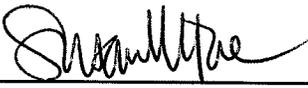


Hearing Officer Transmittal Checklist

Hearing Date
06/07/2011
Agenda Item No.
3

Project Number: R2010-01008-(5)
Case(s): Conditional Use Permit Case No. 201000096
Planner: Anthony Curzi

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use Radius Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6461
PROJECT NUMBER R2010-01008-(5)
CONDITIONAL USE PERMIT NO. 201000096

PUBLIC HEARING DATE
06/07/2011

AGENDA ITEM
3

RPC CONSENT DATE
N/A

CONTINUE TO
N/A

APPLICANT

Bill and Carrie Strait

OWNER

Bill and Carrie Strait

REPRESENTATIVE

Jessie Hooker

PROJECT DESCRIPTION

The applicant is requesting authorization to construct a residential second unit and detached garage in an area lacking public sewer connection. The proposed second unit will be a 1,026-square-foot (44'-0" x 23'-4"), single-story prefabricated house facing East Avenue Q-4. The height of the residential second unit will be 13 feet. A 36-foot-wide by 24-foot-deep three-car detached garage will be located immediately west of the second unit and will access Avenue Q-4. The driveway will be located at least 36 feet from the western property line. A walkway will lead from the driveway to the second unit. Both the 1,000-gallon septic tank and the leach field area will be located behind (south of) the second unit and garage.

REQUIRED ENTITLEMENTS

A Conditional Use Permit (CUP) to authorize the construction of a second unit in the A-1-1 (Light Agricultural zone) in an area lacking public sewer, pursuant to section 22.24.100 of the Los Angeles County Code.

LOCATION/ADDRESS

9240 East Avenue Q-4, Palmdale, CA 93591

SITE DESCRIPTION

The site plan depicts a flat, square-shaped lot at the southwest intersection of East Avenue Q-4 and 93rd Street East. Existing structures on the property include a one-story single-family residence, a concrete driveway, four storage sheds, three horse stalls, and a horse corral. The proposed residential second unit and detached garage will be located at the northwest corner of the property. The site plan also depicts the floor plan of the proposed second unit. It depicts a utility area, kitchen, dining area, living area, two bathrooms, and three bedrooms. The elevations of the second unit are also depicted. The east elevation depicts the side of the house visible from 93rd Street East and the existing house and it features a blank facade. The west elevation depicts the side of the house adjacent to the detached garage and it features two windows. The north elevation depicts the structure as seen from Avenue Q-4 and it shows two windows and a door. The south elevation depicts the structure as seen from the backyard or rear property line and it features two windows and a door.

ACCESS

Via 93rd Street East and East Avenue Q-4

ZONED DISTRICT

Littlerock

ASSESSORS PARCEL NUMBER

3027-028-012

COMMUNITY

Littlerock

SIZE

2.09 acres

COMMUNITY STANDARDS DISTRICT

Southeast Antelope Valley

	EXISTING LAND USE	EXISTING ZONING
Project Site	Existing single-family residence.	A-1-1 (Light Agricultural – 1-acre minimum lot size)
North	Single-family residence and vacant land.	A-1-1
East	Single-family residence and vacant land.	A-1-1
South	Single-family residence and vacant land.	A-1-1
West	Single-family residence and vacant land.	A-1-1

GENERAL PLAN/COMMUNITY PLAN

Antelope Valley Areawide General Plan

LAND USE DESIGNATION

N2 (Non-Urban 2)

MAXIMUM DENSITY

1.0 dwelling units per acre

ENVIRONMENTAL DETERMINATION

N/A

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

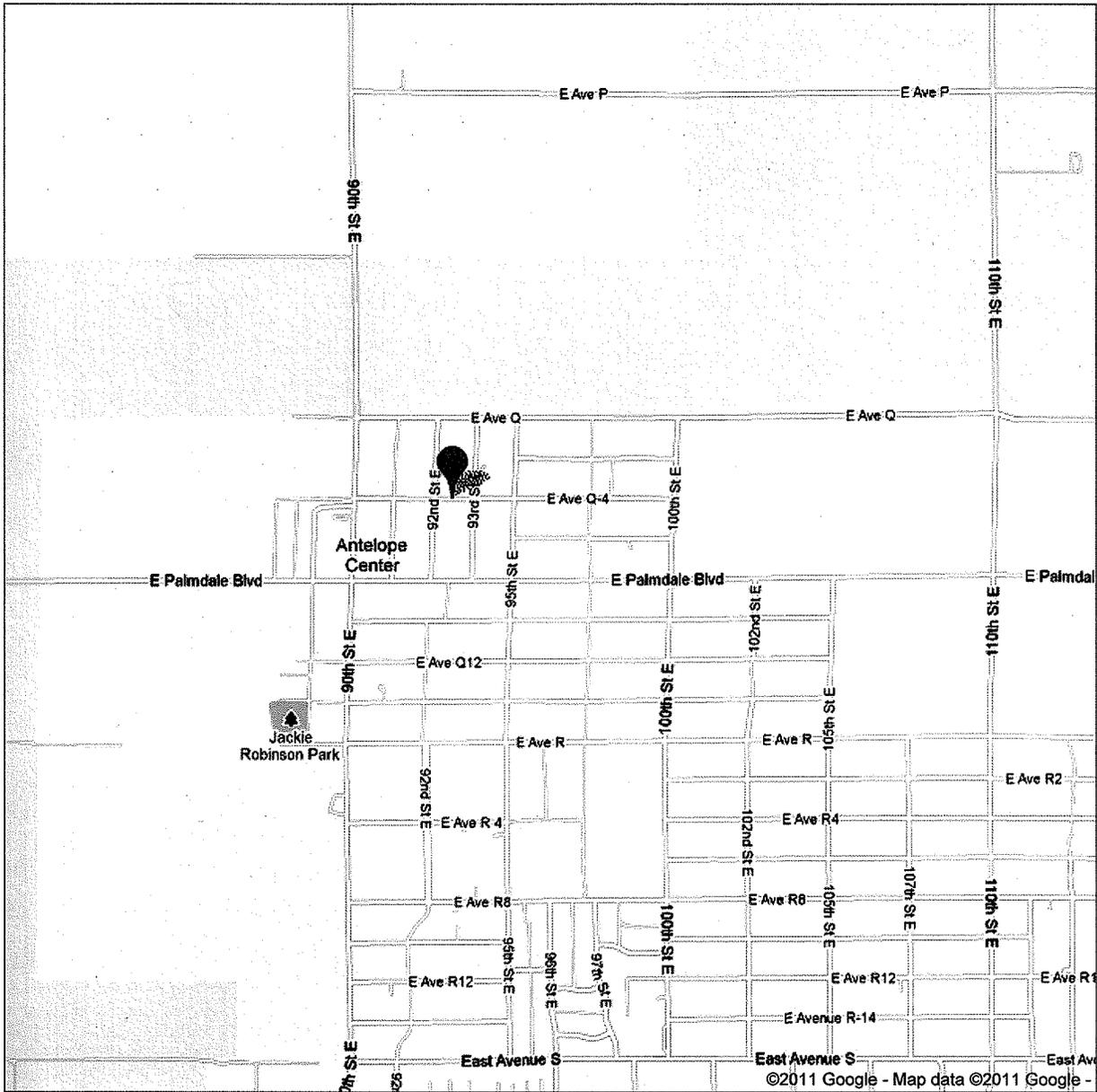
STAFF CONTACT PERSON:		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

*(O) = Opponents (F) = In Favor

Google maps

Address 9240 E Ave Q-4
Palmdale, CA 93591

Notes R2010-01008
CUP201000096



STAFF ANALYSIS
PROJECT NO. R2010-01008-(5)
Conditional Use Permit No. 201000096

PROJECT DESCRIPTION

The applicant, Bill and Carrie Strait, is requesting a Conditional Use Permit (CUP) to authorize construction of a second residential unit and detached garage in an area lacking a public sewer connection within the A-1-1 (Light Agricultural – one-acre minimum lot size development standard) zone. A CUP is required to allow the construction of residential second units in areas lacking public sewer service.

The proposed second unit will be a 1,026-square-foot (44'-0" x 23'-4"), single-story prefabricated house facing East Avenue Q-4. The detached three-car garage will measure 768 square-feet and will be 36 feet wide by 24 feet deep and it will have access to East Avenue Q-4 via a driveway. The edge of the driveway will be located at least 36 feet from the western property line. A walkway will lead from the driveway to the second unit. The height of the second residential unit and garage will be 13 feet. A 1,000-gallon water tank and the leach field area will be located behind (south of) the second unit and garage.

REQUIRED ENTITLEMENTS

The applicant is requesting a CUP to authorize the construction of a second residential unit and detached garage in the A-1-1 zone in an area lacking a public sewer connection pursuant to Section 22.24.100 of the Los Angeles County Code (County Code).

DESCRIPTION OF SUBJECT PROPERTY

Location

The subject property is located at 9240 East Avenue Q-4 (APN 3027-028-012), Palmdale, CA 93591, in the unincorporated community of Littlerock. The property is located approximately nine miles east of downtown Palmdale.

Physical Features (topography/vegetation)

The subject property is located on a square-shaped parcel on the southwest corner of the intersection of East Avenue Q-4 and 93rd Street East. It is flat and is surrounded by vacant parcels and single-family residences with vegetation typical of a dry, arid, high desert landscape. There is one Joshua tree located on the site that is south of the location of the proposed residential second unit and it will remain. Other vegetation on the site includes ornamental trees.

Access

Access to the subject site is via a driveway located on the west side of 93rd Street East. The proposed second residential unit's garage will be accessible via a new driveway located off of East Avenue Q-4.

SITE PLAN DESCRIPTION

The site plan depicts a flat, square-shaped lot at the southwest corner of the intersection of East Avenue Q-4 and 93rd Street East. Existing structures on the property include a one-story single-family residence, a concrete driveway, four storage sheds, three horse stalls, and a horse corral. The proposed residential second unit and detached garage will be located at the northwest corner of the property. The site plan also depicts the floor plan of the proposed second unit. It depicts a utility area, kitchen, dining area, living area, two bathrooms, and three bedrooms. The elevations of the second unit are also depicted. The east elevation depicts the side of the house visible from 93rd Street East and the existing house and it features a blank facade. The west elevation depicts the side of the house adjacent to the detached garage and it features two windows. The north elevation depicts the structure as seen from Avenue Q-4 and it shows two windows and a door. The south elevation depicts the structure as seen from the backyard or rear property line and it shows two windows and a door.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a Categorical Exemption, Class 3, New Construction or Conversion of Small Structures, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) and the Los Angeles County Environmental Document Reporting Guidelines, since the project is to authorize the construction of a second residential unit in an area lacking public sewer connection.

EXISTING ZONING

Subject Property: The subject property is zoned A-1-1.

Surrounding Properties:

North: A-1-1
East: A-1-1
South: A-1-1
West: A-1-1

EXISTING LAND USE

Subject Property: The subject property is improved with a single-family residence, horse stalls, horse corral, and storage sheds.

Surrounding Properties:

North: Vacant land
East: Vacant land
South: Vacant land
West: Vacant land

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Section 22.60.174 of the County Code, the Notice of Public Hearing was advertised in *La Opinion*, on April 18, 2011 and in *The Antelope Valley Press* on April 18, 2011. A total of 70 public hearing notices regarding the subject application were mailed out to the owners of properties located within a 1,000-foot radius of the subject property on April 7, 2011. This number also includes notices sent to the local community groups and residents on the Littlerock Zoned District courtesy list.

Case information materials, including the Notice of Public Hearing, Factual Sheet and Site Plans were forwarded to the Littlerock Library at 35119 80th Street East, Littlerock, CA 93543 on April 12, 2011. The same materials were also posted on the Department of Regional Planning's website.

Pursuant to Section 22.60.175 of the County Code, the applicant shall post the public hearing notice on the property no less than 30 days prior to the public hearing date. Staff received the Certificate of Posting and photos from the applicant's agent stating that the Notice of Public Hearing was posted on April 27, 2011.

PREVIOUS CASES/ZONING HISTORY

The subject property does not have any previous case history.

STAFF EVALUATION

General Plan Consistency

The Antelope Valley Areawide General Plan (Plan) Land Use Policy map designation for the subject property is "N-2" (Non-Urban 2) which allows a maximum of two dwelling units per acre. The subject site is 2.09 acres large and the addition of a second dwelling unit will not cause the density ratio for the N2 classification to be exceeded.

The addition of a second dwelling unit is also in conformance with the goals of the Housing Element of the Los Angeles County General Plan, which emphasize the construction of affordable housing—particularly for those with special needs like the elderly and disabled.

Zoning Ordinance and Development Standards Compliance

The County Code allows for the construction of second residential units as a by-right use, unless the property is located in a high fire hazard severity zone, and/or in an area lacking public water and sewer, in which case a CUP shall first be obtained. The subject property is in an area lacking a public sewer connection.

The subject property is zoned Light Agricultural. The A-1 zone was established to provide for minor agricultural and low-density residential uses. The addition of the

proposed second residential unit is in keeping with all zoning regulations in effect for the zone. All setbacks and other requirements will be adhered to.

The subject property is also in the Southeast Antelope Valley Community Standards District (CSD) and is subject to the provisions thereof. Community standards districts are established to provide additional tools to communities in implementing unique development standards or in addressing special problems. The Southeast Antelope Valley CSD requires that, to the extent, possible, new development shall "preserve existing natural contours, native vegetation, and natural rock outcroppings." The subject property is flat and does not contain any rock outcroppings, but there is an existing Joshua tree onsite next to the proposed residential second unit that will remain.

Neighborhood Impact/Land Use Compatibility

The proposed second unit will be located on a 2.09-acre site with an existing single-family residence in a rural area in the southeastern Antelope Valley. The surrounding area is comprised of vacant parcels and single-family houses along with accessory uses like horse stalls and storage sheds typically found in rural areas. The addition of an additional housing unit on a two-acre lot would not substantially change the character of the area. As previously mentioned, there are properties to the north, east, west, and south are all vacant and the proposed second unit would not cause a detriment to the neighborhood, nor would it cause residential dwelling unit densities envisioned by the Plan to be exceeded.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code. Staff believes that the applicant has met the Burden of Proof.

COUNTY DEPARTMENT AND STATE COMMENTS AND RECOMMENDATIONS

Los Angeles County Department of Public Works

The Los Angeles County Department of Public Works, in their letter dated December 30, 2010, recommend approval of the CUP.

Los Angeles County Department of Public Health

The Los Angeles County Department of Public Health, in their letter dated March 23, 2011, recommend approval of the CUP subject to certain conditions. These conditions have been added to the conditions of approval and are attached to this report.

Los Angeles County Fire Department

The Los Angeles County Fire Department, in their letter dated March 22, 2011, recommend approval of the CUP.

PUBLIC COMMENTS

No public comments have been received at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

Department of Regional Planning Zoning Enforcement:

A deposit of \$200 to cover the cost of one (1) zoning enforcement inspection has been included and additional funds would be required if violations are found on the subject property. A copy of the conditions of approval for this grant will be required to be kept on site at all times.

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:

The addition of a second residential unit on the subject property meets zoning requirements and is consistent with the goals and policies of the Plan, the County General Plan, and the CSD. A Conditional Use Permit is required because the subject property is in an area lacking a public sewer connection. However, an onsite wastewater treatment system, conceptually approved by Public Health, will service the second unit. Moreover, the subject property is not in an area lacking public water, nor is it in a very high fire hazard severity zone.

Staff recommends **approval** of Conditional Use Permit No. 201000096 subject to the attached draft findings and conditions.

Prepared by Anthony Curzi, Regional Planning Assistant II

Reviewed by Susan Tae, AICP, Supervising Regional Planner, Zoning Permits North Section

Attachments:

Draft Findings

Draft Conditions of Approval

Applicant's Burden of Proof statement

Site Photographs

Site Plan

Land Use Map

DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES

**PROJECT NO. R2010-01008-(5)
CONDITIONAL USE PERMIT NO. 201000096**

REQUEST:

Applicant is requesting approval of a Conditional Use Permit for the construction of a residential second unit and detached garage in an area lacking a public sewer connection within the A-1-1 (Light Agricultural – One-Acre Minimum) zone.

HEARING DATE: June 7, 2011

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings

1. The Project is located at 9240 East Avenue Q-4, Palmdale in the unincorporated community of Littlerock (APN: 3027-028-012).
2. The Project is for the construction of a 1,026-square-foot residential second unit and detached three-car garage in an area lacking a public sewer connection within the A-1-1 (Light Agricultural – one-acre minimum lot size development standard) zone.
3. The Antelope Valley Areawide General Plan classification for this property is "N2" (Non-Urban 2), which permits 1.0 dwelling units per acre. The subject property is 2.09 acres large and the addition of another dwelling unit will not cause the density ratio for the N2 classification to be exceeded.
4. The subject property is zoned A-1-1 (Light Agricultural – One-Acre Minimum). The subject property is 2.09 acres large and, therefore, meets the lot size standard.
5. The subject property is located in the Southeast Antelope Valley Community Standards District and meets the requirements thereof by preserving an existing Joshua tree onsite.
6. The proposed driveway to the residential second unit will have access off of Avenue Q-4, a private, improved paved street, which accesses a public road.
7. The existing uses on the site include a single-family house with accessory structures like storage sheds and horse stalls.
8. Surrounding land uses include vacant land and existing single-family houses.

9. The site plan depicts a flat, square-shaped lot at the southwest intersection of East Avenue Q-4 and 93rd Street East. Existing structures on the property include a one-story single-family residence, a concrete driveway, four storage sheds, three horse stalls, and a horse corral. The proposed residential second unit and detached garage will be located at the northwest corner of the property. The site plan also depicts the floor plan of the proposed second unit. It depicts a utility area, kitchen, dining area, living area, two bathrooms, and three bedrooms. The elevations of the second unit are also depicted. The east elevation depicts the side of the house visible from 93rd Street East and the existing house and it features a blank facade. The west elevation depicts the side of the house adjacent to the detached garage and it features two windows. The north elevation depicts the structure as seen from Avenue Q-4 and it shows two windows and a door. The south elevation depicts the structure as seen from the backyard or rear property line and it features two windows and a door.
10. The proposed Project is compatible with the surrounding neighborhood and community because the addition of a residential second unit on the 2.09-acre parcel will not cause density ratios established under the Antelope Valley Areawide General Plan to be exceeded, and the proposed structure is compatible with the general character of the area.
11. 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 and property posting.
12. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer'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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Los Angeles County Department of Regional Planning.
13. This project is exempt from the County's Low Impact Development (LID) and Green Building Program because the Project will not alter more than 50 percent of the existing impervious surface area and the proposed building is less than 10,000 square-feet. Therefore, the thresholds for applying both LID and the Green Building Program are not met.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

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

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

- C. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

HEARING OFFICER ACTION:

- 1. The Project is categorically exempt from the California Environmental Quality Act with a Categorical Exemption Class 3 – New Construction or Conversion of Small Structures.
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201000096 is APPROVED subject to the attached conditions.

c: Hearing Officer, Zoning Enforcement, Building and Safety

amc
06/07/2011

**DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. R2010-01008-(5)
CONDITIONAL USE PERMIT NO. 201000096**

PROJECT DESCRIPTION

The project is a request for a Conditional Use Permit to construct a 1,026-square-foot residential second unit and detached three-car garage on a 2.09-acre parcel located in the A-1-1 (Light Agricultural – one-acre minimum lot size) zone in an area lacking public sewer subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" 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, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition Nos. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8, shall be effective immediately upon 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 permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully 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 fully 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 the department'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 permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Recorder ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$200.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **one (1)** inspection. The inspection shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.
10. 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 otherwise determined by County Code Section 22.60.350.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
12. All requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.

13. All development pursuant to this grant shall conform with the requirements of County Department of Public Works.
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 notification 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.

15. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **four (4) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

PROJECT SITE-SPECIFIC CONDITION

16. A minimum of three (3) on-site covered parking spaces shall be maintained and made continuously available for vehicular parking as shown on the approved Exhibit "A".
17. As per the requirements of Section 22.52.1740 of the County Code, the second unit shall not be separately sold from the single-family residence that is located on the subject property, but it may be used as a rental unit. In addition, the single-family residence or the second unit on the subject property shall be owner-occupied in perpetuity. The permittee shall record in the office of the Recorder, within 90 days of approval, an agreement to this effect as a covenant running with the land for the benefit of the County, and the covenant shall declare that any violation thereof shall be subject to the enforcement procedures set forth in Part 6 of Chapter 22.60 of the County Code. The agreement shall be submitted to the Director of Regional Planning for review and approval prior to recordation.
18. Potable water shall be supplied by the Los Angeles County Waterworks Districts.
19. The applicant/property owner shall sign a covenant not to sue the county for damages resulting from approval of, or imposition of conditions on, this Conditional Use Permit.

SMT:amc
06/07/2011

CONDITIONAL USE PERMIT BURDEN OF PROOF

9240 East Ave Q-4, Palmdale, CA. 93591

Case # *10-01008*

CRITERIA A: That the requested use at the location will not:

1. *Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area* because the use will be similar in use to those in the surrounding area.
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site because the existing lot offers plenty of room and support for the construction of the second unite; this project is a continuation of the land use and resources and it will add to the property value by constructing new structures.
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because the single family use will not generate adverse products that will constitute the above, Existing paved road and access roads do not exhibit congestion and are well maintained by the governing authority.

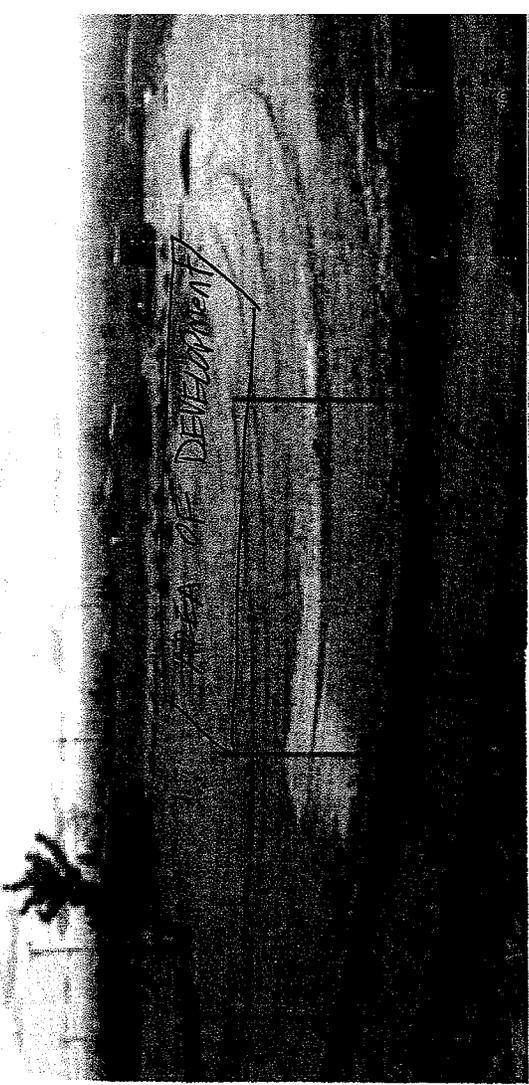
CRITERIA B: That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The existing site contains one single filmily residence of approximately 1000 S.F., while this site area is slightly above 2 acres, the application for the second unite is supported by the zoning requirements and density plans for the general area.

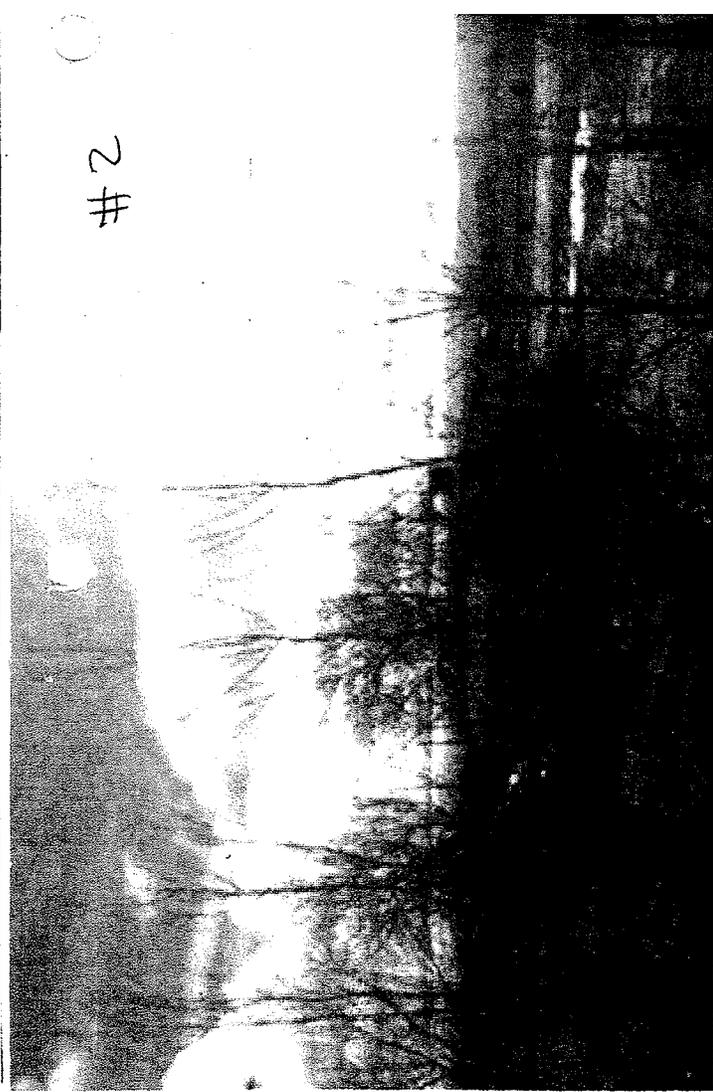
CRITERIA C: That the proposed site is adequately served:

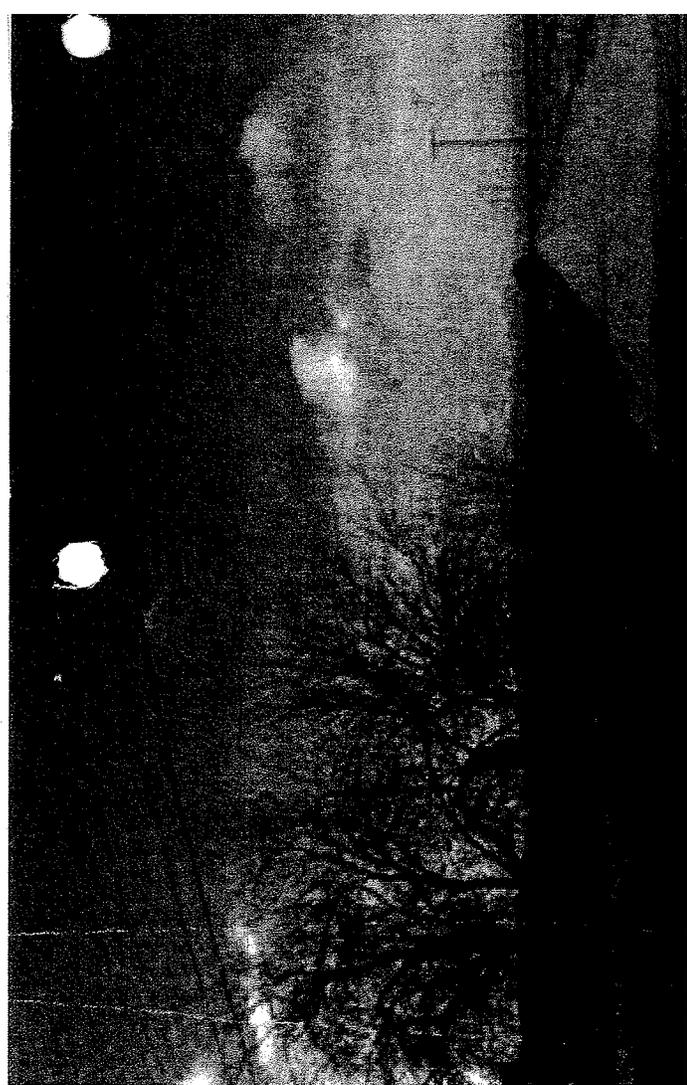
1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, Ave Q-4 is a paved road with one lane of traffic in each direction, However 93rd street East is a well graded dirt road without improvements, since both streets are private streets, they complement neighborhood requirements and yet serve the site.
2. Public water mains are already installed within the streets to serve the site, an on-site private sewage disposal system has been tested and demonstrated that it is feasible to construct for this application. Other utilities are also in the immediate vicinity of the site.

1



2





#5

