



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

May 23, 2017

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

Dear Supervisors:

**PROJECT NO. 2016-000019-(5)
TENTATIVE PARCEL MAP NO. 73226
ENVIRONMENTAL ASSESSMENT NO. 201400078
APPLICANT: ROBERT FRIEDMAN
SOLEDAD ZONED DISTRICT
(FIFTH SUPERVISORIAL DISTRICT) (3-VOTES)**

SUBJECT

The above project would create two commercial parcels on 1.95 acres. The site has a CR (Rural Commercial) land use designation and is zoned C-RU-DP (Rural Commercial—Development Program). The site takes access from Sierra Highway to the north.

The project was approved by the Regional Planning Commission (Commission) on February 22, 2017. This approval is being appealed by Ms. Jacqueline Ayer.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Indicate its intent to certify the Addendum to the previously adopted Negative Declaration (ND) associated with Environmental Assessment No. 201400078, along with the required findings of fact, and adopt the Mitigation Monitoring and Reporting Program for the project pursuant to State and local California Environmental Quality Act (CEQA) guidelines.
2. Indicate its intent to deny the appeal and instruct County Counsel to prepare the necessary findings to affirm the Commission's approval of Tentative Parcel Map No. 73226.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The project would be consistent with applicable policies of the 2015 Antelope Valley Area Plan in that it would allow limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices. Structures would be required to be consistent with the Plan's CR land use designation and have a maximum floor area ratio of 0.5.

Several policies of the 2015 Plan are also applicable to the project, including those regarding appropriate lands for commercial and industrial services and ensuring an appropriate balance of residential uses and employment opportunities within close proximity of each other. The project would also comply with the standards of Zone C-RU-DP found in the Zoning Ordinance (County Code, Title 22).

The Department of Parks and Recreation reviewed the proposed project and commented in a report received September 6, 2016, that the project was exempt from park obligation requirements because the proposal is a non-residential subdivision. The project would be consistent with plan policies to preserve the rural character and ecological resources of the surrounding areas by incorporating a hitching post and a multi-purpose pathway, 12 feet in width, for both pedestrian and equestrian uses since the Darrel Readmond Trail alignment lies north of Sierra Highway and a trail easement to the northeast and would not connect with the project site. The Department of Regional Planning (Department) Staff consulted with the Department of Parks and Recreation regarding the pathway; the applicant is required to develop the multi-purpose pathway in accordance with County standards as a condition of approval.

The site is physically suitable for the type of development being proposed. The location is within close proximity to the Crown Valley Road freeway on-ramps and off-ramps and is adjacent to and visible from the State-Route 14 Freeway. The site is served by Sierra Highway, classified as an existing Major Highway within the 2015 Master Plan of Highways, and it includes a proposed Class III Bike Path according to the 2012 Bicycle Master Plan. Furthermore, outdoor lighting must be fully shielded to prevent any unacceptable light trespass. Other commercial uses surround the site, so development of the parcels will not substantially change or alter the character of the area.

Development would be located adjacent to existing infrastructure and utility systems along Sierra Highway, and the Department of Public Health recommended approval based on the discharge of sewage from the land division into the proposed private onsite wastewater treatment.

Implementation of Strategic Plan Goals

The project implements the Strategic Plan to support the wellness of our communities by providing support for small businesses.

The project encourages compatible commercial development that will provide jobs for local residents.

FISCAL IMPACT/FINANCING

Approval or denial of the appeal would not result in any new significant costs to the County or to the Department, as the proposed project is a private development. Any construction and operating costs will be borne by the applicant. Existing and proposed infrastructure and public services are adequate to accommodate the proposed project, as confirmed by the Departments of Public Works, Fire, Public Health, and Parks and Recreation.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The project item was initially scheduled and subsequently removed from the November 9, 2016, Commission's public hearing agenda prior to proper community notification. E-mail correspondence was received and responded to regarding the scheduling of the public hearing. Staff confirmed that the community would be notified of the public hearing date.

A duly noticed public hearing was held before the Commission on February 22, 2017. Opposition letters were received subsequent to the preparation of public hearing packages, were distributed to the Commission and addressed at the public hearing. Staff gave a presentation recommending approval of the project.

At the public hearing, the applicant's representative, Ms. Maya Grasse, and Mr. Robert Friedman spoke in favor of the project. Ms. Pam Woler and Ms. Kelly Teno of the Acton Town Council and Ms. Jacqueline Ayer of Save Our Rural Town (SORT) spoke in opposition. Correspondence against the project was also submitted. After some discussion and revisions to the project, including the incorporation of the multi-use pathway, the Commission closed the public hearing, approved the Addendum to the ND and approved the project.

Pursuant to subsection A of Section 22.60.230 of the County Code, Ms. Jacqueline Ayer appealed the Commission's approval to the Board of Supervisors on March 6, 2017. A public hearing is required pursuant to Section 22.60.240 of the County Code. Notice of the hearing must be given pursuant to the standards of Government Code sections 6061 and 65090 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

A Negative Declaration was the environmental document under the CEQA and the County environmental guidelines. The Initial Study for the Conditional Use Permit (CUP) previously processed on the site concluded that there was no evidence that the project would have a significant impact on the environment. The subdivision project request reflects the

approved Exhibit "A" for the CUP. An Addendum to the ND is appropriate for the project since no new information or changes occurred.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Action on the appeal of the tentative parcel map is not anticipated to have a negative impact on current services.

For further information, please contact Steven Jones at (213) 974-6433 or sdjones@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.

Respectfully submitted,


Richard J. Bruckner
Director

for RJS

RJB:SA:KKS:lm

Attachments: Findings and Conditions, Commission Staff Reports and Correspondence, Addendum

- c: Executive Office, Board of Supervisors
- Assessor
- Chief Executive Office
- County Counsel
- Public Works

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000019-(5)
TENTATIVE PARCEL MAP NO. 73226**

1. **HEARING DATE.** The Los Angeles County (County) Regional Planning Commission (Commission) conducted a duly-noticed public hearing in the matter of on February 22, 2017.
2. **ENTITLEMENT REQUESTED.** The applicant, Robert Friedman, representing Doug Gaudi, is requesting a tentative parcel map to create two commercial parcels over 1.95 acres.
3. **LOCATION.** The project site is located Assessor Parcel Number 3217-021-022, a vacant property located approximately 320 feet southwest of the intersection of Crown Valley Road and Sierra Highway in the unincorporated community of Acton (project site).
4. **PROJECT DESCRIPTION.** The applicant proposes to create two commercial parcels in zone C-RU-DP (Rural Commercial-Development Program) pursuant to Los Angeles County Code (County Code) Sections 21.48.010.
5. **TOPOGRAPHY.** The Project Site is 1.95 acres in size and consists of one legal lot. The project site is irregular in shape with gently-sloping topography and is currently vacant land.
6. **ZONING.** The Project Site is currently zoned C-RU-DP (Rural Commercial-Development Program).
7. **LAND USE CLASSIFICATION.** The project site is located within the Rural Commercial (CR) land use category of the 2015 Antelope Valley Area Plan Land Use Policy Map.
8. The Project Site is located in the Acton Community Standards District (CSD) and the Soledad Zoned District.
9. **SURROUNDING ZONING.** Surrounding zoning within a 500-foot radius includes:
 - North: A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area), C-RU (Rural Commercial), and C-RU-DP
 - South: A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) and C-RU
 - East: C-RU
 - West: A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and C-RU-DP

10. SURROUNDING LAND USES. Surrounding land uses within a 500-foot radius include:

- North: A commercial center, a communication utility site, vacant land, a single-family residence, apartments, a feed and grain sales store, a frame shop, and mobile home sales
- South: Antelope Valley Freeway (SR-14) and vacant land
- East: Fast-food restaurants and a gas station with mini-market
- West: Vacant land, commercial shops, and a restaurant

11. SITE ACCESS. Sierra Highway provides street frontage and access to the project site.

12. PREVIOUS CASES/ZONING HISTORY. The Project Site was rezoned to A-1-10,000 in 1958 and was rezoned again to C-3-DP in 2007. The Project Site was rezoned to C-RU-DP and the land use plan category was changed to Rural Commercial with the adoption of the 2015 Antelope Valley Area Plan and Ordinance No. 2015-0021Z on June 16, 2015.

13. On April 19, 2016, the Regional Planning Commission approved a conditional use permit (CUP) authorizing development and construction of a 6,000 square foot retail building, a 3,300 square foot restaurant and a 1,600 square foot storage building. Condition, number 19, which prohibited drive-through window services, was appealed by the applicant to the Board of Supervisors on April 20, 2016. On November 15, 2016, the Board of Supervisors upheld the appeal, authorizing the restaurant with the drive-through window services.

14. MAP DESCRIPTION. The tentative parcel map for the project depicts the 1.95-acre property with Sierra Highway to the north and the Antelope Valley Freeway to the south and the creation of two parcels with a minimum area of approximately 49,482.7 square feet, or 1.13 acres labeled as parcel 1 and a minimum area of approximately 35,382.7 square feet, or .82 acre labeled as parcel 2.

15. COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS. The Los Angeles County Subdivision Committee consists of representatives of the departments of Regional Planning, Public Works, Fire, Parks and Recreation and Public Health. Based on the reports submitted to the Subdivision Committee for the map dated August 2, 2016, all departments have cleared the project for public hearing and approval. The report is attached.

16. ENVIRONMENTAL DETERMINATION. Prior to the Commission's April, 2016 public hearing, an Initial Study was prepared for the project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (CEQA), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, staff from Regional Planning determined that a Negative Declaration (ND) was the appropriate environmental document for the project because the Initial Study concluded that there was no substantial evidence that the project would result in a significant impact on the environment. Staff further concluded that no substantial changes are proposed in the tentative parcel map which will require major revisions to the previous ND, no substantial changes have occurred with respect to the circumstances under which the project is

undertaken which will require major revisions of the previous ND, and there is no new information of substantial importance, which was not known, and could not have been known with the exercise of reasonable diligence at the time of the previous ND was adopted as complete shows that the project will have a significant effect on the environment.

The Board of Supervisors found that the proposed project would not have a significant effect on the environment and that the ND reflected the independent judgement and analysis of the Board.

17. Staff found that the project qualifies for an Addendum to the previously adopted ND as authorized under CEQA section 15164.

18. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

19. **PUBLIC COMMENT.** One e-mail letter of inquiry was received regarding the public hearing date and status of the environmental document. The information posted on site and at the library indicated public hearing date on November 9, 2016 and was subsequently updated to reflect the noticed hearing date of February 22, 2017. Staff determined that an addendum to the adopted ND was the appropriate response to the addition of the minor land division.

The Acton Town Council (ATC) supported development of the previously approved project with the exception of the proposed drive-through.

20. **HEARING PROCEEDINGS.** Staff gave a brief presentation to the Commission recommending approval of the project. After a recess, the applicant's representative Maya Grasse and applicant Robert Friedman were sworn in and gave testimony in support of the project.

21. Commissioner Shell questioned why the tentative map was processed separately from the recently approved conditional use permit and whether or not a multi-purpose pathway for both pedestrian and equestrian uses could be included along the frontages of the proposed parcels. Staff discussed the map condition that would address the approved exhibit "A" associated with recently approved CUP201400037 to ensure the conditions of approval follow both parcels of the tentative map. Staff commented to the Commission that a County trail easement was aligned adjacent to parcels on the north side of Sierra Highway, across from the site.

22. Testimony from the public included opposition to approval of the project from Pam Wolter and Kelly Teno of the Acton Town Council and Jacqueline Ayer of Save Our Rural Town. The speakers testified that the project lacked a required multi-purpose pathway, wanted to have the County conduct additional review and analysis and disagreed with staff's decision to prepare an addendum to the adopted Negative Declaration since the project required a discretionary act.

23. The Commission discussed the addendum finding that no new significant information was received that was not previously known that would have required additional environmental review.
24. After further discussion on whether or not the applicant could provide a multi-purpose pathway as a part of the project, the applicant agreed to include and develop an unobstructed multi-purpose pathway for both pedestrian and equestrian uses.
25. The Commission closed the public hearing, approved the addendum and approved the project including a condition requiring a multi-purpose pathway for both pedestrian and equestrian uses along the frontages of the proposed parcels.
26. **PLAN CONSISTENCY.** The subject site is located within close proximity to the Crown Valley Road freeway on-ramps and off-ramps and is adjacent to and visible from the State-Route 14 Freeway. The Antelope Valley Area Plan acknowledges that the intent of the Rural Commercial land use category is to allow low-intensity local commercial uses while prohibiting high-intensity regional commercial uses that serve travelers along State-Route 14.
27. The Commission finds that the commercial parcels would be available for development with uses that are compatible with the purpose of the Rural Commercial (CR) land use category of the Antelope Valley Area Plan for *“limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices”*.
28. **ZONING CODE CONSISTENCY.** The Commission finds that the Project is consistent with the C-RU-DP zoning classification. Commercial parcels would be developed with uses permitted in the C-RU-DP Zone with the approval of a CUP.
29. The Commission finds that any changes to the approved development program will require a new conditional use permit.
30. The Commission finds that the Project is located within a Rural Outdoor Lighting District. The Project will be required to comply with its requirements, which are designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 30 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass. The applicable standards are found in County Code Sections 22.44.500 through 22.44.590.
31. The Commission finds that a hitching post is a requirement of the approved exhibit “A” associated with CUP201400037 and that provision of an unobstructed multi-purpose pathway for both pedestrian and equestrian is in keeping with the Community character.
32. **LAND USE COMPATIBILITY.** The proposed parcels are suitable for the area as there are several parcels of similar size within the vicinity of the project site. The project site is immediately adjacent to other commercial uses and the proposed parcels will not

substantially change the character of the area. The Commission finds that the project 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.

33. **PHYSICAL SITE SUITABILITY.** The site is adequate in size to accommodate the proposed division of land. Based on the proposed development, proposed parcels average approximately an acre in area. Based on the foregoing, the Commission finds that the site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features as are required in order to integrate the development of the parcels into the surrounding area.
34. The Commission finds that the site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required as the site is accessible from Sierra Highway. Sierra Highway is classified as an existing Major Highway within the 2015 Master Plan of Highways and is a proposed Class III Bike Path according to the 2012 Bicycle Master Plan.
35. **SEWER DISCHARGE.** The Regional Planning Commission finds that the Department of Public Health recommends approval of the project based on the discharge of sewage from this land division into the proposed private onsite wastewater treatment (OSWT) system for wastewater disposal and that the OSWT will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code.
36. **DESIGN IMPACT – PUBLIC HEALTH.** The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geologic and soils factors are addressed in the recommended conditions of approval.
37. **WILDLIFE/HABITAT IMPACTS.** The Commission finds that the design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and unavoidable injury to fish or wildlife or their habitat. The subject property is not located within an adopted Significant Ecological Area (SEA) and will not affect any stream courses or high value riparian habitat. The site does not lie within any wildlife linkage and is surrounded on two sides by commercial development.
38. **PASSIVE COOLING.** The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities therein.
39. **RIGHTS-OF-WAY/EASEMENTS.** The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of a public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and

shown on the tentative map, provide adequate protection for any such easements. The uses approved by the CUP provide required onsite parking spaces for each proposed use. A required reciprocal access and shared parking agreement between the uses approved by the associated CUP will ensure parking facilities required by the County Code are conveniently accessible and permanently maintained as such unless and until substituted for in full compliance with the provisions of Title 22.

40. **WATERCOURSE IMPACT.** Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
41. **HOUSING/EMPLOYMENT NEEDS.** The Regional Planning Commission finds that housing and employment needs of the region were considered and balanced against the public service needs to local residents and available fiscal and environmental resources when the project was determined to be consistent with the General and Community Plans.
42. **PUBLIC NOTICE.** The Commission finds that pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Acton Agua Dulce Library.
43. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan and the 2015 Antelope Valley Area Plan.
- B. The proposed use at the 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 site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Approves the Addendum to the Negative Declaration for the Project and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto; and
2. Approves Tentative Parcel Map No. 73226, subject to the attached conditions.

ACTION DATE: February 22, 2017

VOTE: 3:0:0:1

Yes: Smith, Louie, Shell

No:

Absent: Modugno

KKS:SDJ

2/22/17

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000019-(5)
TENTATIVE PARCEL MAP NO. 73226**

PROJECT DESCRIPTION

The project is a tentative parcel map request to create two commercial parcels over 1.95 acres. The project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term “subdivider” shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County (County) Department of Regional Planning (Regional Planning) their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term “date of final approval” shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The subdivider shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, 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 the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. 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 the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the approval shall be void and the privileges granted hereunder shall lapse.
7. In the event that Tentative Parcel Map 73226 should expire without the recordation of a final map, this grant shall terminate upon expiration of the tentative parcel map. Entitlement to the use of the property thereafter shall be subject the regulations then in effect.
8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the subdivider to cease any development or activity not in full compliance shall be a violation of these conditions.
9. 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 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.
10. 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.
11. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works (Public Works) to the satisfaction of said department.
12. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions.
13. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
14. 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, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

TENTATIVE PARCEL MAP SPECIFIC CONDITIONS

This grant authorizes the creation of two commercial parcels on 1.95 acres as depicted on the approved tentative parcel map.

15. A final map is required for this subdivision. A parcel map waiver is not allowed.
16. As a result of instruction given at the public hearing, changes are required to the tentative parcel map dated August 2, 2016. Five (5) copies of revisions to the tentative parcel map shall be submitted to Regional Planning with a revised application and the current fees by May 23, 2017 to include depiction on the map with a cross-section of the multi-purpose pathway easement at the northern-most portions of proposed parcels 1 and 2 depicted on approved Tentative Parcel Map 73226.
17. The subdivider shall dedicate outside the public rights-of-way of the proposed parcels 1 and 2 depicted on the approved tentative parcel map to the County of Los Angeles a 12 foot (12') wide multi-purpose pathway for both pedestrian and equestrian uses.
18. Full public access shall be provided for the multi-purpose pathway.
19. The multi-purpose pathway easement shall be depicted on the final map.
20. Prior to final map recordation, the easement document granting full public access to the multi-purpose pathway shall be provided to Regional Planning for review and approval.
21. Prior to final map recordation the subdivider shall establish a property owner's association.
22. Prior to final map recordation, a draft document of the property owner's association shall be reviewed and approved by Regional Planning.
23. Prior to final map recordation, the subdivider shall provide to Regional Planning a draft document of the required reciprocal access agreement to be executed for the proposed shared access and driveway, maintenance of the proposed shared access and driveway and maintenance of the proposed multi-purpose pathway for both pedestrian and equestrian uses, to the satisfaction of the Director.
24. Prior to project grading, the subdivider shall place a note or notes on the required revised exhibit "A" and execute a covenant to the satisfaction of Regional Planning for the following activities:
 - a. The subdivider shall submit design, grading and development plans to the Departments of Regional Planning and Public Works with detailed information for the multi-purpose pathway construction in a manner consistent with the County

Trails Manual, Section 4 and any applicable County Codes, unless otherwise stipulated with this grant. The Trails Manual is available online at www.trails.lacounty.gov/Documents.

- b. Provide an eight foot (8') to 10 foot variable multi-purpose pathway tread of natural soil or decomposed granite.
 - c. Provide smooth typical trail fencing for safety, security, and delineation of the multi-purpose pathway where feasible and not impeding access to the site that is shorter than 50 percent of the trail easement width.
 - d. Prior to the certificate of occupancy for any building within the boundaries of the approved Tentative Parcel Map 73226, the subdivider shall construct the specified width of the multi-purpose pathway for both pedestrian and equestrian uses within the 12' wide dedicated easement in a manner consistent the County Trails Manual.
25. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code.
 26. The subdivider shall provide at least 50 feet of minimum parcel width for each parcel.
 27. As required by section 21.32.160 of the County Code, the subdivider shall plant trees along the frontage of both parcels shown on the parcel map. The number, species and location of such trees shall be specified pursuant to Public Works. The location and species of said trees shall be incorporated into a landscape plan. Prior to recordation of the applicable final map, the landscaping plan must be approved by the Director, and the subdivider shall post a bond with Public Works, or submit other verification to the satisfaction of Regional Planning, to ensure planting of the required trees.
 28. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated September 18, 2015.
 29. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated November 23, 2015.
 30. Required onsite parking for each use authorized by the approved associated CUP No. 201400037 shall be retained as depicted on the Exhibit "A". An area of sufficient size plus adequate access thereto requires a reciprocal access and shared parking agreement. The permittee shall record said agreement for uses located on both parcels prior to issuance of building permits. The final draft of the required reciprocal access and shared parking agreement shall be reviewed and approved by the Director of Planning prior to final map recordation.
 31. Prior to issuance of any grading permit, the subdivider shall file with Regional Planning a revised exhibit "A" to approved CUP 201400037 to reflect the tentative parcel map line and the proposed multi-purpose pathway for both pedestrian and equestrian uses.
 32. The subject property shall be developed and maintained in substantial compliance with the approved tentative parcel map and the approved revised exhibit "A" to CUP201400037.

Attachments:

Public Health Department Letter dated September 15, 2016

Subdivision Committee Report (Tentative Parcel Map dated August 2, 2016)

KKS:SDJ

2/22/17

ENTITLEMENTS REQUESTED

- Tentative Parcel Map (TPM) for the creation of two commercial parcels on 1.95 acres in zone C-RU-DP (Rural Commercial-Development Program) pursuant to County Code Sections 21.48.090, 22.28.390 and 22.40.040.

PROJECT DESCRIPTION

The project is a request for a Tentative Parcel Map to authorize the creation of two commercial parcels on a vacant parcel zoned C-RU-DP (Rural Commercial Development Program).

MAP DESCRIPTION

The tentative parcel map depicts the 1.95-acre property with two proposed parcels located along the northern property line that are accessible from Sierra Highway, a 100-foot-wide Major Highway on the County Master Plan of Highways. Both parcels are proposed to contain at least 150 feet of linear street frontage. No grading is proposed with the subdivision activity. The property is visible from the State-Route 14 Freeway, which abuts the property to the south. The west-bound freeway on-ramp is immediately south of the site, with the entrance located approximately 400 feet to the east of the site and the east-bound off-ramp is located approximately 300 feet south of the site.

EXISTING ZONING

The subject property is zoned C-RU-DP (Rural Commercial-Development Program) and is located within the Acton Community Standards District (CSD).

Surrounding properties are zoned as follows:

- North: A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area), C-RU (Rural Commercial), and C-RU-DP
South: A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) and C-RU
East: C-RU
West: A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and C-RU-DP

EXISTING LAND USES

The subject property is currently a vacant lot.

Surrounding properties are developed as follows:

- North: A commercial center, a communication utility site, vacant land, a single-family residence, apartments, a feed and grain sales store, a frame shop, and mobile home sales
South: Antelope Valley Freeway (SR-14) and vacant land
East: Fast-food restaurants and a gas station with mini-market
West: Vacant land, commercial shops, and a restaurant

PREVIOUS CASES/ZONING HISTORY

The Board of Supervisors recently approved an appeal of a condition prohibiting drive-through services in connection with a restaurant use authorized on the property and

adopted a negative declaration associated with Environmental Assessment No. 201400078, finding that authorization by conditional use permit to construct a 6,000 square-foot retail building containing three tenant spaces, a 3,300 square foot restaurant and a 1,600 square foot accessory storage building will not have a significant effect on the environment.

The Los Angeles County General Plan 2035 was adopted by the Board of Supervisors on October 6, 2015.

Ordinance No. 2015-0021Z was adopted by the Board of Supervisors on June 16, 2015 concurrently with the adoption of the 2015 Antelope Valley Area Plan. The land use plan category of the project site also changed to Rural Commercial with the adoption of the Antelope Valley Area Plan. The zoning of the site changed to C-RU-DP (Rural Commercial - Development Program).

Ordinance No. 2007-0093Z was adopted by the Board of Supervisors on August 28, 2007 and rezoned the subject property to zone C-3-DP (Unlimited Commercial – Development Program). Zone Change No. 200400004 and Conditional Use Permit No. 200500139 were processed concurrently to rezone the subject property to zone C-3-DP in order to develop a retail feed store at the subject location. The proposed retail feed store was not constructed.

Ordinance No. 7401 was adopted by the Board of Supervisors on September 30, 1958 and rezoned the subject property to zone A-1-10,000 (Light Agricultural – 10,000 Square Feet Minimum Required Lot Area).

Ordinance No. 7091 was adopted by the Board of Supervisors on January 22, 1957 and established zone M-3 (Unclassified) on the subject property.

ENVIRONMENTAL DETERMINATION

The Los Angeles County (County) Department of Regional Planning recommends that a Negative Declaration is the appropriate environmental document under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Initial Study concluded that there is no evidence that the project may have a significant impact on the environment.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Rural Commercial (CR) land use category of the 2015 Antelope Valley Area Plan. This designation is intended for limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices; residential and commercial mixed uses with a Floor Area Ratio (FAR) of 0.5 for both non-residential and mixed use.

Two proposed commercial parcels are consistent with the permitted uses of the underlying land use category.

Countywide General Plan Consistency

The following policies of the **Los Angeles County General Plan 2035** are applicable to the proposed project:

General Plan Land Use Element Policy LU 5.2: “Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.” (Page 88)

The proposed parcels will facilitate products and options available to the community. The property is adjacent to (i.e. frontage along), and visible from, the State-Route 14 Freeway and is located approximately 400 feet to the west of the Crown Valley Road on-ramp and 300 feet north of the Crown Valley Road on-ramp. As such, uses on the parcels would serve local and regional needs.

General Plan Land Use Element Policy LU 6.1: “Protect rural communities from the encroachment of incompatible development that conflict with existing land use patterns and service standards.” (Page 88)

Uses on the proposed parcels would be compatible with the surrounding properties as they would need to conform to the permitted uses within the zone and a conditional use permit is required for new uses. Therefore, the proposed parcels will not create incompatible development that conflicts with the existing land use patterns and service standards.

2015 Antelope Valley Area Plan Consistency

The following policies of the Antelope Valley Area Plan are applicable to the proposed project:

The Project Site is located within the Rural Commercial (CR) land use category of the recently adopted Antelope Valley Area Plan, effective June 16, 2015. The CR land use category’s purpose is for “[limited], low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices”. The proposed parcels would allow uses consistent with this category with a conditional use permit.

Chapter 7 of the Antelope Valley Area Plan contains community-specific land use concepts for many different communities in the Antelope Valley, including Acton. The section regarding the Acton community states:

“Some areas outside the rural town center area have also been designated as Rural Commercial (CR) to acknowledge existing uses and to provide additional commercial services and employment opportunities. The intent of these designations is to allow low-

intensity local commercial uses that serve community residents and to prohibit high-intensity regional commercial uses that serve travelers along State Route 14.”

The Antelope Valley Area Plan prohibits “high-intensity regional commercial uses” within this area of Acton. The proposed parcels are located within a ()-DP zone that would not allow uses considered to be high-intensity or a regional use. The size of any proposed building is regulated by a maximum FAR. The maximum FAR of 0.5 allowed in the Rural Commercial category of the Antelope Valley Area Plan.

Retail occupants of the site will be limited to uses that are permitted in zone C-RU-DP. Therefore, the creation of two parcels is appropriate for this location because of the close proximity to these areas and State Route 14. The proposed parcels for permitted uses in the zone are consistent with the character and existing pattern of development in the area.

Chapter 7 of the Antelope Valley Area Plan also contains the following policies for the CR area of the Acton community outside the town center:

“New buildings in these CR designations shall also be limited to two stories in height, shall include Old West design elements with earth tone colors at a pedestrian-oriented scale, and shall be linked to surrounding rural town areas through trails and pedestrian routes. Pedestrian routes shall have permeable paving, consistent with rural community character, instead of concrete sidewalks. Development in these CR designations that would require the installation of urban infrastructure, such as concrete curbs and gutters, street lights, and traffic signals, shall be discouraged, as this does not fit with the community’s unique rural character and identity.”

Proposed buildings must comply with height and include Old West design elements. The project site is accessible to pedestrians, bicyclists and equestrians traveling along Sierra Highway. The road improvement requirements for the project required by Public Works are based on rural highway standards and the sidewalk curb and gutter already exist.

Other applicable policies of the Antelope Valley Area Plan include:

Land Use Policy LU 1.4: “Ensure that there are appropriate lands for commercial and industrial services throughout the unincorporated Antelope Valley sufficient to serve the daily needs of rural residents and to provide local employment opportunities.

The project site is zoned appropriately for the permitted commercial uses and to meet the needs of rural residents by allowing uses permitted in the zone. Commercial development of the site will provide local employment opportunities.

Land Use Policy LU 4.1: “Direct the majority of the unincorporated Antelope Valley’s future growth to the economic opportunity areas and areas that are served by existing or planned infrastructure, public facilities, and public water systems, as indicated in the land use designations shown on the Land Use Policy Map (Map 2.1) of this Area Plan.”

The site is suitable for the development of land in that the existing infrastructure is already in place, including the highways and public water system. The project site would be accessible to a proposed Class III Bike Path along Sierra Highway as designated by the 2012 Bicycle Master Plan. The approved development currently requires on-site short-term and long-term bicycle parking spaces. Furthermore, the Project Site is located within Los Angeles County Waterworks District No. 37. A will-serve letter for the project issued satisfies the requirements of both the Departments of Public Works and Public Health.

Subdivision Ordinance, Zoning Ordinance and Development Standards Compliance

The proposed Project complies with development standards of the Zoning Ordinance. Pursuant to Design Standards Chapter 21.24 and General Design Requirements Chapter 22.52:

Parcel Width.

The average widths of both proposed parcels 1 is depicted at greater than 150 feet wide.

Required Area.

The proposed parcels are depicted at an average of almost an acre in size, exceeding the minimum required area and the parcel is proposed to be of sufficient size to provide for satisfactory sewage disposal for the commercial land use intended.

Frontage.

Adequate frontage is proposed since the width of the parcels is along Sierra Highway.

Pursuant to Section 22.28.400 of the County Code, establishments in the C-RU Zone are subject to the following development standards:

Floor Area Ratio.

The maximum FAR for non-residential buildings shall be 0.5. The authorized FAR for the approved project is 0.13.

Height.

The maximum height for a building or structure shall not exceed 35 feet above grade.

Lot Coverage.

The area of a lot occupied by buildings shall not exceed 50 percent of the net lot area.

Landscaping.

A minimum of 10 percent of the net lot area devoted to commercial use shall be landscaped with drought tolerant landscaping.

Parking.

- Bicycle and vehicle parking facilities shall be provided as required by Part 11 of Chapter 22.52.

- Where a lot fronts on a parkway, highway, or street, vehicle parking and loading zone areas shall be set back not less than five feet from the right of way.

The proposed Project complies with development standards of the Acton Community Standards District. Pursuant to Section 22.44.126 of the County Code, establishments in the Acton Community Standards District (CSD) are subject to the following development standards:

- **Height.** All uses in commercial land classifications shall not exceed a height of 35 feet except for chimneys and pole antennas, which may not exceed a height of 45 feet.
- **Architectural design.** All uses in commercial land classifications shall be designed in a “Western frontier village, circa 1890s style” in substantial conformance with the architectural style guidelines.
- **Drainage.** Maximum impervious finished surface areas for nonresidential uses shall not exceed 90 percent for stores and restaurants.
- **Signage.** Signage shall promote the style of the Western frontier architectural guidelines. Lighting shall be external, using fixtures designed to focus all light directly on the sign, and internal illumination shall be prohibited. The maximum permitted area of wall signage is one and one-half square feet for each one linear foot of building frontage, not to exceed 100 square feet per tenant. Freestanding business signs, typically monument style, shall be limited to a maximum height of five feet and a maximum area of 100 square feet for the combined faces on such signs.
- **Fencing.** Only split rail, open wood, wire or wrought iron style or similar open-type perimeter fences shall be permitted.
- **Outdoor lighting.** Where outdoor lights are required, light fixtures shall be provided and shall be required to keep in architectural style with the Western frontier design.

Pursuant to Section 22.40.040 of the County Code, if a conditional use permit is first obtained, property in the Zone ()-DP may be used for any use permitted in the basic zone subject to the conditions and limitations of the conditional use permit, including the approved development program which shall be contained therein.

The Project Site is located within a Rural Outdoor Lighting District. The proposed development shall comply with its requirements, which are designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 30 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass. The applicable standards are found in County Code Sections 22.44.500 through 22.44.590.

Site Visit

A site visit was conducted in 2016 by Los Angeles County Department of Regional Planning (DRP) staff. No violations were observed.

Neighborhood Impact/Land Use Compatibility

The proposed parcels are compatible with the surrounding community. There are similar-sized properties to that which is proposed to both the east and west of the site.

Development of the site with permitted uses allowed in the zone would be consistent with the existing pattern of development. The Antelope Valley Area Plan indicates that properties with the CR land use category that are outside the rural town center are intended to be local-serving, low-intensity uses and seeks to prohibit high-intensity regional commercial uses that serve travelers along State Route 14. The Project is accessible from Sierra Highway, a Major Highway as designated on the County Master Plan of Highways, which is designed to accommodate traffic. With the location of the project being adjacent to the State Route 14 Freeway and the Crown Valley Road on- and off-ramps, the site could be expected to serve travelers along State Route 14, much as the permitted uses within the zone are also expected to serve local residents. Authorization for the creation of the two parcels would not alter the character of the area.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The conditions of all five departments of the Los Angeles County Subdivision Committee, which consists of DRP, the Departments of Public Works, Fire, Parks and Recreation and Public Health, based on maps dated August 2, 2016, are attached.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

E-mail correspondence was received from Ms. Jacki Ayer with questions regarding the status of the public hearing that was originally scheduled and subsequently taken off an earlier agenda, and the status of the Darrell Readmond trail. The trail is not adjacent to the property and the project scope is for commercial property, therefore, neither Quimby fees nor trail improvements are required.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number 2016-000019-(5), Tentative Parcel Map No. 73226, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND APPROVE THE ADDENDUM TO THE ADOPTED NEGATIVE DECLARATION PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE TENTATIVE PARCEL MAP NUMBER 73226 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Steven Jones, Principal Regional Planning Assistant, Land Divisions Section
Reviewed by Kim Szalay, Supervising Regional Planner, Land Divisions Section

Attachments:

Draft Findings, Draft Conditions of Approval
Correspondence
Negative Declaration
Site Photographs
Tentative Parcel Map, Land Use Map

KKS:SDJ
2/8/17

Steven Jones

From: Steven Jones
Sent: Wednesday, November 09, 2016 12:23 PM
To: 'Jacki Ayer'
Subject: RE: PM073226

Hello,

I apologize for the delay. I was out yesterday.

For what it's worth, the project is on hold pending final action on the CUP. We'll then move forward with the land division request process. That includes, making sure the project is appropriately cleared with the CUP's final action in mind and conducting public hearing notifications/publications. There is no scheduled or anticipated date for a public hearing at this point.

I noticed that trails are not available on our website. I'm not sure why the bike path shows as the middle of the road except to say that the road is the designated area and the Plan may show a more detailed area of (expected) improvements. For now, I'll follow up, but you can visit [the Parks and Rec website](#) for the trails.

From: Jacki Ayer [mailto:airspecial@aol.com]
Sent: Monday, November 07, 2016 3:10 PM
To: airspecial@aol.com; Steven Jones <sdjones@planning.lacounty.gov>
Subject: Re: PM073226

Hello Steven;

Sorry to send another email, but I've had 2 phone calls today about this parcel map (I guess they saw the notice at the library). I am sure someone is going to ask about it tonight at the ATC meeting, so I really just need to know what to tell them as to why it was postponed and when it will be scheduled.

Also, the GIS system available to me does not show any trails; it only shows a master plan for bicycles (which are shown to be in the middle of the road, but the Master Plan document adopted in 2012 shows the bike path on the north side). The link you sent me does not show Sierra highway. Where can I find the map of the Darrel Readmond trail that you are looking at?

Thank you very much.

Jacki

-----Original Message-----

From: Jacki Ayer <airspecial@aol.com>
To: sdjones <sdjones@planning.lacounty.gov>
Sent: Mon, Nov 7, 2016 1:10 pm
Subject: RE: PM073226

Thanks again!

In case we are asked at the meeting tonight, why was the RPC hearing on map 73226 postponed?
Sent from AOL Mobile Mail

On Monday, November 7, 2016 Steven Jones <sdjones@planning.lacounty.gov> wrote:

Hello,

Here's the link:

<http://planning.lacounty.gov/case/view/pm073226/>

The Darrell Readmond [trail](#) does appear to be on the north side of Sierra pursuant to our GIS-NET3, so that would explain the lack of trail/connection.

Please send the address to the property you inquired about and I can make sure the file is available. It may be scanned and digitized for your review.

Thanks,
Steven Jones
(213)974-6433



ACTON TOWN COUNCIL
P.O. BOX 810, ACTON CA. 93510

February 20, 2017

The Regional Planning Commission
County of Los Angeles
320 W. Temple Street
Los Angeles, California 90012
Electronic copy submitted to RRuiz@planning.lacounty.gov

Subject: Regional Planning Commission Hearing Scheduled for February 22, 2017.

Reference: Tentative Parcel Map 073226

To the Los Angeles County Regional Planning Commission;

The Acton Town Council understands that the Department of Regional Planning recommends the approval of a tentative minor land division map on property in Acton that is identified as Assessor Parcel Number 3217-021-022. This property was the subject of a discretionary "Zone Change" process in 2007 which was supported by the Acton Town Council because it was intended to provide a new feed store business. It was also the subject of a separate discretionary "Conditional Use Permit" ("CUP") process for the development of a feed store and restaurant project which the Acton Town Council supported without the addition of "drive-through" facilities out of concern for circulation issues and local traffic impacts. The Acton Town Council is having trouble reconciling various elements of the CUP that the County approved just 3 months ago with the configuration and design of the subdivision that is now pending before the Planning Commission ("Commission"). The Acton Town Council is also concerned that the subdivision itself does not comply with the Acton Community Standards District. The specific concerns raised by the Acton Town Council are set forth below:

CUP Finding #4 adopted by the Board in November, 2016 describes the CUP as a project which occupies a "... Project Site [that] is 1.95 acres in size and consists of one legal lot." The proposed action is contrary to Finding #4 because it splits this property into two legal lots that will (by virtue of the subdivision) be owned and controlled by two separate entities without either having controlling interest in the CUP or controlling obligation to maintain compliance with the conditions imposed therein. As an example of how this poses a problem, the Acton Town Council points out that the land division boundaries do not correspond to the drainage areas and stormwater mitigation infrastructure locations authorized by the CUP as part of the approved drainage and grading plan. This is a problem because the water quality/hydromodification infrastructure approved for the "retail parcel" extends into and actually lies largely within the "restaurant parcel". In other

words, the drainage infrastructure necessary for the construction and operation of the “retail parcel” is actually within the “restaurant parcel”, yet all of this was ignored by the Department of Public Works when it reviewed the tentative map, and merely stated “Approval to drainage is recommended with no drainage conditions.” This oversight is of substantial concern to the Acton Town Council, which places great emphasis on matters pertaining to drainage and grading within the community. Similarly, it appears that the “retail parcel” and the “restaurant parcel” will rely on each other’s access points and driveways. The Acton Town Council is concerned with the manner in which this project simply splits a single parcel (and the attendant single CUP) into two parts without regard for the interdependencies that exist between the “parts” being created. The CUP that was approved by the Board of Supervisors just 3 months ago was predicated entirely on the fact that the underlying parcel was a single lot in common ownership, thus the grading, drainage, parking, and access improvements approved as part of the CUP were in fact designed without concern or regard for property lines or maintenance responsibilities. The “single lot” presumption underlying the facilities and improvements authorized by the CUP is clearly manifested in the drainage, hydromodification, parking, development, and access plans that were approved with the CUP. Yet, incredibly, all of this was ignored by the County when it considered the proposed subdivision without regard for the development approved by the CUP. For example, consider the Department of Public Work’s comment that “Approval of this map pertaining to grading is recommended without conditions since no grading improvements are proposed.” This statement is absurd on its face, because the Department of Public Works is clearly aware that grading improvements are proposed on the project site. Nonetheless, Public Works pretends otherwise, and the staff report recommends approval anyway. This is unacceptable to the Acton Town Council, because the Community of Acton will be forced to live with the consequences if the County approves the project as recommended by the Staff Report.

CUP Finding #10 asserts that “There are two driveways along the northern property line that are accessible from Sierra Highway.” The inclusion of two driveways dedicated to support the feedstore business has been a primary objective of the Acton Town Council since 2006. Council Members William Davis and Ray Billet were particularly emphatic on this issue, and both insisted that the feed store building be provided with two dedicated driveways and sufficient driveway width to provide proper circulation and allow the hay trucks to access the hay storage building at the back of the property. Mr. Davis clarified that, without such driveway facilities dedicated to the feedstore building, the hay trucks and other delivery vehicles will park out on the street to deliver their load and thereby obstruct traffic and obscure line of site for safe vehicle egress and ingress along Sierra Highway. This is no small matter, because the feedstore business itself offers hay delivery services, so it is certain that multiple delivery cycles will occur per day from the feedstore facility. In 2006, Mr. Billet pointed out that problems with delivery trucks parking on the road and even in the median of Sierra Highway have continually plagued Acton and created dangerous traffic conditions. For decades, the Acton Town Council has struggled to ensure that commercial developments in Acton would not exacerbate this situation, and because of this, the Acton Town Council made their support for the feedstore zone change in 2007 contingent upon the inclusion of two dedicated driveways to serve the feedstore business. And, for more than 10 years, the feedstore developer has guaranteed to the Community of

Acton that his feedstore building would have two dedicated driveways. He even re-affirmed this commitment at a public meeting he hosted in April, 2016. However, all of these commitments and guarantees are undone by the proposed subdivision project, which provides the feedstore business with just one complete driveway. This is contrary to every design commitment made to the Community of Acton and is simply unacceptable. If the subdivision is to proceed, it must be redesigned to provide the feedstore business with two complete and dedicated driveways and the restaurant business with its own separate driveway.

The Tentative Parcel Map does not comply with the Acton Community Standards District
The Acton Community Standards District (“CSD”) is set forth in the Los Angeles County Zoning Code, and it mandates that all new land divisions in Acton include unobstructed multipurpose pathways for both pedestrian and equestrian use. Specifically, the zoning code states:

22.44.126(C)(10)(a) Unobstructed multipurpose pathways for both pedestrian and equestrian uses shall be required in each new subdivision to the satisfaction of both the department of public works and the department of parks and recreation. Although alignments that are not adjacent to roadways will generally be preferred, road easements may be used when the hearing officer determines that other locations are inappropriate.

The Acton Town Council notes that the proposed subdivision does not include an “unobstructed multipurpose pathways for both pedestrian and equestrian uses”, and that no variance application is being processed to allow this subdivision to proceed without the multipurpose pathway required by the zoning code. The Acton Town Council does not understand why the County is inclined to approve the proposed subdivision without either a multipurpose pathway or a variance to avoid the multipurpose pathway compliance requirement.

The “Addendum” Negative Declaration.

It appears that the County intends to comply with requirements imposed on the proposed subdivision pursuant by the California Environmental Quality Acton (“CEQA”) through the adoption of an “Addendum” Negative Declaration that will be appended to a Negative Declaration that was certified and adopted for the CUP. In other words, the County intends to comply with CEQA on a discretionary subdivision by issuing an addendum to a Negative Declaration that was processed for a discretionary CUP. The Acton Town Council notes that the County processed the CUP and the subdivision simultaneously, yet treated them as separate and distinct projects. Therefore, the County cannot now combine them as a single project covered by a single Negative Declaration simply for the purposes of CEQA compliance. In other words, through prior action, the County has firmly established that the CUP and the subdivision are two separate, distinct, and unrelated CEQA projects which (by extension) require two separate, distinct, and unrelated Negative Declarations. The County did not process the CUP and the subdivision as a single project, therefore they cannot be combined in a single Negative Declaration. Given the County’s past actions and its willful treatment of the CUP and the subdivision as two separate and distinct projects,

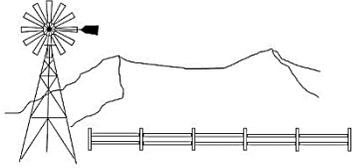
the County is obligated by CEQA to prepare a separate and stand-alone CEQA document for the subdivision. Anything less will violate CEQA.

Sincerely,

A handwritten signature in black ink that reads "Tom Costan". The signature is written in a cursive style and is underlined with a single horizontal line.

Tom Costan, President
The Acton Town Council

cc: Katherine Barger; Los Angeles County Supervisor – 5th District [Kathryn@bos.lacounty.gov]
Steven Jones; Department of Regional Planning [sdjones@planning.lacounty.gov]



SAVE OUR RURAL TOWN

3942 West Sierra Highway, Ste. 5

Acton, CA 93510

February 21, 2017

The Regional Planning Commission
County of Los Angeles
320 W. Temple Street
Los Angeles, California 90012
Electronic copy submitted to RRuiz@planning.lacounty.gov

Subject: Regional Planning Commission Hearing Scheduled for February 22, 2017.

Reference: Tentative Parcel Map 073226

To the Regional Planning Commission;

Save Our Rural Town ("SORT") offers these comments to the Regional Planning Commission for consideration in any decision that is made pursuant to the referenced project.

THE NEGATIVE DECLARATION "ADDENDUM" PROPOSED FOR THE PROJECT VIOLATES THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Save Our Rural Town notes that there are numerous legal errors embodied in staff's recommendation that the Commission adopt an "Addendum" Negative Declaration for the referenced subdivision to comply with the California Environmental Quality Act ("CEQA"). These legal errors are set forth below:

The Staff Report improperly relies on CEQA Guidelines Section 15164.

According to the Staff Report, the Commission can approve the referenced subdivision by simply issuing an addendum to a Negative Declaration that was previously adopted by the County for Conditional Use Permit #201400037 authorizing the development of a commercial retail/restaurant facility. The Staff Report bases this recommendation on Section 15164 of the CEQA Guidelines and as such, errs in a number of ways, not the least of which is that it actually misquotes the Guidelines themselves. The Staff Report asserts "CEQA Section 15164 authorizes a Lead Agency to prepare an addendum to a

previously certified ND if changes or additions to the document are necessary...". This is factually incorrect. Section 15164 of the CEQA Guidelines states:

- b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

Additionally, Section 15064(f)(7) of the CEQA Guidelines states:

"The provisions of sections 15162, 15163, and 15164 apply when the project being analyzed is a change to, or further approval for, a project for which an EIR or negative declaration was previously certified or adopted (e.g. a tentative subdivision, conditional use permit). Under case law, the fair argument standard does not apply to determinations of significance pursuant to sections 15162, 15163, and 15164."

Taken together, the plain and unambiguous language of these provisions of the CEQA Guidelines makes it clear that the application of Section 15164 is limited to changes in a "project" for which an EIR or Negative Declaration was previously adopted. Thus, for the Negative Declaration adopted pursuant to the commercial retail/restaurant development authorized by CUP #201400037, Section 15164 allows the County to process an addendum to implement minor technical changes to the commercial retail/restaurant development. However, this is not the situation posed by the instant case, because the proposed subdivision is not a "minor technical change" to the commercial development approved by CUP #201400037. To the contrary, it is a *land division* action that is proceeding in accordance with the California Subdivision Map Act ("SMA") and is therefore a discretionary project which is itself subject to CEQA. The Negative Declaration that was adopted pursuant to CUP #201400037 did not address or include the proposed land division, it only addressed the commercial development, so the Commission cannot pretend otherwise. Said another way, the County can rely on Section 15164 only to process minor changes in the discretionary commercial development program that was secured by the Negative Declaration adopted for CUP #201400037. Thus, the County is precluded from relying on Section 15164 to process a subsequent discretionary action (such as a subdivision) that was never considered in the prior discretionary entitlement nor addressed by the Negative Declaration adopted pursuant thereto.

SORT further notes that the various county agencies who reviewed the proposed subdivision and approved it pursuant to the final Subdivision Committee Report ("SCR") dated September 1, 2016 did *not* consider the subdivision to be a "minor

technical change” to the commercial retail/restaurant development approved under CUP #201400037. In fact, the record shows that the subdivision committee *completely ignored* the commercial retail/restaurant development authorized under by CUP #201400037. For instance, the tentative subdivision map itself ¹ *does not even depict* the commercial retail/restaurant development that it supposedly “changes”. The SCR dated September 1, 2016 demonstrates that the reviewing county agencies persistently ignored the commercial retail/restaurant development in their review and approval of the proposed subdivision. Not only does the SCR fail to even mention the grading, drainage, and other activities authorized for the commercial development by CUP #201400037, it actually pretends that such development is not even contemplated! For instance, the Department of Public Works actually asserts that its approval of the tentative map pertaining to grading is contingent on the understanding that “no grading improvements are proposed.” It is *patently absurd* for the Department of Regional Planning to assert that the proposed subdivision is merely a “minor technical change” to a previously approved commercial development, given that the record itself establishes that the county’s review and approval of the subdivision is based entirely on the assumption that no commercial development is proposed at all.

Finally, SORT points out that Section 15164 of the CEQA Guidelines authorizes the lead agency to process an addendum to a previously certified and adopted Negative Declaration without circulating the addendum for public review and comment. This is because addendums to Negative Declarations are intended to address only minor changes to previously approved discretionary actions, thus public review is immaterial. However, the proposed subdivision is a discretionary entitlement for which public review and comment are mandated by both CEQA and the SMA. Thus, the County is statutorily barred from processing a subdivision via *any* process that avoids public review and comment, including the addendum process established by Section 15164. In other words, the SMA and CEQA preclude the Commission from approving a subdivision via any process that does not *require* public review and comment.

The Staff Report improperly cites CEQA Guidelines Section 15162.

The Staff Report asserts that the proposed subdivision can be approved via an addendum to the Negative Declaration adopted by CUP #201400037 because “none of the conditions described in [CEQA Guidelines] Section 15162 are present”. This statement is incorrect.

¹ The tentative subdivision map is found on the County website here: http://planning.lacounty.gov/assets/upl/case/pm073226_tentative-map-20160802.pdf

Section 15162(c) of the CEQA Guidelines states (with emphasis added):

Once a project has been approved, the lead agency's role in project approval is completed, *unless further discretionary approval on that project is required*. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, *a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any*. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

The plain and unambiguous language of this provision of Section 15162 of the CEQA Guidelines clarifies that a lead agency must prepare a subsequent EIR or Negative Declaration if a "project" that was previously approved pursuant to an adopted Negative Declaration becomes subject to further discretionary approvals. That is precisely the situation presented by the referenced subdivision which, in and of itself, is subject to discretionary approval by the County under both the SMA and CEQA, and therefore warrants appropriate CEQA documentation in the form of either a Negative Declaration or an EIR. In other words, it is clear from Section 15162(c) that the subdivision of a parcel of land that was previously subject to a discretionary CUP is "the next discretionary approval for the project". Therefore, Section 15162 compels the County (as the public agency reviewing "the next discretionary approval for the project") to prepare "a subsequent EIR or Negative Declaration".

Contrary to what is asserted by the Staff Report prepared for the referenced subdivision, Section 15162 of the CEQA Guidelines *does not* authorize the County to approve the subdivision with a mere addendum to the Negative Declaration adopted by CUP #201400037. In fact, Section 15162 compels the County to prepare an entirely new environmental document for the discretionary subdivision project. SORT stridently objects to the County's attempt to "shoehorn" CEQA compliance for the proposed subdivision into a previously adopted Negative Declaration and thereby sidestep its statutory obligations under the SMA and CEQA.

THE COUNTY DELIBERATELY AND IMPROPERLY SEVERED THE DISCRETIONARY CONDITIONAL USE PERMIT REVIEW AND APPROVAL FROM THE DISCRETIONARY SUBDIVISION REVIEW AND APPROVAL.

According to Draft Finding #16, the proposed subdivision is merely one element of a broader "project" involving a commercial development on a single parcel of land in

Acton². For reasons that are not clear, the County intentionally bifurcated this broader “project” into 2 separate discretionary “actions”, and independently processed these “actions” in parallel, as evidenced in the following summary of events:

- On or before July 31, 2014, the Department of Regional Planning received an application for a CUP to construct a commercial retail/restaurant development on Parcel Number 3217-021-022.
- On or before March 30, 2016, the Department of Regional Planning received a subdivision application to split Parcel Number 3217-021-022 into two commercial lots.
- On April 7, 2016, the Department of Regional Planning conducted a Subdivision Committee Meeting pursuant to the subdivision portion of the “project”.
- On April 19, the Regional Planning Commission approved the commercial retail/restaurant development portion of the “project” on Parcel Number 3217-021-022. The “Hearing Package” prepared by the Department of Regional Planning for the public’s and the Commission’s consideration did not mention the subdivision portion of the “project” and the public was unaware of its existence.
- On June 28, 2016, the Board of Supervisors conducted a public hearing regarding the commercial retail/restaurant development portion of the “project” addressed by the CUP. The Board indicated its intent to approve the commercial development, and directed County Counsel to prepare findings for the adoption of a Negative Declaration. The hearing package prepared for the Board’s and the public’s consideration did not mention the subdivision portion of the “project”.
- On September 28, 2016, the Department of Regional Planning issued a Notice of Public Hearing slated for November 9, 2016 to consider the proposed subdivision of Parcel Number 3217-021-022. On November 7, 2016, the Department of Regional Planning provided the public with an internet “link” to a Subdivision Committee Report dated September 1, 2016 which indicated that the subdivision was not recommended for approval.

² Draft Finding #16 is set forth in the Hearing Package prepared by the Department of Regional Planning for the February 22, 2016 hearing on the proposed subdivision. It asserts that the Initial Study for the proposed subdivision is also the Initial Study that was prepared for the commercial retail/restaurant project addressed by CUP #201400037. According to Finding #16, the “whole of the project” consists of both the proposed subdivision and the CUP.

- On November 15, 2016, the Board considered the findings and approved the commercial retail/restaurant development portion of the “project” addressed by the CUP. The “Hearing Package” prepared for the Board’s and the public’s consideration did not mention the subdivision portion of the “project”. Nonetheless, the Board received public comment on the fact that a tentative subdivision of the project site was under consideration by the County, and that final action on the CUP should be delayed until the County determined whether it would approve or deny the subdivision. It was pointed out to the Board that CEQA requires the County to consider both the discretionary subdivision and the discretionary CUP together as a single “project”. The Board approved the CUP with associated findings, and adopted a Negative Declaration.
- On or before January 19, 2017, the Department of Regional Planning issued a Notice of Public Hearing on the subdivision portion of the “project” slated for February 22, 2017. The “Hearing Package” prepared for the Commissions’ and the public’s consideration asserts that the County now recommends approval of the subdivision, and that the subdivision constitutes merely a minor change to the commercial development portion of the “project”.

According to the Hearing Package prepared for the Commission’s and the public’s consideration of the subdivision portion of the “project”, County staff now recommend approval of the subdivision, though the information provided to the public before January, 2017 indicated that staff did not recommend approval of the tentative map.

At every step of the discretionary review of the subdivision portion of the “project”, County staff were fully aware that a separate discretionary review was underway for the commercial retail/restaurant development portion of the “project”. The County intentionally segmented the “whole of the project” into two parts that were each separately processed individually and “in a vacuum”. This fact is evidenced by:

- The hearing package prepared for the November 15, 2016 Board hearing *which fails to even mention the subdivision action.*
- The Subdivision Committee Report prepared for the scheduled subdivision hearing *which fails to even mention the commercial retail/restaurant development.*

It is only in the Hearing Package issued just in the last 2 weeks for the upcoming Planning Commission meeting where County staff finally acknowledge that the subdivision is merely one part of a larger “project” involving commercial development on the project site. Unfortunately for the County, CEQA does not permit a Lead Agency to “chop up” a “project” into smaller elements and thereby dilute the magnitude of potentially adverse environmental effects. To the contrary, CEQA obligates the County to consider the “whole of the action” and not just its constituent

parts in determining whether a “project” may have a significant effect on the environment. [Guidelines 15003(h)]. CEQA demands this because anything less would serve to reward the County for improperly segmenting the “project” in the first place by approving the commercial retail/restaurant development portion separately from the subdivision portion. Therefore, in the upcoming hearing, CEQA precludes the County from considering just the potentially significant environmental effects created solely by the subdivision (which are in fact substantial, given that the subdivision itself violates the County Zoning Code, as discussed in detail below), and instead compels the County to consider the potentially significant environmental effects created by the “whole of the action” consisting of the subdivision *and* the commercial retail/restaurant development.

THE PROPOSED SUBDIVISION PROJECT WARRANTS AN ENVIRONMENTAL IMPACT REPORT, NOT A NEGATIVE DECLARATION.

As set forth above, CEQA Guidelines Section 15162 obligates the County to prepare a CEQA document (either an EIR or a Negative Declaration) for the subdivision element of the “project” and CEQA Guidelines Section 15003(h) requires that the CEQA document consider the “whole of the action” consisting of both the subdivision portion AND the commercial retail/restaurant development portion of the “project”. Pursuant to CEQA Guidelines 15064(f)(1), if the County is presented with a fair argument that this whole “project” may have a significant effect on the environment, it must prepare an EIR [CEQA Guidelines 15064(f)(1)].

SORT points out that the traffic signal warrant analysis provided to the Department of Public Works in 2016 pursuant to the commercial retail/restaurant development, coupled with the traffic study dated August 4, 2015 that was prepared by the applicant, constitutes “substantial evidence” supporting a “fair argument” that the “project” has the potential to create significant adverse traffic impacts on the intersections of Sierra Highway/Crown Valley and Antelope Woods/Crown Valley in Acton. These are “stop controlled” intersections, therefore local traffic “level of service” (“LOS”) impacts are assessed according to “vehicle delay” methodologies adopted in the Highway Capacity Manual (“HCM”). The HCM establishes a “threshold of significance” for traffic impacts at 25 seconds; traffic impacts are deemed less than significant if no intersection exceeds an HCM LOS of 25 seconds.

SORT notes that the applicant’s Traffic Study dated August 4, 2015 does not demonstrate that the HCM LOS for the “project” will remain at or below 25 seconds at either the intersection of Sierra Highway and Crown Valley OR the intersection of Antelope Woods and Crown Valley. Additionally, the “Traffic Signal Warrant” analysis that was provided to the Department of Public Works clearly demonstrates that the “project” will exceed multiple traffic signal warrant “thresholds”. As the County is aware, the purpose of traffic signal infrastructure is to mitigate significant

adverse traffic impacts posed by a project. Thus, a project is *by definition* deemed to potentially create a significant adverse environmental impact and require an EIR if it does not maintain traffic levels at an acceptable LOS and remain below signal warrant thresholds to avoid traffic signalization. That is precisely the situation posed by the “project” now before the Commission, therefore the County is obligated to prepare an EIR.

THE PROJECT DOES NOT COMPLY WITH APPLICABLE COUNTY CODE PROVISIONS

The project violates the County Code and is inconsistent with adopted planning documents, as described below:

The subdivision violates the Acton Community Standards District.

The “project” is located in the heart of Acton, thus the land division element of the “project” is subject to the zoning provisions imposed by the Acton Community Standards District (“CSD”) that are set forth in Section 44.126 of Title 22 of the County Code. Among other things, the Acton CSD mandates that all new land divisions in Acton include unobstructed multipurpose pathways for both pedestrian and equestrian use. Specifically, the zoning code states:

22.44.126(C)(10)(a) Unobstructed multipurpose pathways for both pedestrian and equestrian uses shall be required in each new subdivision to the satisfaction of both the department of public works and the department of parks and recreation. Although alignments that are not adjacent to roadways will generally be preferred, road easements may be used when the hearing officer determines that other locations are inappropriate.

According to the tentative map, the referenced subdivision does not include equestrian or pedestrian “multipurpose pathways”. In fact, it appears from both the SCR and the “Hearing Package” prepared for the upcoming hearing that this provision of the Acton CSD was *completely ignored* by county staff in their consideration of the “project”. SORT points out that it is a violation of CEQA and the California Planning and Zoning Law for the County to approve a discretionary subdivision that, in and of itself, violates an adopted zoning ordinance. To avoid such violations, the applicant must obtain a variance to allow the subdivision to proceed without complying with the multipurpose pedestrian and equestrian pathway requirement imposed by the Acton CSD

The “project” is inconsistent with the Antelope Valley Area “Town & Country” Plan.

The Antelope Valley Area “Town & Country” Plan requires that all pedestrian routes in Acton have “permeable paving consistent with rural community character instead of

concrete sidewalks". The tentative subdivision map indicates that the "project" will be served by concrete sidewalks located within the County's road "right of way" and are therefore explicitly contrary to the development conditions imposed by the "Town & Country" Plan. Worse yet, the SCR dated September 1, 2016 actually requires the applicant to repair such concrete sidewalks. Specifically, the SCR directs the applicant to "Repair any displaced, broken, or damaged curb, gutter, sidewalk on Sierra Highway within the project frontage to the satisfaction of Public Works" This is unacceptably inconsistent with the development standards imposed by the Town & Country Plan, thus the map must be revised to properly depict the "project frontage" as consisting of permeable paving, not concrete sidewalks.

The Antelope Valley Area "Town & Country" Plan also requires that all construction on "Rural Commercial" lands in Acton be linked to surrounding rural town areas through trails *and* pedestrian routes. The commercial retail/restaurant element of the "project" includes an equestrian hitching post, but it does not include a trail by which equestrian users can access the hitching post. This constitutes a blatant violation of the commercial development standards imposed by the adopted "Town & Country" Plan. SORT is aware that the Department of Parks and Recreation does not believe it has the authority to require a trail easement for the "project". However, and regardless of the artificial and self-imposed limitations that the Department of Parks and Recreation places on its own authority, SORT observes that the County itself is statutorily obliged by the CSD to obtain a trail easement for the subdivision and by the "Town & Country" Plan to eliminate the concrete sidewalks for the subdivision and obtain a trail easement for the commercial retail/restaurant development. Notably, the Department of Parks and Recreation *never even reviewed the proposed subdivision*³, so it failed to exercise the very authority granted to it by the CSD.

SORT is also aware that the Department of Parks and Recreation recently "decided" that one of the "backbone" equestrian trails within Acton (specifically, the Darrell Readmond trail) is located on the north side of Sierra Highway in the vicinity of the project, and not on the south side. SORT is gravely concerned by this decision, and opposes it for the following reasons:

- 1) The Department of Parks and Recreation's "decision" was conceived entirely by county staff without input from the community. Staff failed to notify the Community of Acton that it was even making such a "decision". From the moment that the Community of Acton was informed that the Department of Parks and Recreation had "decided" that the Darrell Readmond backbone trail was on the north side of Sierra Highway, residents of Acton have stridently voiced their opposition.

³ The Department of Parks and Recreation was not consulted on the subdivision and did not review it [see SCR p 1].

2) The Department of Parks and Recreation actually required the construction of hitching post as part of the commercial retail/restaurant component of the “project”, thereby affirming that the “project” itself should be linked with an equestrian trail. Yet, it failed to obtain a trail easement for the subdivision as required by the CSD and for the commercial development as required by the “Town & Country” Plan.

3) The “decision” made by the Department of Parks and Recreation that the Darrell Readmond backbone trail is located on the north side of Sierra Highway incorrectly assumes that there is less development and less traffic on the north side of the highway in the vicinity of the “project”. In arriving at this “decision”, Parks and Recreation failed to account for the extensive and high intensity development on the north side of Sierra Highway adjacent to the “project” which generates significant traffic levels, and includes (among other things) a large apartment complex, two restaurants, a bar, a large discount item store, a liquor store, a gas station, a service station, a convenience store, a propane sales facility a postal service store, a large office complex, and a *mapped truck stop*. Conversely, on the south side of Sierra Highway in the vicinity of the project, there is only a gas station, a restaurant, a sandwich shop, and low intensity local commercial uses such as a tack shop, an auto parts store, tire and auto garages, etc.

4) The “decision” made by the Department of Parks and Recreation that the Darrell Readmond trail is located on the north side of Sierra Highway also fails to account for the fact that the trail itself *has already been dedicated on the south side of Sierra Highway*, and connects to the Acton Park *which is also located on the south side of Sierra Highway*.

5) When the Department of Parks and Recreation “decided” that the Darrell Readmond trail was located on the north side of Sierra Highway, it failed to consider how and where the trail safely transitions from the south side to the north side in the vicinity of the project, and then again safely transitions back to the south side to connect to the existing portions of the trail that have already been dedicated and constructed.

Finally, SORT points out that both the CSD and the “Town & Country” Plan impose immutable obligations on the County to obtain trail dedications for the “project”. These obligations are not simply “washed away” because the Department of Parks and Recreation offers an opinion on the location of the Darrell Readmond backbone trail. Therefore, CEQA bars the County from approving the “project” without the trail required by the CSD and the “Town & Country” Plan, and must therefore either amend the “project” to include a trail, or process a variance from the CSD and amend the “Town & Country” Plan itself.

Respectfully submitted,
/S/ Jacqueline Ayer
Jacqueline Ayer
Director, Save Our Rural Town

**ADDENDUM TO NEGATIVE DECLARATION
FOR TENTATIVE PARCEL MAP NO. 73226**

1. Existing Entitlements

- a. On November 15, 2016, the Board of Supervisors approved Conditional Use Permit (CUP) No. 201400037 and adopted the Negative Declaration (ND). The subject property is located south side of Sierra Highway, third parcel west of Crown Valley Road in the Soledad Zoned District.
- b. The approved CUP authorized construction of a retail center including a 6,000 square foot retail building containing three tenant spaces, a 3,300 square foot restaurant with a drive-through services, and a 1,600 square foot storage building as well as a reduction in the number of required trees within the landscaped setback area on 1.95 acres.
- c. There was no substantial evidence that the project will have a significant effect on the environment.

2. Proposed New Entitlement

The proposed project changes require the following amendments to, or new entitlements: Tentative Parcel Map No. 73226 and an Addendum to the adopted ND.

3. Proposed Tentative Parcel Map No. 73226

The Map proposes to create two commercial parcels and a shared of the private drive and fire lane, as described in this document.

- a. Creation of commercial parcels is compatible with existing surrounding development.
- b. All applicable Conditions of Approval for CUP 201400037 shall remain in effect for this proposed Tentative Parcel Map 73226.

4. CEQA Addendum Findings Pertaining to Project Modifications

CEQA Section 15164 authorizes a Lead Agency to prepare an Addendum to a previously certified ND if changes or additions to the document are necessary, but none of the conditions described in Section 15162 are present, as described below:

- No substantial changes are proposed in the project which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new potentially significant environmental effects or a substantial increase the severity of previously identified potentially significant effects;
- No new information of substantial importance, which was not known, and could not have been known with the exercise of reasonable diligence at the time the previous ND was adopted as complete,

shows any of the following:

- The project will not have one or more significant effects not discussed in the previous ND:
 - Potentially significant effects previously examined will not be substantially more severe than shown in the previous ND:
 - No new mitigation measures or alternatives previously found to be infeasible have been found to be feasible but declined by the project proponent to be adopted: and
 - No new mitigation measures or alternatives which are considerably different from those analyzed in the previous ND, and that would substantially reduce one or more potentially significant effects on the environment, have been found and declined by the project proponent to be adopted.

The adopted ND by the Board of Supervisors on November 15, 2016, found that the proposed project could not have a significant effect on the environment. The Board further found that the ND reflected the independent judgement and analysis of the Board.

The new tentative parcel map will result in no changes to the potential impact identified in the original ND, and, therefore, will not cross the thresholds identified in Section 15162 of the California Environmental Quality Act (CEQA) that would require a subsequent ND.

Therefore, this tentative parcel map qualifies for an Addendum to the previously adopted ND, as authorized under CEQA Section 15164.

By: _____

Date: _____

Environmental Checklist Form (Initial Study)
County of Los Angeles, Department of Regional Planning



Project title: "Acton Retail Center" / Project No. R2014-00881-(5) / Case No. CUP 201400037

Lead agency name and address: Los Angeles County, 320 West Temple Street, Los Angeles, CA 90012

Contact Person and phone number: Kristina Kulczycki, Senior Regional Planning Assistant, (213) 974-6443

Project sponsor's name and address: Robert Friedman, 2059 E. Foothill Blvd., Pasadena, CA 91107

Project location: Vacant, south side of Sierra Highway, third parcel west of Crown Valley Road
APN: 3217-021-022 **USGS Quad:** Acton

Gross Acreage: 1.95

General plan designation: N/A

Community/Area wide Plan designation: CR (Rural Commercial): Limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices

Zoning: C-RU-DP (Rural Commercial – Development Program), Acton Community Standards District, Rural Outdoor Lighting District

Description of project: The subject property is located on the south side of Sierra Highway, approximately 385 feet west of the intersection of Sierra Highway and Crown Valley Road. Commercial uses exist to the north, east, and west, including retail uses, gas station, and restaurants. Residential uses exist to the north. The Antelope Valley Freeway exists to the south. A currently vacant lot to be developed with a new single-story 6,000-square foot retail building (one 3,000-square foot feed store with two additional attached 1,500-square foot retail spaces) located on the western portion of the lot, a 3,300-square foot restaurant (Primo Restaurant) with drive-through located on the eastern portion of the lot, and a 1,600-square foot storage building located in the southwest corner of the lot. The site will be accessed via two driveways on Sierra Highway, a street designated by the County as an Existing Major Highway.

Surrounding land uses and setting:

North: CR – Rural Commercial Land Use Designation; C-RU – Rural Commercial Zone; Vacant lot, Gas station, Tack and Feed Store, and Retail Center

East: CR – Rural Commercial Land Use Designation; C-RU – Rural Commercial Zone; Fast Food Restaurant with Drive-Through (Jack in the Box)

South: SR 14 – Antelope Valley Freeway

West: CR – Rural Commercial Land Use Designation; C-RU-DP – Rural Commercial Development Program Zone; Retail Center

The community of Acton is rural and is primarily developed with one-to two-acre sized lots containing residences along with several clusters of higher density residential as well as large lots of 2+ acres closer to the Angeles National Forest. The Antelope Valley Freeway, travels east-west and is a major freeway connecting Metro Los Angeles and Santa Clarita to the High Desert, bisects the community into northern and southern halves. The community is served by three commercial areas. The first small commercial area is located 1.5 miles south of the freeway along Crown Valley Road and contains restaurants, post office, bank, small market, and hardware store. The second larger commercial area where the proposed project is located is immediately north of the freeway along Sierra Highway at the Crown Valley Road intersection and contains drive-through restaurants, gas stations, retail stores, service stores, restaurants, and a market. The third small commercial area is approximately 2.1 miles east of the second commercial area along Sierra Highway and contains two small shopping centers with retail services.

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

<u>Public Agency</u>	<u>Approval Required</u>
Los Angeles County Department of Public Works	Building Permits
Los Angeles County Fire Department	Fire Flow Requirements, Fuel Modification Plan
Los Angeles County Public Health	Onsite Wastewater Treatment

Major projects in the area:

<u>Project/Case No.</u>	<u>Description and Status</u>
R2014-02996 / CUP 201400143	New 2,029-square foot Taco Bell restaurant with drive-through and occupant load of 45. Approved by the Board of Supervisors on November 24, 2015.

Reviewing Agencies:

Responsible Agencies

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

Trustee Agencies

- None
- State Dept. of Fish and Wildlife
- State Dept. of Parks and Recreation
- State Lands Commission
- University of California (Natural Land and Water Reserves System)

Special Reviewing Agencies

- None
- Santa Monica Mountains Conservancy
- National Parks
- National Forest
- Edwards Air Force Base
- Resource Conservation District of Santa Monica Mountains Area
- California Department of Transportation

County Reviewing Agencies

- DPW:
 - Land Development Division (Grading & Drainage)
 - Geotechnical & Materials Engineering Division
 - Watershed Management Division (NPDES)
 - Traffic and Lighting Division
 - Environmental Programs Division
 - Waterworks Division

Regional Significance

- None
- SCAG Criteria
- Air Quality
- Water Resources
- Santa Monica Mtns. Area
- South Coast AQMD

- Fire Department
 - Planning Division
 - Land Development Unit
- Sanitation District
- Public Health/Environmental Health Division: Land Use Program (OWTS), Drinking Water Program (Private Wells), Toxics Epidemiology Program (Noise)
- Sheriff Department
- Parks and Recreation
- Subdivision Committee

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

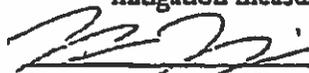
The environmental factors checked below would be potentially affected by this project.

- | | | |
|-----------------------------------------------|------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agriculture/Forest | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Services |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils | | |

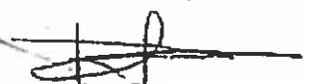
DETERMINATION: (To be completed by the Lead Department)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Signature (Prepared by) Kristina Kulczyk

1/28/16
 Date


 Signature (Approved by) Robert G. Meyer

1/28/16
 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Department cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Department has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. (State CEQA Guidelines § 15063(c)(3)(D).) In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) The explanation of each issue should identify: the significance threshold, if any, used to evaluate each question, and; mitigation measures identified, if any, to reduce the impact to less than significance. Sources of thresholds include the County General Plan, other County planning documents, and County ordinances. Some thresholds are unique to geographical locations.
- 8) Climate Change Impacts: When determining whether a project's impacts are significant, the analysis should consider, when relevant, the effects of future climate change on : 1) worsening hazardous conditions that pose risks to the project's inhabitants and structures (e.g., floods and wildfires), and 2) worsening the project's impacts on the environment (e.g., impacts on special status species and public health).

1. AESTHETICS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

- a) Have a substantial adverse effect on a scenic vista?

The project is not located adjacent to or in proximity to any scenic highways, corridors, or resources that have been designated by the County General Plan or Antelope Valley Area Plan. There are no significant ridgelines within 1,000 feet of the project. Therefore with the lack of such resources in the area, there is no substantial adverse effect on a scenic vista.

- b) Be visible from or obstruct views from a regional riding or hiking trail?

A proposed County trail is located along the northern side of Sierra Highway. The project is located on the south side of Sierra Highway. After consultation with the County Department of Parks and Recreation (DPR), it was determined that the proposed County trail should remain located along the northern side of Sierra Highway as it is a better suited location for an equestrian trail. While it was not required that the project develop this portion of the proposed trail, it was recommended by DPR that a hitching post be incorporated into the project design for "horse parking" to accommodate equestrian uses.

- c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The subject property is currently vacant with flat terrain. It was previously cleared and does not show any trees, rock outcroppings, nor does it contain any historic buildings. No other scenic resources are on the property or within close proximity of the project. All parcels surrounding the subject property has been developed with various uses.

- d) Substantially degrade the existing visual character or quality of the site and its surroundings because of height, bulk, pattern, scale, character, or other features?

Other existing commercial uses have been developed on both the east and west side of the subject property. The project has been designed to be consistent with the Acton Community Standards District which is a set of development standards, contained within the Los Angeles County Zoning Code, designed to ensure compatibility with community character.

e) Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area?

The project proposes three new structures: retail building, restaurant, and storage building at heights of 27'-10", 35'-0", and 23'-8", respectively. All proposed structures are one story and incorporate design elements compatible with the character of surrounding properties and desired community architecture. Given the similarity in height with neighboring properties, the proposed structures would not create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area.

Additionally, all outdoor lighting will have to comply with the Rural Outdoor Lighting District standards (Los Angeles County Code Part 9 of Chapter 22.44). These standards require lighting design that will minimize adverse offsite impacts of outdoor lighting, such as light trespass, and curtail light pollution.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

Within the immediate and peripheral areas surrounding the subject property, there are no designated significant visual resources based on the County General Plan, Antelope Valley Area Plan, and State designations. The subject property is located within a disturbed area with existing development surrounding it. It can be viewed as a commercial infill development. Without designated significant visual resources and being surrounded by existing development, the proposed project will have a limited to no significant impact on visual resources. Any impact on visual resources will stem from the introduction of a new light source will be less than significant through the implementation of the County Rural Outdoor Lighting District standards.

2. AGRICULTURE / FOREST

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Pursuant to the 2012 Los Angeles County Farmland Map prepared by the Farmland Mapping and Monitoring Program of the California Department of Conservation, there are no mapped farmlands identified on the subject property.

b) Conflict with existing zoning for agricultural use, with a designated Agricultural Opportunity Area, or with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The subject property is zoned C-RU-DP, Rural Commercial – Development Program. The zone provides for an appropriate mix of a limited range of commercial uses that are compatible with rural, agricultural, and low-density residential uses. The zone regulates both the type and intensity of development in order to protect natural resources, promote economic self-sufficiency, maintain compatibility with surrounding residential and agricultural zones, and preserve the rural character of the community.

The County Agricultural Opportunity Area Map identifies locations with existing farmland and those well suited for the establishment of farmlands. The subject property is not located within a designated Agricultural Opportunity Area. There is no Williamson Act contract on this property as there are no agricultural or related open space activities performed on the site.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220 (g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined in Government Code § 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The subject property is not located within forest land or zoning for forest land or timberland.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The subject property is not located within forest land or zoning for forest land.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The subject property does not impact farmland conversion, agricultural use, or conversion of forest land because it is not located within any of these areas.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to agriculture and forestry resources include:

- **State Farmland Mapping and Monitoring Program (FMMP):** FMMP produces the "Important Farmland Maps" which are a hybrid of soils and land use information with the intent to provide consistent and impartial data for use in assessing present status, reviewing trends, and planning for California's agricultural land resources. Agricultural land is identified and rated according to soil quality and irrigation status.
- **Williamson Act:** This act provides tax incentives to retain prime agricultural land and open space in agricultural use, with subsequently slows its conversion to development. The overall purpose of the Williamson Act is to protect agricultural lands and open space.
- **California Land Evaluation Site Assessment Model (LESA):** LESA analyzes soil resource quality, project size, water resource availability, surrounding protected resource lands, and surrounding agricultural lands; the model output is a numerical rating.
- **Los Angeles County Agricultural Opportunity Areas:** A County identification tool that indicates land where commercial agriculture is taking place and/or is believed to have a future potential based on the presence of prime agricultural soils, compatible adjacent land uses, and existing County land use policy.

The subject property is not located within areas impacted by any of the above referenced environmental or regulatory settings. Therefore, the proposed project will not have an impact on agricultural or forest resources.

3. AIR QUALITY

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project: a) Conflict with or obstruct implementation of applicable air quality plans of either the South Coast AQMD (SCAQMD) or the Antelope Valley AQMD (AVAQMD)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is located within the boundaries of the South Coast AQMD (SCAQMD). The proposed project is consistent with the underlying land use category of Rural Commercial. Land use categories are assessed by the SCAQMD when analyzing impacts for their air quality plans. When a project is consistent with the underlying land use category, it generally does not have a significant impact. In this case, since the proposed project is consistent with the underlying land use category, it will not conflict with or obstruct implementation of the SCAQMD air quality plan.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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SCAQMD developed localized significance thresholds (LST) and calculate Particulate Matter 2.5 (PM2.5) and PM2.5 significance thresholds. LSTs apply to the following criteria pollutants: oxides of nitrogen (NOx), carbon monoxide (CO), particulate matter less than 10 microns in aerodynamic diameter (PM10), and particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5). LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard. Based on the two-acre site scenario that represents a broad range of project types that include commercial, the proposed project will not exceed the LST. Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast. The proposed project is consistent with the underlying land use category of Rural Commercial.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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See b) above.

d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project consists of a retail building, drive-through restaurant, and storage building. While the High Desert Middle School is located 0.25 miles to the east of the subject property, the proposed project is not a project type that must be evaluated for its proximity to sensitive uses. Based on the AVAQMD California Environmental Quality Act and Federal Conformity Guidelines (August 2011), only the following project types proposed for sites within the specified distance to an existing or planned sensitive receptor land use must be evaluated using significance threshold criteria number 4: any industrial project within 1,000 feet; a distribution center (40 or more trucks per day) within 1,000 feet; a dry cleaner using perchloroethylene within 500 feet; or a gasoline dispensing facility within 300 feet.

e) Create objectionable odors affecting a substantial number of people?

The proposed project includes the development of a drive-through restaurant. There would potentially be food odors related to the preparation of the items sold at the restaurant. Such odors could be objectionable but is also subjective relative to the preferences of individuals smelling those odors. There are two other similar establishments in the area, McDonald's and Jack-in-the-Box, which have been operating without issues. It is not foreseeable that any odors would affect a substantial number of people.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to air quality includes:

- **Federal and California Clean Air Acts:** Three categories of air pollutants are monitored and regulated under these acts: criteria air pollutants, toxic air contaminants, and global warming and ozone-depleting gases. The Federal government and the State of California have established air quality standards designed to protect public health from these criteria pollutants. Among the federally identified criteria pollutants, the levels of ozone, particulate matter, and carbon monoxide in Los Angeles County continually exceed federal and state health standards and the County is considered a non-attainment area for these pollutants.
- **South Coast Air Quality Management District:** This agency is responsible for monitoring air quality as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards in the region.

The subject property is not located within areas impacted by any of the above referenced environmental or regulatory settings. The proposed project is small in scope and will be required to comply with all of the applicable air quality regulations during construction and operation. Therefore, the proposed project will have a less than significant impact on air quality.

4. BIOLOGICAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Based on the California Natural Diversity Database, the subject property does not contain any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

Approximately 2,850 feet to the south of the subject property, there is a possible occurrence of the Townsend's big-eared bat, a threatened candidate species under the California Endangered Species Act.

b) Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The County designates areas of biological importance as Significant Ecological Areas (SEA). Sensitive natural communities are included in mapped SEAs. The subject property is not located within a SEA. The edge boundary of the closest SEA is located approximately 8,500 feet south of the subject property.

c) Have a substantial adverse effect on federally or state protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, and drainages) or waters of the United States, as defined by § 404 of the federal Clean Water Act or California Fish & Game code § 1600, et seq. through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The subject property is not located within or in proximity of federally or stated protected wetlands, vernal pools, coastal wetlands, or waters. Based on 2014 aerial imagery, there are no visible natural drainages within 1,000 feet from the boundaries of the subject property. Additionally, the U.S. Fish and Wildlife Service National Wetlands Inventory does not identify any wetlands across or in close proximity of the

subject property.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife corridors and habitat linkages are mapped as a part of the County Significant Ecological Areas (SEA). These corridors and linkages are identified as areas where wildlife is able to move from one open space area or SEA to another. The subject property is not located within or in close proximity of a SEA. Properties surrounding the subject property are developed. Additionally, the California Audubon does not identify the subject property or its surrounding properties as an Important Bird Area.

- e) Convert oak woodlands (as defined by the state, oak woodlands are oak stands with greater than 10% canopy cover with oaks at least 5 inch in diameter measured at 4.5 feet above mean natural grade) or otherwise contain oak or other unique native trees (junipers, Joshuas, southern California black walnut, etc.)?

The location of oaks and oak woodlands has been identified as part of the Los Angeles County Significant Ecological Areas (SEA). The subject property is not located within a SEA. Additionally, based on aerial imagery it has been observed that the site does not contain any trees.

- f) Conflict with any local policies or ordinances protecting biological resources, including Wildflower Reserve Areas (L.A. County Code, Title 12, Ch. 12.36), the Los Angeles County Oak Tree Ordinance (L.A. County Code, Title 22, Ch. 22.56, Part 16), the Significant Ecological Areas (SEAs) (L.A. County Code, Title 22, § 22.56.215), and Sensitive Environmental Resource Areas (SERAs) (L.A. County Code, Title 22, Ch. 22.44, Part 6)?

It has been determined that the subject property will not conflict with any local policies or ordinances protecting biological resources given that it does not contain any biological resources as presented in the responses above.

- g) Conflict with the provisions of an adopted state, regional, or local habitat conservation plan?

There are no habitat conservation plans covering the subject property. As of the date of the completion of this document, the only active habitat conservation plan exists in the Santa Clarita Valley. The draft Desert Renewable Energy Conservation Plan maps areas for conservation of which this subject property is not

identified as a conservation area.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to biological resources include:

- **California Natural Diversity Database (CNDDB):** The federal Endangered Species Act and the California Endangered Species Act state that animals and plants that are threatened with extinction or are in a significant decline will be protected and preserved. The California Natural Diversity Database is a program that inventories the status and locations of rare animals and plants in California.
- **California Audubon Important Bird Areas:** Important Bird Areas identify sites that provide essential habitat for birds. As such they establish a useful framework for helping guide efforts to conserve birds statewide.
- **Los Angeles County Significant Ecological Areas (SEA):** A County identification tool and planning overlay that maps ecologically important land and water systems that are valuable as plant and/or animal communities, often integral to the preservation of threatened or endangered species, and conservation of biological diversity in the County.

The subject property is not located within areas impacted by any of the above referenced environmental or regulatory settings. While the subject property is not located within areas impacted by the above reference environmental or regulatory settings, it is identified by the California Natural Diversity Database that there is an occurrence of a threatened candidate species south of the subject property. Given the ability of this species to traverse the distance between its possible occurrence location and the subject property, they could potentially be drawn to the area to feed on insects which are attracted to the lights found in developed areas. They may also find areas that structurally resemble caves to nest in. Implementing measures to reduce the light pollution and eliminating cave-like structures can help mitigate any impacts on the species. Therefore, the proposed project will not have or have less than a significant impact on biological resources.

5. CULTURAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?

Pursuant to the List of Historic Places designated by the State of California and the List of National Historic Landmarks, there are no recognized structures on-site nor is the site itself designated as historic. No designated structures or sites of historic significance are in close proximity of the subject property.

Under the CEQA guidelines, a structure must be at least 50 years old to meet the minimum threshold as a historical resource. There are no structures on-site that are at least 50 years old. There are no structures currently existing on the subject property.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?

There are no known archaeological resources on the subject property. There is no proposal for significant grading as a part of the project. Conditions of approval will address unanticipated archaeological discoveries and development of specific mitigation measures if resources are encountered during any development activity.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or contain rock formations indicating potential paleontological resources?

There are no known paleontological resources or sites or unique geologic features on the subject property. There is no proposal for significant grading as a part of the project. Conditions of approval will address unanticipated paleontological discoveries and development of specific mitigation measures if resources are encountered during any development activity.

d) Disturb any human remains, including those interred outside of formal cemeteries?

The subject property is not presently a cemetery nor is it located adjacent to or near a cemetery. The project does not require a plan amendment or the adoption or amendment of a specific plan. The proposed project is in conformance with the adopted zoning and area plan land use designation. Surrounding properties have been developed without known occurrences of human remains.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to cultural resources include:

- California Environmental Quality Act Guidelines § 15064.5(a): This section provides eligibility criteria for historic resources.
- State of California List of Historical Landmarks and Points of Historical Interest: California Historical Landmarks are buildings, structures, sites, or places that have been determined to have statewide historical significance by meeting certain criteria. California Points of Historical Interest are sites, buildings, features, or events that are of local significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value.
- California Health and Safety Code Section 7050.5: This section states that in the event of the discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification.

The subject property does not contain any historical resources pursuant to any of the above referenced environmental or regulatory settings. The surrounding properties are developed with a freeway, drive-through restaurant, gas station, and retail commercial with no known archaeological or paleontological resources. There is minor grading proposed. Should there be any discovery of unanticipated archaeological or paleontological resources during any part of the grading or construction process, development activities will be halted in order to carry out proper consultation, identification, and removal actions. Therefore, the proposed project will have a less than significant impact on cultural resources.

6. ENERGY

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Conflict with Los Angeles County Green Building Ordinance (L.A. County Code Title 22, Ch. 22.52, Part 20 and Title 21, § 21.24.440) or Drought Tolerant Landscaping Ordinance (L.A. County Code, Title 21, § 21.24.430 and Title 22, Ch. 22.52, Part 21)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project is subject to County Title 31 – Green Building Standards Code and will satisfy all applicable standards to the satisfaction of the Department of Public Works who administers that title.

b) Involve the inefficient use of energy resources (see Appendix F of the CEQA Guidelines)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project is subject to County Title 31 – Green Building Standards Code and will satisfy all applicable standards to the satisfaction of the Department of Public Works who administers that title.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to energy includes:

- Los Angeles County Code Title 31 Green Building Standards Code: The purpose of the County's Green Building Program is to establish green building development standards for new projects with the intent to conserve water, conserve energy, conserve natural resources, divert waste from landfills, minimize impacts to existing infrastructure, and promote a healthier environment.
- CALGREEN Building Code: The State of California adopted a set of mandatory measures that establish a minimum for green construction practices.

The proposed project is required to comply with the above referenced regulatory codes. Therefore, the proposed project will have a less than significant impact on energy resources.

7. GEOLOGY AND SOILS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault trace? Refer to Division of Mines and Geology Special Publication 42.

The entirety of Los Angeles County is part of the seismically active region of Southern California. No known surface traces of active faults traverse the subject property. The subject property is not located within an Alquist Priolo Earthquake Fault Zone. The closest major seismic source is the San Andreas Fault located approximately six miles north of the subject property.

A geotechnical report has been prepared for the subject property. Based on the geotechnical report, the subject property is considered to be suitable from a soil and engineering standpoint for construction of a commercial building and restaurant provided recommendations for any potential geologic disturbances that may occur during the construction phase.

ii) Strong seismic ground shaking?

Given that the entirety of Los Angeles County is located in a seismically active region, ground shaking resulting from earthquakes common to Southern California can be expected within the lifespan of the structures. As noted in 7.a.i, there are no known surface traces on the subject property nor is it located within a Fault Zone. No major problems are anticipated as a result of fault displacement or ground lurching resulting from earthquakes provided the foundation system is constructed according to seismic design factors outlined in the California Building Code.

iii) Seismic-related ground failure, including liquefaction and lateral spreading?

Soils subject to liquefaction are water-saturated soils, frequently loosely packed and granular in nature, that when subjected to seismic activity lose their cohesion and act like a fluid. The subject property is not located within a designated liquefaction zone as determined by the California Department of Conservation. The soil condition that occurs at the site is one of thick dense older alluvium underlain by bedrock. The observed conditions are not considered to be conducive to seismic-related ground failure.

iv) Landslides?

A landslide is the movement or flow of soil, rocks, earth, water, or debris down a slope. The subject property is not located within a designated landslide area as mapped by the California Geologic Survey.

b) Result in substantial soil erosion or the loss of topsoil?

The subject property was previously cleared and does not contain any structures. There are no indications that the site was previously developed. The project includes 590 cubic yards of cut and 590 cubic yards of fill grading that will be balanced on-site, as well as 12,945 cubic yards of over-excavation grading (8,718 cubic yards for the building and 4,227 cubic yards for the parking lot). A geotechnical report has been prepared and includes construction standards to address any soil issues that may arise from construction activities.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

A geotechnical report has been prepared for this subject property. The soil conditions that occur at the site is one of thick dense older alluvium underlain by bedrock. No groundwater was encountered. The observed conditions are not considered to be conducive to liquefaction. Based on the report, soil instability is not expected to occur at the subject property during the lifespan of the project.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Soils on the site are generally granular and have a low expansion potential. Selective grading is recommended such that granular soils are blended with the clayey soils to reduce the potential of expansivity.

e) Have soils incapable of adequately supporting the use of onsite wastewater treatment systems where sewers are not available for the disposal of wastewater?

The project will be installing an onsite wastewater treatment system. A Feasibility Report of the onsite wastewater treatment system was submitted for consultation with the Department of Public Health and it was determined that the percolation test results were acceptable for the installation of such system but that approval from the Regional Water Quality Control Board must be received prior to the issuance of a building permit.

f) Conflict with the Hillside Management Area Ordinance (L.A. County Code, Title 22, § 22.56.215) or hillside design standards in the County General Plan Conservation and Open Space Element?

The subject property is not located within a designated Hillside Management Area. The subject property is relatively flat with no slopes above 25%.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to geology and soils include:

- **Seismic Hazards Mapping Act:** This act requires the California Geological Survey to prepare Seismic Hazard Zone Maps that show areas where earthquake induced liquefaction or landslides have historically occurred, or where there is a high potential for such occurrences.
- **Hillside Management Area Ordinance:** This ordinance regulates development in hillsides of 25 percent slope or greater to address these potential hazards.

The subject property is not located within areas impacted by any of the above referenced environmental or regulatory settings. While the subject property is not located within areas impacted by the above reference environmental or regulatory settings, it is determined that seismic activity from the San Andreas fault located six miles north of the subject property could impact the site but is not unique to this particular site as all of Los Angeles County is subject to seismic activity. Therefore, the proposed project will not have an impact or have less than a significant impact on geology and soils.

8. GREENHOUSE GAS EMISSIONS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Generate greenhouse gas (GHGs) emissions, either directly or indirectly, that may have a significant impact on the environment?

The project will generate GHGs though it should be less than significant given the scale. Various plans have analyzed the effects on GHG emissions based on this site being developed as a commercial use. The Southern California Association of Government's 2012 Regional Transportation Plan / Sustainable Communities Strategy was adopted pursuant to the requirements of Senate Bill 375. It targets per capita GHG reduction from passenger vehicles and light duty trucks, incorporating projected land uses, in the Southern California region. Overall growth and development is directed towards rural town center areas and rural towns. Development of a balanced mix of uses and services that would accommodate the local populace would be emphasized. This project is located within a rural town area.

b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. The subject property is located in an area with existing commercial uses within an established community. It primarily serves the local community offering services that local residents would otherwise have to drive further distances to obtain. Policies within the Antelope Valley Area Plan direct development to rural town areas and rural town centers where development already exists; the subject property is located within a rural town area.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

While the proposed project is a new use being introduced to the community and will emit some level of GHGs, the impacts of such GHG emissions have been analyzed in the Southern California Association of Government's 2012 Regional Transportation Plan/ Sustainable Communities Strategy (SCS) as well as the Antelope Valley Area Plan, both of which analyzed the impacts of this property being used for commercial purposes. The SCS outlines a development pattern for the region which when integrated with the transportation network and other transportation measures and policies, would reduce GHG emissions from transportation.

2. HAZARDS AND HAZARDOUS MATERIALS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?

Hazardous materials are not proposed as part of the use on the subject property. The subject property consists of a drive-through restaurant and retail services.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?

Hazardous materials are not proposed as part of the use on the subject property. The subject property consists of a drive-through restaurant and retail services. Cleaning solvents and cooking oil will be used as a part of the proposed uses but not in sufficient quantities to warrant a significant hazard.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses?

Within one-quarter mile of the subject property, a library, a school, and residences exist. Despite the proximity to these sensitive uses, there are no hazardous materials that are proposed to be used in sufficient quantities.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Based on the California Department of Toxic Substances Control Envirostor database, the subject property is not known to contain previous or existing contaminants. There are no sites within 1,000 feet of the subject property known to contain contaminants.

- e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The project is not located within an airport land use plan or close to a public airport. The closest airport, Agua Dulce Airport, is located approximately six miles west of the subject property.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The Agua Dulce Airport, located six miles west of the subject property, is a public-use airport. It will not be affected by the project or pose a safety hazard for people in that area.

g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

The County's Operational Area Emergency Response Plan (OAERP), identifies emergency procedures and emergency management routes in Los Angeles County. The subject property is located on Sierra Highway, which is identified as a Highway Disaster Route. The development of the project will not impede upon the existing use of Sierra Highway as a Highway Disaster Route. The project will not block access to this route.

h) Expose people or structures to a significant risk of loss, injury or death involving fires, because the project is located:

i) within a Very High Fire Hazard Severity Zones (Zone 4)?

ii) within a high fire hazard area with inadequate access?

iii) within an area with inadequate water and pressure to meet fire flow standards?

iv) within proximity to land uses that have the potential for dangerous fire hazard?

The proposed project is located within a Very High Fire Hazard Severity Zone but has adequate access as it is located on Sierra Highway which is a County-designated Existing Major Highway.

Fire flow availability was completed for the project and verified by the Los Angeles County Waterworks Districts. Los Angeles County Waterworks District No. 37 will serve water to the project. The size of the water main is 12". The size of each of the hydrants is 6x4x2-1/2". The fire flow available is 2,000 gallons per minute for two hours. One hydrant is located 41 feet from the northeast corner of the property and another hydrant is located 97 feet from the northwest corner of the property.

Based on the California Department of Toxic Substances Control Envirostor database, the subject property is not known to contain previous or existing contaminants. There are no land uses within 1,000 feet of the subject property known to contain contaminants that have the potential for dangerous fire hazard.

A fuel modification plan is required as a part the proposed project. Compliance with the County Fire Code

will ensure that any potential impacts can be mitigated to less than significant.

i) Does the proposed use constitute a potentially dangerous fire hazard?

The project includes a drive-through restaurant. As a part of the operations of the restaurant, there are materials that may be used that could constitute a potentially dangerous fire hazard, such as cooking oil and cleaning agents. It is anticipated that these materials will be safely handled to limit the risk of fire.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to hazards and hazardous materials include:

- California Health and Safety Code §25501(o): The California Department of Toxic Substances is responsible for classifying hazardous materials in the state of California. Hazardous materials are generally defined as any material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or future hazard to human health and safety or to the environment, if released into the workplace or the environment.
- Los Angeles Health Hazardous Materials Division (HHMD): HHMD is the Certified Unified Program Agency for Los Angeles County. It is responsible for issuing permits and inspects hazardous material handling and hazardous waste generating businesses to ensure compliance with federal, state, and local laws and regulations. It oversees the proper handling, treatment, transportation, and disposal of hazardous wastes generated by many industries.
- Operational Area Emergency Response Plan (OAERP): This plan strengthens short and long-term emergency response and recovery capability, and identifies emergency procedures and emergency management routes in the County.
- General Plan Safety Element: Fire Disaster Routes and Disaster Routes are identified showing the routes that emergency responders are likely to take when responding to an emergency scenario, the routes that residents will be funneled toward to exit an area affected by a disaster, and the field facilities that will be used by emergency responders to coordinate their activities.

There are four issues covered under this section and include hazardous materials, airport land use, emergency response, and fire risk. The uses proposed do not include hazardous material production such as oil refinery but the proposed project is likely to use materials such as cooking oil and cleaning solvents. These materials will not be used in substantive abundance to qualify them as hazardous materials though they will have to be properly contained, transported, and stored. The subject property is not located within an airport land use plan. Sierra Highway is identified as a Highway Disaster Route though the proposed project will not reduce the travel lanes for such evacuation. The subject property is located in a Very High Fire Hazard Severity Zone and will be required to incorporate a fuel modification plan and ensure adequate water for fire flow. Therefore, the proposed project will have a less than significant impact on hazards and hazardous materials.

10. HYDROLOGY AND WATER QUALITY

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Violate any water quality standards or waste discharge requirements?

The proposed project will not be connecting to the municipal wastewater system but will be installing an Onsite Wastewater Treatment System to contain waste discharge. A permit, as required by the Regional Water Quality Control Board and the Department of Public Health, will have to comply with all applicable wastewater treatment standards. Clearance for the installation is contingent upon complying with conditions required by the Department of Public Health and the Regional Water Quality Control Board.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

The proposed project's water supply will be provided by Los Angeles County Waterworks District No. 37. No well is proposed to be installed as part of this project and no water will be drawn from groundwater. The total area of the subject parcel is 1.95 acres which is currently vacant and undeveloped with 100% of the ground being pervious. As currently proposed, 1.24 acres will become impervious and 0.71 acres will remain pervious. The project will be subject to the Low Impact Development ordinance.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

There are no existing streams or rivers crossing the subject property. The subject property is flat with a 5% southwestward down slope. Sierra Highway borders the north boundary of the subject property and the Antelope Valley Freeway borders the southern boundary. Properties directly to the west and east of the subject property are fully developed and no off-site drainage runs onto the subject property from these adjoining properties.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase

the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

There are no existing streams or rivers crossing the subject property. The subject property is flat with a 5% southwestward down slope. Sierra Highway borders the north boundary of the subject property and the Antelope Valley Freeway borders the southern boundary. Properties directly to the west and east of the subject property are fully developed and no off-site drainage runs onto the subject property from these adjoining properties. There is no off-site drainage onto the site. The proposed project has two drainage areas. The entire site is paved with landscaped planters throughout. The eastern part of the property drains by surface runoff and enters the infiltration basin on the south close to the eastern property line. The western part of the property has several planter areas used for minor infiltration, de-silting and debris capture prior to entering the infiltration basin. The southwest portion of the property is not paved and is proposed to be an open graded area of decomposed granite or a fine grade rock surface. This allows infiltration for the entire back portion of the property. Roof drains will be directed underground and outlet into the infiltration basin along the south property line. A catch basin located at the southwest corner of the building will capture the runoff from the parking lot. The catch basin will outlet into the infiltration basin.

e) Add water features or create conditions in which standing water can accumulate that could increase habitat for mosquitoes and other vectors that transmit diseases such as the West Nile virus and result in increased pesticide use?

There are two proposed storage ponds above ground at the southeast and southwest areas of the site that will serve as infiltration basins for Low Impact Development. However, they are designed to drain in less than 48 hours, thus, there is no concern that standing water could accumulate.

f) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The catch basin located on southwestern side of the subject property will be designed for a 25-year frequency storm and the pipe slope will be close to a 5% grade. The outlet will be non-erosive and will disperse in the easterly end of the basin. This is designed to be infiltrated into the basin. Both drainage areas on the subject property do not have a restriction on the outlet from the site. The infiltration basins will have a non-erosive overflow system design over the concrete curbs that outline the basins. Each drainage area will have a system to filter sediment, trash, and debris prior to outlet into the infiltration basins.

g) Generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or otherwise significantly affect surface water or groundwater quality?

The project includes 590 cubic yards of cut and 590 cubic yards of fill grading that will be balanced on-site, as well as 12,945 cubic yards of over-excavation grading (8,718 cubic yards for the building and 4,227 cubic yards for the parking lot). Construction runoff is regulated by the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. This permit applies to all construction that disturbs an area

of at least one acre. By complying with the regulations of this permit, the proposed project will not violate the NPDES stormwater regulations.

h) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84 and Title 22, Ch. 22.52)?

The proposed project is required to comply with the Los Angeles County Low Impact Development (LID) Ordinance and thus will not conflict with it. A LID plan will must be submitted to the Department of Public Works for approval.

i) Result in point or nonpoint source pollutant discharges into State Water Resources Control Board-designated Areas of Special Biological Significance?

According to the State Water Resources Control Board-designated Areas of Special Biological Significance, there are six designated areas in the County of Los Angeles: Mugu Lagoon to Latigo Point, San Clemente Island, and four locations on Santa Catalina Island. None of these areas are located in the North County or in close proximity to the subject property.

j) Use onsite wastewater treatment systems in areas with known geological limitations (e.g. high groundwater) or in close proximity to surface water (including, but not limited to, streams, lakes, and drainage course)?

The proposed project does include the installation of an onsite wastewater treatment system although the subject property is not in an area with known geological limitations or in close proximity to surface water. A septic system report was completed for the proposed project exploring subsurface conditions and testing of percolation rates to evaluate the feasibility of a new onsite wastewater treatment system. Test holes were drilled and found that no groundwater was observed. No evidence of staining, mottling or weathering consistent with higher groundwater levels was observed. Regionally, historic high groundwater levels are in the <40 feet below surface range as suggested by the State of California. It is believed that groundwater will not rise to within 10 feet of the proposed onsite wastewater treatment system.

k) Otherwise substantially degrade water quality?

It is not anticipated that there are additional impacts from the project that would substantially degrade water quality.

l) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or within a floodway or floodplain?

The proposed project does not include any housing.

m) Place structures, which would impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain?

The subject property is not located within a 100-year flood hazard area, floodway, or floodplain.

n) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

The subject property is not located within a dam inundation area.

o) Place structures in areas subject to inundation by seiche, tsunami, or mudflow?

The subject property is not located within an area subject to inundation by seiche, tsunami, or mudflow.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to hydrology and water quality includes:

- **National Pollutant Discharge Elimination System (NPDES):** This permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or manmade ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.
- **California Code Title 23, Division 3 - California Waste Discharge Requirements:** State regulations governing state water resources control boards.
- **Los Angeles County Stormwater Ordinance:** The purpose of this ordinance is to protect the health and safety of residents by protecting the beneficial uses, marine habitats, and ecosystems of receiving waters within the county from pollutants carried by the stormwater and nonstormwater discharges.
- **Los Angeles County Low Impact Development Ordinance:** The low impact development standards are intended to distribute stormwater and urban runoff across development sites to help reduce adverse water quality impacts and help replenish groundwater supplies.
- **Federal Emergency Management Agency (FEMA) Flood Zones:** FEMA performs hydrologic and hydraulic studies that identify flood-prone areas and provide flood risk data. An area that has been designated a 100-year flood plain is considered likely to flood under the 100-year storm event.

Los Angeles County is split between two water quality regions: the Los Angeles Region and the Lahontan Region. Each regional board prepares and maintains a Basin Plan which identifies narrative and numerical water quality objectives to protect all beneficial uses of the waters of that region. The Basin Plans achieve the identified water quality objectives through implementation of Waste Discharge Requirements (WDRs) and by employing three strategies for addressing water quality issues: control of point source pollutants, control of nonpoint source pollutants, and remediation of existing contamination. The subject property is located in the Regional Water Quality Control Board Los Angeles Region.

During the construction phase of a proposed project, the pollutants of greatest concern are sediment, which may run off the subject property due to site grading or other site preparation activities, and hydrocarbon or fossil fuel remnants from the construction equipment. Construction runoff is regulated by the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. This permit applies to all construction which disturbs an area of at least one acre.

Because all projects are required to comply with all of the above-mentioned regulations and the proposed project is not a point source producer, the proposed project will have a less than significant impact on hydrology and water quality.

11. LAND USE AND PLANNING

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

- a) Physically divide an established community?

The proposed project is located within Acton proper on Sierra Highway west of Crown Valley Road and developed on a parcel that conforms to the existing street pattern. While there are no definitive legal boundaries between communities in the Antelope Valley, the community of Acton is located on the southwestern boundary of the Antelope Valley Area Plan. On the west side of Acton is the Santa Clarita Valley Area Plan and the community of Agua Dulce. The demarcation of those two plans is approximately 3.25 miles to the west of the subject property. There are no developments such as constructing new freeways and flood control channels, as a part of the proposed project that will divide the community of Acton.

- b) Be inconsistent with the applicable County plans for the subject property including, but not limited to, the General Plan, specific plans, local coastal plans, area plans, and community/neighborhood plans?

The subject property has a land use designation of CR (Rural Commercial). The proposed use is consistent with the land use designation as this category allows for limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices.

- c) Be inconsistent with the County zoning ordinance as applicable to the subject property?

The subject property is zoned C-RU-DP (Rural Commercial – Development Program). The proposed use is consistent with the zoning as this zone allows for the development of retail uses and restaurants. The project will also have to comply with the requirements in the Acton Community Standards District. Such requirements include but are not limited to a 35-foot height restriction, western frontier design, and concealment of external utilities.

- d) Conflict with Hillside Management criteria, Significant Ecological Areas conformance criteria, or other applicable land use criteria?

The subject property is not located in a Hillside Management or Significant Ecological Area.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The proposed project is consistent with the Antelope Valley Area Plan. The subject property is located in an area of the community intended for commercial use. It is compatible with the existing development and development pattern surrounding which includes a freeway, drive-through restaurant, retail commercial, and gas station. The base zoning of the subject property, C-RU (Rural Commercial) allows retail stores and restaurants as permitted uses. The combining zone of -DP (Development Program) requires the proposed project to obtain a conditional use permit. The proposed project is consistent with all requirements of the County zoning ordinance. Therefore, the proposed project will not have an impact on land use and planning.

12. MINERAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is not located in an area designated as a Mineral Resource Zone as mapped by the California Geological Survey.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project is not located in an area designated as a Mineral Resource Zone as mapped by the California Geological Survey which is the source used by the County to identify mineral resource areas.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to mineral resources includes:

- **California Surface Mining and Reclamation Act of 1975 (SMARA):** This act was adopted to encourage the production and conservation of mineral resources, prevent or minimize adverse effects to the environment, and protect public health and safety.
- **Mineral Resource Zones (MRZ-2s):** The State of California's Geological Survey Division of Mines and Geology identify deposits of regionally significant aggregate resources. These clusters or belts of mineral deposits are designated as MRZ-2s. There are four major MRZ-2s designated in the County: the Little Rock Creek Fan, Soledad Production Area, Sun Valley Production Area, and Irwindale Production Area. The California Department of Conservation protects mineral resources to ensure adequate supplies for future production.
- **Title 22 of the Los Angeles County Code (Part 9 of Chapter 22.56):** This section requires that applicants of surface mining projects submit a Reclamation Plan prior to receiving a permit to mine, which must describe how the excavated site will ultimately be remediated and transformed into another use.

The subject property is not located within an MRZ-2s nor is it mapped as a site containing locally-important

mineral resource recovery site. Therefore, the proposed project will not have an impact on mineral resources.

13. NOISE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the County General Plan or noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08), or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The proposed project consists of a retail building, drive-through restaurant, and storage building. The subject property is zoned for these types of uses. Similar uses on either side of the subject property currently exist and have not exhibited activities that generate noise levels in excess of the standards. The proposed project will be conditioned so that ambient noise associated with construction will be limited to hours according to the noise ordinance so as to not affect residences located 465 feet north of the subject property.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The proposed project consists of a retail building, drive-through restaurant, and storage building. The subject property is zoned for these types of uses. Similar uses on either side of the subject property currently exist and have not exhibited activities that generate noise levels in excess of the standards. The proposed project will be conditioned so that ambient noise associated with construction will be limited to hours according to the noise ordinance so as to not affect residences located 465 feet north of the subject property.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from parking areas?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The subject property is currently vacant with no development on it. Any development on the property will increase the ambient noise level for the lifetime of the use. Temporary noise sources will include those related to construction on the property. Permanent noise sources include cars entering and exiting the property when patronizing the retail stores or restaurant. These noise sources will be permanent but not constantly sustained throughout the day and night. While there will be an increase in the noise level simply by introduction of a new use on previously vacant land, there are surrounding uses of similar capacity. Additionally, the Antelope Valley Freeway is located directly south of the subject property. Noise from the freeway may exceed any ongoing increase in noise resulting from the proposed project. The proposed project will be required to comply with the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from amplified sound systems?

The proposed project includes a drive-through restaurant which will use an amplified noise system to take orders from vehicles. This new periodic noise source is not considered substantial and similar uses are located in the area and adjacent to the subject property.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The proposed project is not located within an airport land use plan or within two miles of a public airport or public use airport. The closest airport is Agua Dulce Airport located six miles west of the subject property.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The proposed project is not located within the vicinity of a private airstrip. The closest airport is Agua Dulce Airport located six miles west of the subject property.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to noise includes:

- Los Angeles County Code Title 12, Chapter 12.08 (Noise Control Ordinance):

The proposed project will comply with the Noise Control Ordinance and County Code Section 12.12. Noise generated by construction equipment during the construction phase of the project may result in a substantial temporary increase in ambient noise levels. Construction activities will be conducted according to best management practices, including maintaining construction vehicles and equipment in good working order by using mufflers where applicable, limiting the hours of construction, and limiting the idle time of diesel engines. Noise from construction equipment will be limited by compliance with the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12. The subject property is not within two miles of an airport or located with an airport land use compatibility plan. With the required compliance with the County's Noise Control Ordinance, the noise from construction will have a less than significant impact.

14. POPULATION AND HOUSING

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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It is anticipated that there will be a maximum of six restaurant employees per shift with a maximum of four restaurant shifts and a maximum of two retail employees with a maximum of two retail shifts. This yields a total of 28 employees cycling through the property in one day. The number of employees on-site at a time does not constitute a substantial population growth as they may be existing local residents. There is no indirect population growth as there is no extension of roads or other major infrastructure required as a condition of the development of this proposed project.

b) Displace substantial numbers of existing housing, especially affordable housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project involves the development of commercial uses on an existing commercially-zoned vacant parcel. There will be no impact to existing housing nor will it necessitate the construction of replacement housing elsewhere.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project involves the development of commercial uses on an existing commercially-zoned vacant parcel. There will be no displacement of people nor will it necessitate the construction of replacement housing elsewhere.

d) Cumulatively exceed official regional or local population projections?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project involves the development of commercial uses on an existing commercially-zoned vacant parcel. The use may attract visitors looking to patronize the services offered, but it is not the type or scale of service that will induce population growth.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The unincorporated areas of Los Angeles County are projected to climb to a population of 1,052,800 people in 2008 to 1,399,500 people in 2035, a 33-percent increase (Source: Southern California Association of Governments 2012-2035 Regional Transportation Plan / Sustainable Communities Strategy). For the 2014-2021 Housing Element planning period, the unincorporated areas have been assigned a Regional Housing Needs Assessment allocation of 30,145 units (Source: Los Angeles County Housing Element, 2014-2021). It is not foreseeable that the type of use as proposed by this project will induce substantial growth or concentration of a population or housing beyond the projections stated here. The commercial use proposed will not affect the County's ability to meet housing objectives as set forth in the Housing Element.

15. PUBLIC SERVICES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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a) **Would the project create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

Fire protection?

County Fire Station #80 is located in Acton approximately 3.5 miles from the subject property. The proposed project will be required to comply with the requirements of the Fire Code (Title 32). Initial consultation with the Los Angeles County Fire Department resulted in the requirement that the project provides fire flow data to demonstrate viability of existing fire hydrants and to provide a fuel modification plan since the subject property is located in the Very High Fire Hazard Severity Zone. Additional requirements from Fire Department to meet the Fire Code will be added as conditions of the project.

Sheriff protection?

The Palmdale Station of the Los Angeles County Sheriff's Department is located at 750 East Avenue Q and serves the community of Acton. It is estimated that the proposed project will generate 1,713 trips daily, of which 196 trips made during the AM peak hour and 168 trips during the PM peak hour, based on the 9th Edition of the Institute of Transportation Engineers trip generation report data for a Specialty Retail Center and Fast-Food Restaurant with Drive-Through Window.

Schools?

The proposed project is a commercial use and will not increase the permanent population, including those who would be enrolled in the local schools. The closest schools to the site are High Desert Middle School (0.25 miles away), Vasquez High School (1.4 miles away), and Acton Elementary School (1.4 miles away).

Parks?

The closest park is Acton Park, located 1.25-miles south of the subject parcel. It is a 12.5-acre passive community park serving the community with seasonal programming. Community parks typically support four acres of parkland per 1,000 people and range in size from 10 to 20 acres, servicing a one- to two-mile radius.

There is no projected population change deriving from the development of the proposed project. As noted in Section 14 - Population and Housing of this Initial Study, the proposed project would not create a

substantial permanent residential population increase. It is anticipated that there will be a maximum of six restaurant employees per shift with a maximum of four restaurant shifts and a maximum of two retail employees with a maximum of two retail shifts. This yields a total of 28 employees cycling through the property in one day. Given the small quantity of persons employed and the limited amount of time available for them to visit the park, the number of employees working at this site will not impact the park. While patrons of the restaurant may purchase items to take to the community park, it is unlikely that the existence of this service will encourage the patrons to frequent the park.

Libraries?

The Acton Agua Dulce Library is located 0.25 miles away from the subject property. It is anticipated that there will be a maximum of six restaurant employees per shift with a maximum of four restaurant shifts and a maximum of two retail employees with a maximum of two retail shifts. This yields a total of 28 employees cycling through the property in one day. This constitutes a minimal increase in the number of patrons potentially using the library at lunch or before/after work.

Other public facilities?

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to public services includes:

- Los Angeles County General Plan, Safety Element
- Los Angeles County General Plan, Public Services and Facilities Element:

There are special development fees and legal requirements in place to address the provision of services or facilities and infrastructure for large projects. For smaller projects, many of the impacts are assessed through the respective agencies' long term plans which take into account projections based on land use designations and growth trends. The subject property has been zoned for a commercial use and would have been factored into the aforementioned plans. Therefore, the proposed project will have a less than significant impact on public services.

16. RECREATION

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Significant
Impact</i> | <i>Less Than
Significant
Impact with
Mitigation
Incorporated</i> | <i>Less Than
Significant
Impact</i> | <i>No
Impact</i> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|----------------------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The closest park is Acton Park, located 1.25-miles south of the subject parcel. It is a 12.5-acre passive community park serving the community with seasonal programming. Community parks typically support four acres of parkland per 1,000 people and range in size from 10 to 20 acres, servicing a one- to two-mile radius.

There is no projected population change deriving from the development of the proposed project. As noted in Section 14 - Population and Housing of this Initial Study, the proposed project would not create a substantial permanent residential population increase. It is anticipated that there will be a maximum of six restaurant employees per shift with a maximum of four restaurant shifts and a maximum of two retail employees with a maximum of two retail shifts. This yields a total of 28 employees cycling through the property in one day. Given the small quantity of persons employed and the limited amount of time available for them to visit the park, the number of employees working at this site will not impact the park. While patrons of the restaurant may purchase items to take to the community park, it is unlikely that the existence of this service will encourage the patrons to frequent the park.

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| b) Does the project include neighborhood and regional parks or other recreational facilities or require the construction or expansion of such facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The proposed project consists of commercial uses and does not include the development of a park.

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|------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Would the project interfere with regional open space connectivity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project is being developed on land that has been designated as suitable for commercial development as noted by its land use designation and zoning.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building.

Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

Given that the proposed project consists of commercial uses, it is not likely that a significant number of people working at or frequently the commercial services would also all visit the local parks, unlike the case of a residential development. Therefore, the proposed project will have a less than significant impact on recreation.

17. TRANSPORTATION/TRAFFIC

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The subject parcel is located on Sierra Highway, a County-designated Existing Major Highway. A traffic study was prepared to identify traffic impacts and provide mitigation measures, as necessary. It is estimated that the proposed project will generate 1,713 trips daily, of which 196 trips made during the AM peak hour and 168 trips during the PM peak hour, based on the 9th Edition of the Institute of Transportation Engineers trip generation report data for a Specialty Retail Center and Fast-Food Restaurant with Drive-Through Window. According to the traffic study, the traffic generated by the project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area based on the Traffic Impact Analysis Guidelines. The existing two-way left-turn lane on Sierra Highway would need to be extended westerly to accommodate left-turn movements at the project's west driveway. The extension of the auxiliary lane may require additional pavement transitions within the dedicated public right-of-way along the northern side of Sierra Highway in the vicinity of the project.

There is a proposed trail located along the northern alignment of Sierra Highway. It was recommended by the Department of Parks and Recreation that the project includes a hitching post to accommodate equestrian riders and support such non-automotive modes of transportation.

b) Conflict with an applicable congestion management program (CMP), including, but not limited to, level of service standards and travel demand measures, or other standards established by the CMP for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Sierra Highway is a Principal Arterial between State Route 126 and State Route 14 (at Red Rover Mine Road) as designated by the 2010 Congestion Management Program (CMP) for Los Angeles County. The subject parcel is located 1-mile east of Red Rover Mine Road outside of the segment identified as a Principal Arterial by the CMP. Between 1992 and 2007, the level of service for the intersection of Sierra Highway and Red Rover Road, closest to the subject parcel, has improved from a Level of Service (LOS) B to LOS A in the morning and LOS C to LOS A in the evening.

c) Result in a change in air traffic patterns, including

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed project consists of a retail building, drive-through restaurant, and storage building. There are no vertical protrusions that would affect air traffic. The tallest structure reaches 35'.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed project does not introduce any design features that would substantially increase hazards. Structures are adequately set back from the street to provide sufficient sightlines for vehicles exiting the parcel. Vehicular access points are located along the straight section of Sierra Highway with no dangerous curves within close proximity that could pose a hazardous condition.

e) Result in inadequate emergency access?

The proposed project has been reviewed by County Fire Department and it was determined that the proposed project would not block or provide inadequate emergency access for the project or make existing emergency access to off-site properties inadequate. The proposed project is subject to the Fire Code which would not allow for the development to result in inadequate emergency access.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

In the 2012 Los Angeles County Bicycle Master Plan, Sierra Highway is identified as a proposed Class III Bike Route in the vicinity of the project. Additionally, a proposed Class III Bike Route on Crown Valley Road from Sierra Highway to Soledad Canyon Road is identified in the Master Plan. A Class III Bike Route provides shared use with motor vehicle traffic within the same travel lane. Designated by signs, bike routes provide continuity to other bike facilities or designate preferred routes through corridors with high demand. The Bicycle Master Plan proposes several hundred miles of Class III bicycle routes along rural roadways; however, the Bicycle Master Plan also recognizes that most of these facilities require widening and/or shoulder improvements to provide adequate room for bicyclists to ride.

Additionally, Sierra Highway contains a proposed County trail. In consultation with the Department of Parks and Recreation, it was determined that the preferred alignment of the trail is along the northern side of Sierra Highway and no trail improvements are being required of the proposed project since it is located along the southern side of Sierra Highway. A hitching post is a recommended installation as a part of the proposed project to accommodate equestrian uses.

Per the County Healthy Design Ordinance, bicycle parking must be provided. For general retail commercial, including restaurants, one short-term bicycle parking space must be provided per each 5,000 square feet of gross floor area, with a minimum of two spaces. One long-term bicycle parking space must be provided per each 12,000 square feet of gross floor area, with a minimum of two spaces. A total of four bicycle parking spaces must be provided for this proposed project.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to transportation and traffic includes:

- Southern California Association of Governments Regional Transportation Plan (RTP): The RTP provides a vision for transportation investments throughout the region. Using growth forecasts and economic trends that project out over a 20-year period, the RTP considers the role of transportation in the broader context of economics, environmental, and quality-of-life goals for the future, identifying regional transportation strategies to address mobility needs.
- Antelope Valley Area Plan, Circulation Element: This element outlines goals and policies for transportation and traffic movement within the Antelope Valley. As a component of the General Plan, it also maps the existing and proposed highway plan.
- Metro Congestion Management Program (CMP): The CMP links local land use decisions with their impacts on regional transportation and air quality.
- Los Angeles County Bicycle Master Plan: This document provides guidance on implementing proposed bikeways as well as various bicycle-friendly policies and programs to promote bicycle ridership.

The proposed project has been required to complete a traffic study to assess the amount of traffic that will be generated based on the uses that are proposed. According to the traffic study, the traffic generated by the project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area based on the Traffic Impact Analysis Guidelines. Non-vehicular traffic has been taken into account in the design of the project, whereby the multi-modal trail will remain on the northern side of Sierra Highway opposite the subject property but the proposed project will incorporate a hitching post and bike parking into the design to accommodate non-vehicular patrons. Therefore, the proposed project will have a less than significant impact on transportation and traffic.

18. UTILITIES AND SERVICE SYSTEMS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impacts</i>
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Would the project:

a) Exceed wastewater treatment requirements of either the Los Angeles or Lahontan Regional Water Quality Control Boards?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Based on the Department of Public Health's review of the proposed project's Feasibility Report, the percolation test results indicate that a non-conventional wastewater disposal system is to be installed due to the percolation rates which are greater than 5.12 gallons/square feet/day. A design for a non-conventional septic system has been submitted based on the manufacturer's recommendations. A copy of the report from the Regional Water Quality Control Board has not yet been received. The approval of the Regional Water Quality Control Board must be received prior to the issuance of a building permit for final approval from the Department of Public Health for the Onsite Wastewater Treatment System (OWTS) installation. The design and installation of the OWTS shall conform to the requirements of all applicable regulatory agencies.

b) Create water or wastewater system capacity problems, or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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An Onsite Wastewater Treatment System will be required to be developed and installed in accordance with the requirements of all applicable regulatory agencies. Wastewater generated by the proposed project will not be routed through any municipal wastewater treatment systems. No construction of a new water treatment facility will be necessary.

c) Create drainage system capacity problems, or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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A Hydrology Report and Low Impact Development Plan was reviewed and approved by the Department of Public Works. These documents indicate that the proposed project has two drainage areas. The eastern part of the property drains by surface runoff and enters an infiltration basin on the south end of the property. The western part of the property has several planter areas used for minor infiltration, de-silting, and debris capture prior to entering the infiltration basin. The southwest portion of the property is not paved and is proposed to be an open graded area of decomposed granite or a fine grade rock surface. This allows infiltration for the entire back portion of the property. The drainage design features identified in these documents will be incorporated into the project's construction plans.

d) Have sufficient reliable water supplies available to serve the project demands from existing entitlements and resources, considering existing and projected water demands from other land uses?

The project has received a will-serve letter from the Los Angeles County Waterworks District No. 37.

e) Create energy utility (electricity, natural gas, propane) system capacity problems, or result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project will not impact utility capacity due to its relatively small scale. Energy demand from this project should be sufficiently provided for by supplies from existing infrastructure.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The Los Angeles County Integrated Waste Management Plan (IWMP), which is compiled by the interagency Integrated Waste Management Task Force and updated annually, has identified landfills with sufficient disposal capacity for the next 15 years, assuming current growth and development patterns remain the same. All projects must also comply with other documents required by the California Integrated Waste Management Act of 1989 (AB 939). Additionally, Assembly Bill 341 (2011) and Assembly Bill 1826 (2014) require certain businesses to set up recycling services for recyclables and organic waste. Therefore, impacts are expected to be less than significant.

The closest landfill to the subject property is the Antelope Valley Public Landfill. It is currently has a permitted regulatory status with a cease operation date of 2042. The landfill is permitted 3,564 tons of trash per day. Additionally, the Lancaster Landfill was approved in 2011 to increase its allowable daily volume of municipal solid waste disposal from 1,700 per day to 3,000 tons per day. Alternative solid waste disposal includes the waste-by-rail system, which is a remote disposal program for Los Angeles County that is currently being developed.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

The proposed project will be required to obtain approvals and building permits. As a part of that process, the proposed project will have to comply with all applicable solid waste regulations including regulations stipulated in the IWMP, the County's Green Building Program, and all federal, state, and local statutes. Therefore, impacts are expected to be less than significant.

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project consists of the development of three structures on 1.95 acres of undeveloped land: a 6,000-square foot retail building, a 3,300-square foot restaurant, and a 1,600-square foot storage building. Access to the site is provided from Sierra Highway, a County-designated Existing Major Highway. Surrounding parcels are developed with commercial uses and a freeway.

The environmental/regulatory setting related to utilities and service systems includes:

- **Los Angeles County Low Impact Development Ordinance:** The low impact development standards are intended to distribute stormwater and urban runoff across development sites to help reduce adverse water quality impacts and help replenish groundwater supplies.
- **Los Angeles County Integrated Waste Management Plan (IWMP):** The California Integrated Waste Management Act of 1989 mandates jurisdictions to meet a diversion goal of 50 percent. In addition, each county is required to prepare and administer a Countywide Integrated Waste Management Plan. This Plan is comprised of the County's and the cities' solid waste reduction planning documents.

The proposed project is required to obtain permits for all of the utilities and service systems. Therefore, the proposed project will have a less than significant impact on utilities and service systems.

19. MANDATORY FINDINGS OF SIGNIFICANCE

- | | <i>Potentially Significant Impact</i> | <i>Less Than Significant Impact with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> |
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| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The subject property does not contain the resources identified through CEQA as those that will significantly impact the environment, special species, plant communities, or historic resources.

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| b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

The proposed project involves the development of structures and commercial uses with design features intended to mitigate any potential issues that may arise. Included in the design will be catch basins for water percolation. The short-term environmental benefits of this include the catching of run-off to eliminate pollution into the watershed and to direct water into appropriate areas on the site rather than off-site. The long-term benefit of these design features is that it will allow for the recharge of the water basin and to limit the amount of debris and pollution seeping into the water.

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| c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

According to the traffic study completed for this project, the traffic generated by the project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area based on the Traffic Impact Analysis Guidelines. Although Sierra Highway is designated as an Existing Major Highway, parts of Sierra Highway contain one travel lane in each direction. In front of the subject property, the road widens to accommodate two lanes traveling east, one two-way left-turn lane, and one lane traveling west. As properties are developed along Sierra Highway, there may need to be additional street improvements.

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

During the construction phase of the proposed project, there may be air quality impacts although the proposed project will have to obtain permits and comply with the regulatory agency's construction management practices.