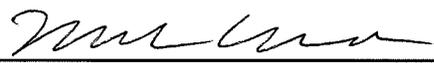


# Hearing Officer Transmittal Checklist

Hearing Date  
4/19/2011  
-----  
Agenda Item No.  
4

Project Number: R2010-01625-(5)  
Case(s): Conditional Use Permit Case No. 201000149  
Planner: Adam Thurtell

- 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) 974-6443  
**PROJECT NUMBER R2010-01625-(5)**  
**RCUP 201000149**

<b>PUBLIC HEARING DATE</b> 4/19/2011	<b>AGENDA ITEM</b>
<b>RPC CONSENT DATE</b>	<b>CONTINUE TO</b>

<b>APPLICANT</b> John and Pamela Castagna	<b>OWNER</b> John and Pamela Castagna	<b>REPRESENTATIVE</b> Caroline Shopshear
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**PROJECT DESCRIPTION**  
 The applicant proposes a 1200 square foot second dwelling unit. The second dwelling unit would be located on the northeast portion of the parcel, in the backyard.

**REQUIRED ENTITLEMENTS**  
 A conditional use permit to authorize the construction of a second dwelling unit within a Very High Fire Hazard Severity Zone.

**LOCATION/ADDRESS**  
 33055 Crown Valley Road

**SITE DESCRIPTION**  
 The site plan depicts a proposed 1200 square foot manufactured home on the northeast portion of a square 2 acre parcel. The side yard and back yard setback for the proposed unit would both be 35 feet. An existing single family residence and a 3200 square foot metal storage building are also depicted.

<b>ACCESS</b> Crown Valley Road	<b>ZONED DISTRICT</b> Soledad
<b>ASSESSORS PARCEL NUMBER</b> 3208009074	<b>COMMUNITY</b> Acton
<b>SIZE</b> 2.09 Acres	<b>COMMUNITY STANDARDS DISTRICT</b> Acton

	<b>EXISTING LAND USE</b>	<b>EXISTING ZONING</b>
Project Site	Single family residence	A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)
North	Single family residence	A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)
East	Single family residence	A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)
South	Single family residence	A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)
West	Single family residence	A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)

<b>GENERAL PLAN/COMMUNITY PLAN</b> Antelope Valley Area Plan	<b>LAND USE DESIGNATION</b> N2 (non-urban, 1.0 du/acre)	<b>MAXIMUM DENSITY</b> 1
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**ENVIRONMENTAL DETERMINATION**  
 Class 3 Categorical Exemption- New Construction or Conversion of Small Structures

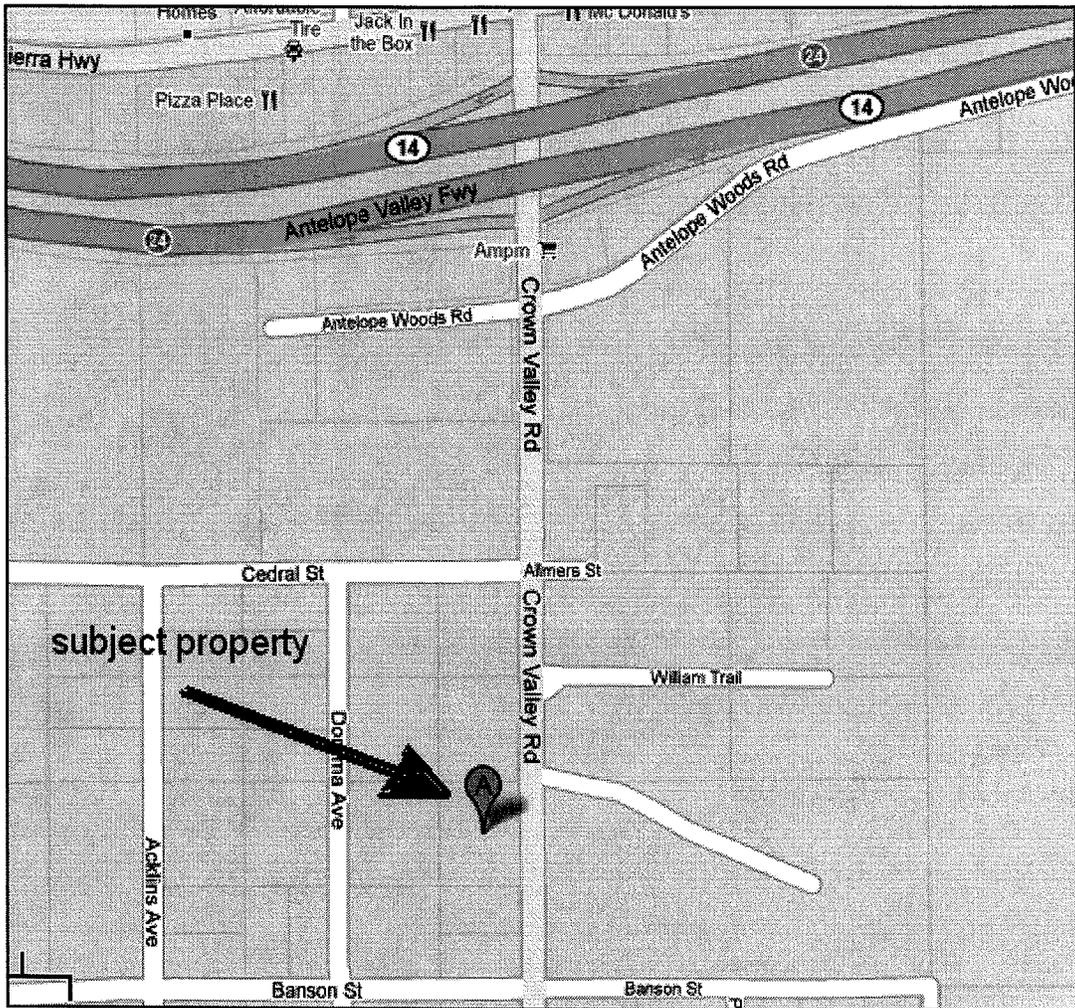
**RPC LAST MEETING ACTION SUMMARY**

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

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

<b>STAFF CONTACT PERSON:</b> Adam Thurtell		
<b>RPC HEARING DATE(S)</b>	<b>RPC ACTION DATE</b>	<b>RPC RECOMMENDATION</b>
<b>MEMBERS VOTING AYE</b>	<b>MEMBERS VOTING NO</b>	<b>MEMBERS ABSTAINING</b>
<b>STAFF RECOMMENDATION (PRIOR TO HEARING):</b>		
<b>SPEAKERS*</b> (O) 0 (F) 0	<b>PETITIONS</b> (O) 0 (F) 0	<b>LETTERS</b> (O) 0 (F) 0

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



**STAFF ANALYSIS**  
**PROJECT NUMBER R2010-01625-(5)**  
**RCUP 201000149**

**PROJECT DESCRIPTION**

The applicant proposes to use an existing 1,200 square foot mobile home structure as a second dwelling unit. The second dwelling unit would be located on the northwest portion of the parcel, in the rear yard.

**REQUIRED ENTITLEMENTS**

The subject property is located within a Very High Fire Hazard Severity Zone. A Conditional Use Permit (CUP) is required for a second unit in such a zone (Section 22.52.1770 A).

**LOCATION**

33055 Crown Valley Road, Soledad Zoned District.

**SITE PLAN DESCRIPTION**

The site plan depicts a proposed 1,200 square foot manufactured home on the northwest portion of a square 2 acre parcel. The side yard and rear yard setback for the proposed unit would both be 35 feet. An existing single family residence and a 2,300 square foot metal storage building are also depicted.

**ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning has determined that a Categorical Exemption, Class 3 Categorical Exemption- New Construction or Conversion of Small Structures, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

**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.

**PREVIOUS CASES/ZONING HISTORY**

There are no previous cases on this site.

**STAFF EVALUATION**

**Antelope Valley Area Plan**

The subject property is located within the Antelope Valley Area Plan and has a land-use designation of N2 – Non-Urban 2 (1 du/acre), which corresponds to rural residential development. The purpose of this category is to maintain the existing low-density residential neighborhoods. The existing and proposed development is consistent with the land use category.

### **Zoning Ordinance and Development Standards Compliance**

The subject property is located within the A-1-10,000 (light agriculture, 10,000 square foot lot minimum required lot area) Zone, and meets all development standards for this zone (Section 22.24.110).

### **Acton Community Standards District (CSD) Development Standards**

The subject property is located within the Acton Community Standards District (CSD). The Acton CSD has specific provisions that are intended to slow or reduce runoff from new development and protect and enhance the rural character of Acton. The maximum impervious finished surface area for residential and associated accessory uses shall not exceed 10 percent for lots three net acres or larger; not exceed 21 percent or 13,000 square feet, whichever is smaller, for lots between one and one-quarter net acres and three net acres; and not exceed 42 percent or 11,000 square feet, whichever is smaller, for lots smaller than one and one-quarter net acres (Section 22.44.126 C.4.a).

The lot size is 2 acres, or 87,120 square feet; therefore, the maximum impervious finished surface is 13,000 square feet. The site plan depicts 13,207 square feet of impervious finished surface. The applicant will be required to reduce the impervious surface area to 13,000 square feet or less.

### **Second Unit Development Standards**

The proposed second unit meets all development standards for second units (Section 22.52.1750).

### **Neighborhood Impact/Land Use Compatibility**

Several parcels in the vicinity are developed with single-family residences and second units similar to what is proposed by this request. The second unit would be compatible with the surrounding land uses.

### **Burden of Proof**

The applicant is required to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

On September 28, 2010, the Fire Department approved a fuel modification for this project.

### **PUBLIC COMMENTS**

Staff has received one letter from the public in support of this project.

The Acton Town Council holds regular hearings and provides recommendations for projects covered in the Acton CSD. The applicant has been advised to contact the Acton Town Council, but to date, the only comments we have received is from the Acton

Chamber of Commerce. Staff believes the applicant may have confused the two groups. The applicant has been instructed to ensure the Acton Town Council is informed of this case.

**FEES/DEPOSITS**

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

**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 R2010-01625-(5) RCUP 201000149 subject to the attached conditions.

Prepared by Adam Thurtell, Regional Planner

Reviewed by Mark Child, Supervising Regional Planner, Zoning Permits North Section

**Attachments:**

Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Environmental Document  
Site Photographs  
Site Plan  
Land Use Map

## **FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES**

**PROJECT NUMBER R2010-01625-(5)  
RCUP 201000149  
33055 Crown Valley Road**

**HEARING DATE: 4/19/2011**

### **SYNOPSIS:**

The applicant proposes to use an existing 1,200 square foot mobile home structure as a second dwelling unit. The second dwelling unit would be located on the northwest portion of the parcel, in the rear yard.

### **PROCEEDINGS BEFORE THE HEARING OFFICER:**

#### **Findings**

1. The subject property is located at 33055 Crown Valley Road in the unincorporated community of Acton within the Soledad.
2. The proposed project is a second dwelling unit within a Very High Fire Hazard Severity Zone. A Conditional Use Permit (CUP) is required to establish this use in such a zone, per Section 22.52.1730 B.
3. The subject property is located within the Antelope Valley Area Plan and has a land-use designation of N2 (non-urban, 1.0 du/acre), which corresponds to rural residential development. The purpose of this category is to maintain the existing low-density residential neighborhoods. The existing and proposed development is consistent with the land use category.
4. The subject property is located within the Acton Community Standards District (CSD) and zoned A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum). The proposed project meets all applicable development standards with the exception of maximum impervious finished surface. Pursuant to Section 22.22.126 C.4.a the maximum impervious finished surface for the subject property is 13,000 square feet. The site plan presented at the public hearing depicts 13,207 square feet of impervious finished surface. The applicant is required to reduce the impervious surface to less than 13,000 square feet and prepare a new site plan.
5. The Surrounding Properties are zoned as follows:  
North: A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)  
South: A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)

East: A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)  
West: A-1-10,000 (Light Agriculture, 10,000 square foot lot minimum)

6. Surrounding land uses within 1,000 include:
  - North: Single family residence
  - South: Single family residence
  - East: Single family residence
  - West: Single family residence
7. The proposed second unit is consistent with surrounding land uses and would provide additional housing for the family of the applicant.
8. Pursuant to the provisions of Section 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.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:**

1. That the proposed site is consistent with the adopted general plan for the area, and
2. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
3. 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 Title 22,
4. 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 Hearing Officer has considered the Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources by

local guidelines that this class of projects does not have a significant effect on the environment.

2. The location of 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, 13<sup>th</sup> 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.
3. In view of the findings of fact and conclusions presented above, CUP number 201000149, Project Number R2010-01625-(5) is approved subject to the attached conditions.
4. I, the Hearing Officer, have considered the Categorical Exemption for this project and certify that it is consistent with the findings by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

c: Hearing Officer, Each Commissioner, Zoning Enforcement, Building and Safety

This grant authorizes the construction of a second dwelling unit within a Very High Fire Hazard Severity Zone, subject to the following conditions of approval;

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. This grant shall not be effective for any purpose and cannot be used 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 Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and that the conditions have been recorded as required by Condition No. 3, and until all required fees have been paid pursuant to Condition No. 4. Notwithstanding the foregoing, this condition (No. 2), and Condition Nos. 5 and 6 and 7 shall be effective immediately upon final approval of this grant by the County.
3. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
4. 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.  
Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$200.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for one inspection.  
The inspection fee shall be paid within 30 days of approval. 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 condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$200.00 per inspection).
5. 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 cooperate fully 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.

6. 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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.
7. This grant shall expire unless used within 2 years from the date of final approval by the County. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
8. 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 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.
9. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
10. Required changes to the site plan shall be submitted to the director within ninety

(90) days of the approval date of this grant, the permittee shall submit to the Director for review and approval. Changes shall include a reduction in impervious area to 13,000 square feet or less to comply with the Acton CSD, Section 22.44.126.C.4.a. The permittee shall provide three (3) copies of site plans, similar to Exhibit "A" as presented at the public hearing. The property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A. In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner. If changes to the site plan are required as a result of instruction given at the public hearing, a Revised Exhibit "A" shall be submitted to the Department of Regional Planning within sixty (60) days of the date of approval for the Conditional Use Permit.

11. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control.
14. All landscaped areas shall be continuously and properly maintained in good condition;
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. 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.
16. 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
17. Outdoor lighting shall be designed so as to direct light and glare only onto the buildings on the subject property. Said lighting and glare shall be deflected, shaded

and focused away from all adjoining property. Outdoor lighting shall not exceed an intensity of one foot-candle of light throughout the facility. Wherever feasible, lighting using motion sensors shall be installed.

20. The applicant shall record in the office of the County Recorder an agreement stating that the second unit applicant shall be an owner-occupant of the single-family residence that is located on the same lot or parcel of land. Thereafter, either the single-family residence or the second unit shall be owner-occupied in perpetuity. This covenant shall run with the land for the benefit of the County of Los Angeles, and the covenant shall also declare that any violation thereof shall be subject to the enforcement procedures of Part 6 of Chapter 22.60.

21.

MC:at  
Tuesday, April 19, 2011

10-01625

CONDITIONAL USE PERMIT CASE-BURDEN OF PROOF

SEC. 22.56.040

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning and /or Commission, the following facts:

- A. That the requested use at the location proposed will not:
  1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
  2. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, or
  3. Jeopardize, endanger or otherwise constitute a menace to the public health safety or general welfare.

Addition of this Second Unit meets or exceeds the requirements of Title 22/ (22.52.1700) Second Unit Ordinance. The existing SFR is owner Occupied and the proposed structure meets restrictions of the height and size. The structure is consistent with surrounding residential properties. The addition of the "Second Unit" would allow owners to assist fellow family (senior) as an affordable, visually pleasing location to live with no impact on neighbors. There is more than adequate room on the large parcel for the structure.

- 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 2 Acre A-1 Residential lot has an attached garage and a metal shed for storage. There is adequate parking for both residences and access to the second unit through the east and west side. Property is flat, completely fenced and has native vegetation. Adjacent properties on left side is vacant and the right side is in compliance And is in agreement with the placement of this propose 1200 square foot secondary Residence. ( See attached letter from neighbor on the right side of the property) Alice and Terry Collette located at 33125 Crown Valley Road, Acton, Ca. 93510. There is a wrap circular driveway that goes all the way through the property from the west to the east entrance, which allows for the access to deliver the home to the proper location. Nothing is in the way. The lots across the street are all vacant all the way to the highway Which is .2 miles.

- C. That the proposed site is adequately served:
  1. By highways or streets of sufficient width and improved as necessary to carry the kind of quantity of traffic such use would generate, and
  2. By other public or public or private service facilities as are required.

Access to the property is from the North West Crown Valley Rd. in an entirely residential area of comparable or larger lots. The property is served by public water and the private septic plan is included for review. Traffic would be minimal due to

Occupant's age and family association. The home is to be occupied by The 82 year old Father of the Owner with medical condition which requires him to be looked after while retaining his privacy and independence as an elderly senior. Due to his age and medical condition, would like to expedite this process, possibly without a hearing.

In conclusion, we have attached letters from various residents, in support to the placement of this second dwelling.

In Support of my request, please read the following:

On the 6<sup>th</sup> of August, 2003 There was a memorandum for the Planning Directors and Interested Parties. From Cathy E. Creswell, Deputy Director, Division of housing Policy Development. The subject was, Second-Unit Legislation Effective January 1, 2003 and July 1, 2003

The following information was brought forth:

AB 1866 (Chapter 1062, Statutes of 2002) amends two sections of Government Code to encourage the creation of second-units, generally as follows:

1. sections 65852.2 (Second-Unit law) – Amendments require local governments with a local second-unit ordinance to ministerially consider second-unit applications as of July 1, 2003; and local governments without a local second-unit ordinance or a local ordinance not in compliance with subsections (a) or (c) of a second-unit law should ministerially consider second-units application in accordance with State standards, established in subsection (b), as of January 1, 2003.
2. Section 65583.1 (a portion of State housing element law) – Amendments clarify existing housing element law to allow identification of realistic capacity for second-units in addressing a locality's share of the regional housing need. The identification of realistic capacity should be based on the development trends of second-units in the previous housing element planning period and other relevant factors. These amendments were effective as of January 1, 2003.

The following attachments are provided to inform localities of Chapter 1062 and to assist in evaluating how these new provisions of State law affect communities. This memo supplements prior technical assistance issued by the Department of housing and Community Development (Department) on second-unit law. A copy of the legislation can be found on the Department's website at [www.hcd.ca.gov](http://www.hcd.ca.gov). You may obtain copies of published bills from the 2002 session from the Legislative Bill Room at (916) 445-2323 or from the Senate's website at: [www.senate.ca.gov](http://www.senate.ca.gov). If you have questions or would like additional information, please contact Paul Mc Dougall, of our staff, at (916) 445-4728.

10-01625

Second-units (i.e., in-law apartments, granny flats, or accessory apartments) provide an important source of affordable housing. By promoting the development of second-units, a community may ease a rental housing deficit, maximize limited land resources and existing infrastructure and assist low and moderate-income homeowners with supplemental income. Second units can increase the property base and contribute to the local affordable housing stock. Government code section 65852.2 (a.k.a. second-unit law)

Chapter 1062 requires development applications for second-units to be "...considered ministerially without discretionary review or a hearing..." or, in the case where there is no local ordinance in compliance with subsections (a) or (c), a local government must "...accept the application and approve or disapprove the application ministerially without discretionary review..." In order for an application to be considered ministerially, the process must apply predictable, objective, fixed, quantifiable and clear standards. These standards must be administratively applied to the application and not subject to discretionary decision-making by a legislative body (For clarification see the attached definition of ministerial under California Environmental Quality Act (CEQA) Guidelines, Section 15369 .)/ The definition is generally accepted and was prepared pursuant to Public Resources Code.

I have included the Memorandum for your information to Review.

We ask that you prioritize and expedite this process. We feel a hearing is not necessary. Included are pictures of the existing property and the propose home, which is paid for and waiting for your answer to proceed to put the home on our property.

I thank you in advance for assisting us with this delicate situation to move the Castagna's father in a home to be cared for immediately.



Carol Shopshear.  
Agent for John and Pamela Castagna  
33055 Crown Valley Rd, Acton, Ca. 93510



COUNTY OF LOS ANGELES  
**Public Health**

**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director and Health Officer

**JONATHAN E. FREEDMAN**  
Chief Deputy Director

**ANGELO J. BELLOMO, REHS**  
Director of Environmental Health

**ALFONSO MEDINA, REHS**  
Director of Environmental Protection Bureau

**KEN HABARADAS, M.S., REHS**  
Environmental Health Staff Specialist  
5050 Commerce Drive  
Baldwin Park, California 91706  
TEL (626) 430-5382 • FAX (626) 813-3016

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)



**BOARD OF SUPERVISOR**

**Gloria Molina**  
First District

**Mark Ridley-Thomas**  
Second District

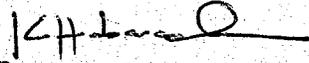
**Zev Yaroslavsky**  
Third District

**Don Knabe**  
Fourth District

**Michael D. Antonovich**  
Fifth District

February 2, 2011

**TO:** Phillip Estes, AICP  
Principal Regional Planner  
Department of Regional Planning

**FROM:** Ken Habaradas, M.S., REHS   
Environmental Health Division  
Department of Public Health

**SUBJECT: PROJECT NO.R2010-01625**  
**CUP 2010-00149**  
**LOCATION: 33055 CROWN VALLEY ROAD, ACTON**

- Environmental Health recommends approval of this CUP.  
 Environmental Health does NOT recommend approval of this CUP.

This is in response to the notice of consultation for the above-referenced project that was forwarded to the Department of Public Health – Environmental Health for review and comment. The applicant requests a CUP to authorize a second-dwelling unit located within a Very High Fire Hazard Severity Zone, with a septic system, located in an A-1-10,000 zone, Acton CSD.

Based on review of the application and site plan, as well as information provided by the applicant, the Department recommends approval of the CUP subject to the attached conditions:

If you should have any questions, please contact me at (626) 430-5382.

KH:kh

Attachments

COUNTY OF LOS ANGELES ♦ DEPARTMENT OF PUBLIC HEALTH

ENVIRONMENTAL HEALTH ♦ LAND USE PROGRAM

5050 Commerce Drive, Baldwin Park, CA 91706

Date: February 2, 2011

Project No. R2010-01625

Page 1 of 1

Location: 33055 Crown Valley Road, Acton CUP No. 2010-00149

The Land Use Program has received preliminary information submitted by the applicant to determine the feasibility for the installation of an onsite wastewater treatment system (OWTS) for the proposed second dwelling. Based on the information provided, the Land Use Program has no objection to the approval of the CUP. This conceptual approval is intended for the CUP review process only that encompasses the requirements applicable to OWTS, and it does not authorize any land development until the following conditions have been satisfactorily fulfilled:

1. **Prior to installation of any OWTS**, a complete feasibility report shall be submitted to the Department for review and approval. The feasibility report shall be prepared in accordance with the Department's "Onsite Wastewater Treatment System (OWTS) Guidelines." The applicant is advised to contact the Santa Clarita office at (661) 287-7018 for assistance with filing a service request application for OWTS construction permit and submitting the required fee.

Note: If a public sewer connection is available within 200 feet of any part of the proposed building or exterior drainage, all future drainage and piping shall be connected to such public sewer.

Note: The design and installation of OWTS shall conform to the requirements of Public Health and all other applicable regulatory agencies. If due to the proposed development, grading, geological limitations, required setbacks and flood or surface/ground water related concerns or for any other reasons, conformance with all applicable requirements cannot be achieved, the Department will not recommend issuance of any building permits.

For questions regarding the above requirements, please contact Patrick Nejadian at (626) 430-5390.

COUNTY OF LOS ANGELES ♦ DEPARTMENT OF PUBLIC HEALTH

ENVIRONMENTAL HEALTH ♦ DRINKING WATER PROGRAM

5050 Commerce Drive, Baldwin Park, CA 91706

Date: January 7, 2011

Project No. R2008-01017

Page 1 of 1

Location: 32300 N. Castaic Rd., Castaic CUP No. 2010-00096

The Drinking Water Program recommends approval of the CUP with the following condition:

1. Potable water will be supplied by the Los Angeles County Waterworks District No. 37. The Department is in receipt of a current "will serve" letter from the County Waterworks District.

For questions regarding the above condition, please contact Richard Lavin at (626) 430-5420.

Dan and Ellen Murphy

2011 Galloping Way

Acton, CA 93510

RE: Project Location 33055 Crown Valley Rd., Acton, CA 93510

Permit: R2010-01625-(5) RCUP 201000149

To Whom It May Concern:

We are writing in support of the above named project. Mr. and Mrs. Castagna have complied with ALL issues put before them in trying to install a small manufactured guest house on their property to house his father. The fact that this process has taken 18 months and THOUSANDS of dollars to get only this far is ridiculous and shows how broken the county system is.

All county and government agencies have been paid, and while John and Pam have complied with all deadlines (on their part), each delay (caused by the county/gov't. agency) has resulted in higher fees (on top of fees already paid for the same thing), and longer time periods with each agency that has to sign off on the project.

As Acton residents who travel past the Castagna home on a daily basis, I can't see into their backyard to see that this little guest home would detract from the area in any way. And we've made a specific effort to look and see if it would be visible to passing traffic. As I understand it, there is plenty of support from the neighbors and the rest of the community for this project.

The little guest house would be there to provide living space for John's father while also providing a little independence and privacy for him and allowing John and Pam to care for him as his health deems.

Why the county is requiring this to drag on and on is beyond comprehension. This should have been over and done with a long time ago so they could have been caring for John's father instead of running all over creation trying to get this approved through the proper channels.

Stop punishing the homeowners for a county system that is in dire need of an overhaul. Please support this family's wish to take care of their own in the best way possible.

Dan Murphy

Ellen Murphy

cc: Michael Antonovich

Norm Hickling