public before, during, and after all events, and this availability will be posted on the website.

B. Permittee shall maintain a record of any complaints or concerns that are received by the Manager, and how those concerns were addressed. A written notification by e-mail of any such complaints or concerns shall be submitted, within 72 hours of receipt thereof, to Zoning Enforcement. The website shall also include information regarding the filing of formal complaints with Regional Planning.

C. A schedule or calendar on the website that identifies all scheduled special events no later than 15 days prior to each special event. The calendar shall include information about each event, including the start and end times, a brief summary of the event activities, including any type of amplified music or noise expected and an estimated occupancy. Should an event be added or rescheduled with less than 15 days' advance posting, permittee shall provide neighboring property owners within 500 feet of the Project site and Zoning Enforcement with notice thereof via mail or e-mail.
D. These Conditions shall be available on the website through a prominently visible link or other display.

E. An annual community outreach meeting that is advertised on the website and via mail and e-mail notice to neighbors within 500 feet of the Project site. The annual community meeting shall be held at the Project site with the first such meeting held within one year following the date of final approval of this grant, and each subsequent meeting within a year thereafter. The meeting shall include the Manager to address questions and concerns that may arise. Permittee shall submit a report, meeting minutes, and evidence of the mailed notices to Zoning Enforcement within 15 days of every annual meeting.

64. Sale or service of alcohol, other than that which is authorized by permittee’s ABC Type 02 License, shall only be authorized when served by a caterer holding an appropriate ABC license authorizing the sale and service of such alcoholic beverages.

65. On-site security shall be used during all special events, regardless of occupancy size.

PERMIT SPECIFIC CONDITIONS — PARKING PERMIT

66. Permittee shall provide parking, as required by the County Code, calculated at a parking ratio of one parking space per three-occupant load. This grant authorizes the maximum tasting room occupancy of no more than 100 guests and maximum special events occupancy of no more than 200 guests, which would require not less than 34 spaces for the tasting room and 67 spaces for special events exceeding 100 occupants, but not more than 200 occupants. The Project includes two parking lot configurations: the self-park plan that provides 58 parking spaces and a tandem parking plan that provides 72 parking spaces. Two ADA-compliant parking spaces shall be maintained on the Project site. The parking plans shall be identified as part of Exhibit "A." Should the maximum occupancy be modified to permit 216 persons, pursuant to Condition No. 59, the tandem parking plan shall provide 72 parking spaces.

67. If the tasting room substantially changes its mode or character of operation or if permittee changes the use or occupancy or otherwise modifies the Project site so as to require parking beyond the minimum requirement, permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

68. The parking spaces associated with the self-park or tandem plan shall be marked and delineated, as approved by Public Works and as shown on Exhibit "A."
69. Permittee shall provide valet service to patrons to assist in the parking of vehicles when tandem parking is utilized. Sufficient valet staffing shall be provided to ensure that at no time the vehicles in queue awaiting valet parking are backed-up to the end of the private driveway or onto the public right-of-way.

70. All valet parking shall be maintained on the Project site, and at no time shall vehicles be valet parked on public rights-of-way or off-site.

71. Vehicles awaiting valet parking shall not idle or remain running while awaiting parking by a valet or retrieval by a guest. Valet or event management staff shall be responsible for maintaining quiet parking and valet areas.

72. A temporary valet stand may be used during valet parking service located near the upper parking lot, as indicated on Exhibit "A." No amplified music or speakers shall be used as part of the valet service. At the conclusion of a special event, permittee shall utilize a remote calling system for guests awaiting their vehicles, and such guests shall be directed to wait on the venue lawn and not be permitted to loiter near the parking lots or west property boundary.

73. Prior to issuance of this parking grant, permittee shall prepare an Alternative Vehicle Plan ("AVP") which assesses shuttling, taxiing, rideshare services, and other alternative methods of transportation to be approved by the Director as part of Exhibit "A." The AVP shall consider management of vehicles awaiting guest drop-off and pick-up and temporary parking areas for taxis and rideshare services so that vehicles are directed onto the Project site and not idling in the public streets, and provide a plan for on-site promotion and information for guests in need of a designated driver or alternative transportation services through bar or table postings, or at the valet stand.

74. In the event that permittee is unable to comply with the provisions of the parking permit, the use for which the permit has been granted shall be terminated, reduced, or removed, unless some other alternative method to comply with these parking Conditions is approved by the Director.

PROJECT SITE SPECIFIC CONDITIONS

75. Permittee shall comply with all conditions set forth in the attached Fire Department letter dated March 15, 2018.

76. Permittee shall comply with all conditions set forth in the attached Public Works letter dated March 27, 2018.

77. Permittee shall comply with all conditions set forth in the attached Public Health letters dated April 5, 2018 and July 11, 2018.

Attachments:
Fire Department Letter dated March 15, 2018;
Public Works letters dated March 7, 2018 and March 27, 2018;
Public Health letter dated April 5, 2018; and
REVISED CONDITIONS: Supersedes Fire Dept. Comments Dated 02/08/2018

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

CONDITIONS OF APPROVAL – ACCESS

1. Provide access as noted on the site plan.

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

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

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

5. Dead-end Fire Apparatus Access Roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5; Appendix D103.6, D103.6 (1) & D103.6 (2)

6. Fire Apparatus Access Roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4 & Appendix D103.5

7. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds, and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3; Appendix D102.1
8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

9. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. Fire Code 503.4

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

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

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

CONDITIONS OF APPROVAL – WATER SYSTEM

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

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

Reviewed by: Wally Collins
Date: March 29, 2018
3. The required fire flow for the public fire hydrants for this project is 1500 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

a. The fire flow is adequate per fire flow test 03/09/18.

CONDITIONS OF APPROVAL – FUEL MODIFICATION

1. This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone. The “Final Fuel Modification” shall be submitted to the Department’s Fuel Modification Unit prior to the issuance of the building permit. For details, please contact the Department’s Fuel Modification Unit which is located at Fire Station 32, 605 North Angeleno Avenue in the City of Azusa CA 91702-2904. They may be reached at (626) 969-5205.

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

Reviewed by: Wally Collins

Date: March 29, 2018
March 7, 2018

Mr. Scott A. Schell
Associated Transportation Engineers
100 North Hope Avenue, Suite 4
Santa Barbara, CA 93110

Dear Mr. Schell:

CIELO FARMS RECREATIONAL WINETASTING CLUB
31424 MULHOLLAND HIGHWAY
TRAFFIC IMPACT STUDY (SEPTEMBER 2017)
UNINCORPORATED MALIBU AREA

We reviewed the Traffic Impact Study (TIS) for the Cielo Farms Recreational Winetasting Club located at 31424 Mulholland Highway in the unincorporated Malibu area.

Project's Transportation Impact

According to the TIS, the traffic generated by the project alone and cumulatively with other related projects will not have a significant transportation impact to County roadways and intersections in the area based on the County's TIS guidelines. We generally agree with the findings in the TIS.

Site Access Requirements

The project applicant shall provide full ingress and egress access from the driveway located on Mulholland Highway.

On-Site Traffic Management Requirements

1. The project applicant shall provide signage directing patrons to available on-site parking areas.
2. The project applicant shall ensure the arrival of attendees does not result in vehicle queueing that extends into the adjacent intersection of Mulholland Highway at Kanan Dume Road. If residents express concerns that vehicle queueing is extended into the adjacent intersection of Mulholland Highway at Kanan Dume Road, the project applicant will be required to submit a Queueing Analysis Study to Public Works for review and approval. The Queueing Analysis Study shall address the report of vehicle queueing into the adjacent intersection of Mulholland Highway at Kanan Dume Road and provide a traffic management plan to address vehicle queueing for all future weekday and weekend events. The project applicant is encouraged to implement shuttle services, on-site parking attendants, flagging operations at the project driveway, and scheduling of attendee arrivals to reduce the potential for vehicle queueing into the adjacent intersection of Mulholland Highway at Kanan Dume Road.

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

If you have any questions, please contact Mr. Jeffrey Pletyak, Senior Civil Engineer of our Traffic and Lighting Division, at (626) 300-4809.

Very truly yours,

MARK PESTRELLA  
Director of Public Works

EMIKO THOMPSON  
Interim Assistant Deputy Director  
Traffic and Lighting Division

JFP:ks

bc: Land Development (Duong)
March 27, 2018

TO: Rob Glaser 
Coastal Permits Section 
Department of Regional Planning

Attention Shanna Farley Judkins

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

PLAN NO. RCUP-201500135
PLAN TYPE: PERMITS & REVIEWS
WORK CLASS: CUP
PROJECT NAME: R2015-03796
ASSESSOR'S MAP BOOK NO. 4464, PAGE 8, PARCEL NOS. 29, 32, 36, 44, 45
UNINCORPORATED COUNTY COMMUNITY OF CALABASAS

Thank you for the opportunity to review the Conditional Use Permit (CUP) to convert an existing barn on Cielo Farm into a wine tasting room. The project also proposes to construct a 450-sq. ft. restroom and related septic system. Public Works will respond to the related parking permit (RPPL2017009910) separately.

☒ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.

☐ Public Works has comments on the submitted documents; therefore, a Public Hearing shall NOT be scheduled until the comments have been addressed.

1. Traffic

   1.1 Comply with all requirements per the approved traffic impact study memo dated March 07, 2018 to the satisfaction of Public Works, see attached.
For questions regarding traffic condition, please contact Kent Tsujii from Traffic & Lighting Division at (626) 300-4776 or ktsujii@dpw.lacounty.gov.

2. **Grading**

Prior to building permit issuance:

2.1 Submit a grading/drainage plan for review and approval to Public Works' Building and Safety Division, Calabasas office. The grading/drainage plans must show and call out the construction of at least the following:

   2.1.1 All drainage devices and details.
   2.1.2 Paved driveways.
   2.1.3 Elevation and drainage pattern of all pads.
   2.1.4 All water quality devices and LID features.
   2.1.5 All existing easements and obtain the easement holder approvals

2.2 Comply with the Low Impact Development (LID) per County Code Section 12.84.460 as part of the drainage concept. The Low Impact Development Standards Manual can be found at http://dpw.lacounty.gov/idd/web/

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

2.4 Obtain approval of the grading plan from the Los Angeles County Fire Department.

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

2.6 Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies may include the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

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

For questions regarding the grading conditions, please contact Max Rodriguez of Land Development Division at (626) 458-4945 or mrodrigue@dpw.lacounty.gov.
If you have any other questions or require additional information, please contact Max Rodriguez of Public Works' Land Development Division at (626) 458-4915 or mrodrigue@dpw.lacounty.gov.
The Department of Public Health-Environmental Health Division has reviewed the latest submittal for a Remote Tasting Room at an existing vineyard, maximum occupancy 100 persons. Tasting Room Activities will include 100 or fewer people at any given time. All use and activities of the Tasting Room will be pre-scheduled and by appointment/reservation only. There will be a RSVP requirement and will be limited to a certain number of participants, with the maximum being 100 people at any given time. Where special events may occur, up to 45 a year a max of 200 occupants. Available hours of operations will be 7 days/week from 10am to 9pm. DPH recommends clearance approval in concept for this project. Prior to Building & Safety approval, the project shall submit an application to the Land Use Program for a "PROJECT REVIEW (NON-CONVENTIONAL ONSITE WASTEWATER TREATMENT SYSTEM – NEW)".

Prepared by:

VINCENT GALLEGOS, REHS
Environmental Health Specialist IV
Land Use Program
5050 Commerce Drive
Baldwin Park, CA 91706
vgallegos@ph.lacounty.gov
TEL (626) 430-5380
In response to a request from your office, the County of Los Angeles Department of Public Health conducted a noise investigation of three venue events held at the Barn area in Cielo Farms located at 31424 Mulholland Hwy, Malibu, CA. The investigation was conducted to determine compliance by Cielo Farms with Title 12 Chapter 12.08 of the Los Angeles County Noise Control Ordinance and to provide technical support to the Los Angeles County Department of Regional Planning.

The noise monitoring and consultation was conducted for the following events (group gatherings and amplified sound) on June 16th, June 29th, and June 30th, 2018 as a follow-up to the noise monitoring conducted in May 2018 (reference LACDPH report May 22, 2018). The events began at approximately 3:00 pm and ended at 10:00 pm. There was activity involving patron ingress and egress during the events. The event of the 16th had an attendance of 198 people, while the other two events had less than 100 people.

The noise measurements (Location N-1 for July 29th and July 30th; see map 1 attached) were taken from the residential receptor property at 182 N Kanan Dume Rd., near the property boundary with Cielo Farms. No adverse weather conditions were present during the noise monitoring periods.
FINDINGS:

Cielo Farms was found in compliance with exterior noise standards (refer to data Table). It is important to notice that Cielo Farms had implemented new attenuation measures and operational plans at the time of the site monitoring.

June 16, 2018

The events (i.e. patrons, vehicles, amplified sound, ceremonies) were not audible during the preparation, operations, and closing of the event on July 16th. During this event, the musical stage was moved from the area adjacent to the southeast wall of the barn to the northeast side of the barn. Live music and dancing were observed at the new location of the musical stage. However, the noise was not audible at the property line. The Cielo Farms consultants had also placed a noise barrier (Glass 3/16 inch width, 8ft high, with a transmission loss of 25 dB resulting in a projected attenuation loss of 7.9 dB) around the perimeter of the deck/outlook walk way on the Northwest side of the property. Staff from the Toxics and Environmental Assessment (TEAP) also verified proper procedural methodology and equipment calibration used by the Consultant retained by Cielo Farms (Veneklasen Associates). Additionally, a noise attenuation barrier was placed along the access road (Plywood material with a transmission loss of 20dB, height of 8 feet, resulting in a projected attenuation loss of 7.7 dB).

June 29, 2018

On June 29th, a small wedding event took place at the Barn location. There was no audible noise, except for the noise associated with the mechanical system servicing a water fountain on the west side of the access road adjacent to the property line between Cielo Farms and 182 North Kanan Dume Road. There was some intermittent noise from music and vehicular activity, however no violations of the noise ordinance were detected. Monitoring period lasted from 2:00 PM through 11:00 PM.

June 30, 2018

On June 30th, music and vehicular activity was audible at the property line of Cielo Farms and 182 North Kanan Dume Road. The music was less audible inside the office space of the second floor, of the 182 North Kanan Property. However, Cielo Farms was found to be in compliance with the noise ordinance. Monitoring period lasted from 2:00 PM through 11:00 PM.

The increases in ambient plus event hourly noise levels (statistical threshold L50) relative to ambient (non-event-day prior) hourly noise levels (statistical threshold L50) was found to range greater than 0 decibels to 4 decibels. This was an improvement to the previous noise monitoring period in May 2018 (LACDPH report May 22, 2018) which showed increases in noise levels from greater than zero to 8 decibels. The improvements added by the operator to further reduce noise levels after May 2018 had a positive result. Understandably, ambient noise conditions can vary day to day. In general, a change in noise levels of 3-5 decibels is perceived as perceptible to noticeable; an increase of 5-10 decibels is noticeable and at 10 decibels is perceived as doubling of sound. The frequency of events, variations in audibility or loudness are among noise factors that contribute to the annoyance for some members of the public and affect their quality of life.

1. NY CEQR 2014; AVP EIR
Additional Mitigation Measures and Engineering Controls Implemented by the operator.

1. Placement of glass wall (8 ft high and 1/16 inch thick) around the perimeter of the outlook deck across the wine tasting structure (the barn).

2. Addition of 8 x 6 ft partition extension on the Northwest wall of the barn. This partition helps deflect amplified sound music away from adjacent properties.

3. Relocation of amplified music stage behind the barn structure. The barn structure acts as noise barrier between the music stage and adjacent property.

4. Shuttle service. This reduces traffic on the egress road, limiting traffic noise to the lower parking area.

5. Power boxes, compressors and other mechanical components associated with water features near the property line, were enclosed with cement block and metal top lid. The enclosure has exhaust and ventilation openings to prevent overheating of such equipment.

6. “Quite Please” signs were observed along the restroom and valet parking areas.

7. Additional noise monitoring station was added to the monitoring plan sites to capture lane noise source associated with traffic on Kannan Drive and Mulholland roads.

8. Placement of temporary noise barriers along the access road adjacent to the property line. The STC rating is about 6 dBA, which should help reduce existing noise to acceptable levels.
After the implementation of the new attenuation and engineering controls by Cielo Farms, we offer the following recommendations:

- As part of the Post Mitigating Monitoring Plan, a qualified acoustical engineer (or certified professional) should verify adherence to the conditions stipulated in the conditional use permit and should conduct noise monitoring as needed.

- Public Health would need to follow up with noise monitoring for compliance purposes and in addition to monitor noise during larger events (i.e. ~200 patrons).

We would like to thank the staff from Cielo Farms for their hospitality and speedy implementation of the suggested noise mitigation and minimization measures offered by our group.

Sincerely,

Cyrus Rangan, M.D., F.A.A.P., F.A.C.M.T.
Director, Toxicology & Environmental Assessment
Environmental Health Division, Department of Public Health
County of Los Angeles DPH-Toxicology & Environmental Assessment

NOISE DATA TABLE 1: N-1
Cello Farms Event 31424 Mulholland Hwy, Malibu (Fri 6/29: ambient/light event noise. Sat 6/30: Event 4pm-10pm)

Location of measurement: receptor at 182 N Kanan Dume rd, Malibu N-1: NE of guest house near driveway

| Date  | Time   | Meas | Lmax | Meas | Lmax | Meas | Lmax | Meas | Lmax | Meas | Lmax | Meas | Lmax | Meas | Lmax | Meas | Lmax | Meas | Lmax | Meas | Lmax |
|-------|--------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| 6/29  | 4:00pm | 72.6 | 65   | 55.6 | 60   | 48.1 | 55   | 46.4 | 50   | 45.7 | 50   | 45.7 | 50   | 45.7 | 50   | 45.7 | 50   | 45.7 | 50   | 45.7 |
| 6/30  | 4:35pm | 70   | 65.1 | 58.3 | 60   | 49.6 | 55   | 46.6 | 50   | 45.5 | 50   | 45.5 | 50   | 45.5 | 50   | 45.5 | 50   | 45.5 | 50   | 45.5 |
| 6/29  | 5:00pm | 70   | 65.3 | 55.2 | 60   | 48.8 | 55   | 46.1 | 50   | 44.6 | 50   | 44.6 | 50   | 44.6 | 50   | 44.6 | 50   | 44.6 | 50   | 44.6 |
| 6/30  | 5:00pm | 70   | 74.6 | 56.9 | 60   | 50.1 | 55   | 47.8 | 50   | 46.0 | 50   | 46.0 | 50   | 46.0 | 50   | 46.0 | 50   | 46.0 | 50   | 46.0 |
| 6/29  | 6:00pm | 70   | 60.2 | 55.1 | 60   | 52.8 | 55   | 49.9 | 50   | 48.2 | 50   | 48.2 | 50   | 48.2 | 50   | 48.2 | 50   | 48.2 | 50   | 48.2 |
| 6/30  | 6:00pm | 70   | 64.7 | 57.3 | 60   | 52.8 | 55   | 50.5 | 50   | 48.9 | 50   | 48.9 | 50   | 48.9 | 50   | 48.9 | 50   | 48.9 | 50   | 48.9 |
| 6/29  | 7:00pm | 70   | 61.4 | 53.7 | 60   | 51.8 | 55   | 50.2 | 50   | 48.4 | 50   | 48.4 | 50   | 48.4 | 50   | 48.4 | 50   | 48.4 | 50   | 48.4 |
| 6/30  | 7:18pm | 70   | 58.7 | 54.2 | 60   | 50.5 | 55   | 48.9 | 50   | 47.2 | 50   | 47.2 | 50   | 47.2 | 50   | 47.2 | 50   | 47.2 | 50   | 47.2 |
| 6/29  | 8:00pm | 70   | 61   | 55   | 60   | 51   | 55   | 48.7 | 50   | 46.8 | 50   | 46.8 | 50   | 46.8 | 50   | 46.8 | 50   | 46.8 | 50   | 46.8 |
| 6/30  | 8:00pm | 70   | 66.7 | 57.0 | 60   | 51.1 | 55   | 48.4 | 50   | 47.1 | 50   | 47.1 | 50   | 47.1 | 50   | 47.1 | 50   | 47.1 | 50   | 47.1 |
| 6/29  | 9:00pm | 70   | 67   | 55.1 | 60   | 51.4 | 55   | 48.7 | 50   | 46.5 | 50   | 46.5 | 50   | 46.5 | 50   | 46.5 | 50   | 46.5 | 50   | 46.5 |
| 6/30  | 9:00pm | 70   | 75.8 | 56.8 | 60   | 52.4 | 55   | 50.3 | 50   | 49.0 | 50   | 49.0 | 50   | 49.0 | 50   | 49.0 | 50   | 49.0 | 50   | 49.0 |
| 6/29  | 10:00pm| 65   | 62.3 | 52.9 | 55   | 48.5 | 50   | 46.0 | 45   | 44.1 | 45   | 44.1 | 45   | 44.1 | 45   | 44.1 | 45   | 44.1 | 45   | 44.1 |
| 6/30  | 10:00pm| 65   | 67.2 | 55.5 | 55   | 51.4 | 50   | 49.9 | 45   | **  | 48.4 | **  | 48.4 | **  | 48.4 | **  | 48.4 | **  | 48.4 |

Standard: Measured (meas) in dBA; Pre & Post CAL checks conducted, (weather data & field notes available upon request).
Red: Indicates non-compliance or exceedance of the applicable exterior noise standards. Where exceedances (') adjustments may be made to account for ambient noise as needed. If measured is <5 dBA difference with ambient no violation or exceedance & no correction made.
Blue: applicable standard; *standard adjusted to reflect ambient conditions
Green: ambient noise (although 6/29 is a light event; the non-audible event portion was used to indicate ambient for comparison to 6/30)
Meas: measurement on site
** Using L50 noise data at 6/29 at 10:00 pm hr as ambient the difference is <5 db therefore cant determine actual intrusive noise level. No violation or exceedance.
* Music ended at 10:00PM

1. NY CEQR 2014; AVP EIR
Picture 1. Mitigation measure number 5.
Picture 2: Mitigation measure number 1.
Picture 3: Mitigation measure number 8.

1. NY CEQR 2014: AVP EIR
**AGENDA ENTRY**

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<td>☐ APPROVE ☐ APPROVE WITH MODIFICATION ☐ DISAPPROVE</td>
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* * * ENTRY MUST BE IN MICROSOFT WORD * * *

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

Recommendation: Adopt findings and conditions of approval for Project No. R2015-03796-(3), consisting of Conditional Use Permit No. RCUP 2015-00135-(3) and Parking Permit No. RPPL2017-009910-(3), to authorize a remote wine tasting room and special events with tandem parking on-site, located at 31424 Mulholland Highway in the unincorporated community of Agoura Hills, applied for by Diana and Richard Hirsh, and determine that the Project is exempt from the California Environmental Quality Act ("CEQA") for Existing Facilities (Class 1) and New Construction or Conversion of Small Structures (Class 3), pursuant to sections 15301 and 15303 of the State CEQA Guidelines. (On December 18, 2018, the Board indicated its intent to approve.) (County Counsel)