



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

January 5, 2016

Richard J. Bruckner
Director

Robert Reyes
10262 Sierra Highway
Agua Dulce, CA 91390

**REGARDING: PROJECT NO. R2006-00500-(5)
MODIFICATIONS TO CONDITIONAL USE PERMIT NO. 200600040
10262 SIERRA HIGHWAY, AGUA DULCE (APN 3213-016-029)**

Hearing Officer Bruce Durbin, by his action of **January 5, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **January 19, 2016**. Appeals must be delivered in person.

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Richard Claghorn of the Zoning Permits North Section at (213) 974-6443, or by email at rclaghorn@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Robert Glaser, Supervising Regional Planner
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement

RG:RC

**FINDINGS AND ORDER
OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2006-00500-(5)
MODIFICATION TO CONDITIONAL USE PERMIT NO. 200600040**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed hearing in the matter of Conditional Use Permit No. 200600040 ("CUP") on November 3, 2015.
2. The permittee, Robert Reyes ("permittee"), requests a minor modification to the CUP to modify nine conditions pertaining to the operations of a previously approved winery ("Project") on a property located at 10262 Sierra Highway in the unincorporated community of Agua Dulce ("Project Site") in the A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area) zone pursuant to Los Angeles County Code ("County Code") section 22.56.1600.
3. The Project Site is 16.25 acres in size and is a legal lot. The Project Site is rectangular in shape with gentle-sloping topography and is developed with a single-family residence, winery, and vineyard.
4. The Project Site is located in the Agua Dulce Community Standards District ("CSD") and the Soledad Zoned District and is currently zoned A-1-2.
5. The Project Site is located within the "RL2" (Rural Land 2) land use category of the Santa Clarita Valley Area Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: A-1-2
 - South: A-1-2
 - East: A-1-2
 - West: A-1-2
7. Surrounding land uses within a 500-foot radius include:
 - North: Vacant land and single-family residences
 - South: Vacant land and single-family residence
 - East: Agriculture
 - West: Vacant land and single-family residences.
8. The Regional Planning Commission ("Commission") approved CUP 200600040, establishing the winery, on July 30, 2008.
9. The request for modification or elimination of CUP 200600040 conditions was filed on September 18, 2012. The reason for the filing was to reflect changes in the project scope which had occurred since the approval of the permit, including a reduction in the occupant load for the tasting room and the decision to not convert

the single-family residence to winery use. The modification request would also help to make compliance with the CUP conditions more feasible for the applicant and to help resolve pending violations of the existing CUP conditions.

10. The permittee had planned to convert the single-family residence into part of the winery at the time of the CUP 200600040 approval. However, the residence has not been converted, and the permittee has chosen to keep the single-family residence, which will not be part of the winery as previously planned. The single-family residence is a permitted use in the A-1-2 Zone pursuant to Section 22.24.070. Because of this change, the project description which preceded the original CUP 200600040 conditions and which was mentioned in Finding No. 4 of the original CUP findings is being modified. This change does not affect any CUP conditions but is noted here for the record.
11. The old project description reads: *"This grant authorizes the establishment of a winery by converting the existing single family residence, accessory structures, and vineyard into a winery with accessory uses such as wine tasting area, wine sales, sales office, and storage and production facility, and winery waste disposal tank as depicted on the approved Exhibit "A". In addition, this grant also authorizes the onsite and offsite sale of wine. This approval is subject to all of the following conditions of approval."*
12. The new project description reads: *"This grant authorizes the establishment of a winery by converting the existing accessory structures and vineyard into a winery with accessory uses such as wine tasting area, wine sales, sales office, and storage and production facility, and winery waste disposal tank as depicted on the approved Exhibit "A". In addition, this grant also authorizes the onsite and offsite sale of wine. This approval is subject to all of the following conditions of approval. The existing single-family residence shall remain as a single family residence, which is not part of this entitlement."*
13. Condition 16 is being modified to update it and to provide more specific information about the signage. This change was not requested by the applicant, but is needed for greater clarity regarding the signage.
14. Condition Number 16, as currently approved, reads as follows: *"Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of signage plans depicting the location, size and height of all proposed signage, developed in accordance with the requirements of Part 10 of Chapter 22.52 of the County Code."*
15. With the requested modification, Condition Number 16 would read as follows: *"No signs shall be provided except for the signs shown on the approved Exhibit "A". Signs shown on the current Exhibit "A" include a 20 square foot offsite freestanding directional sign located on Assessor's Parcel Number 3213-016-028, a 3.3 square foot wall mounted directional sign for the tasting room, and a 2.5 square foot wall mounted directional sign for the winery (wine storage room). These signs are located*

in the A-1 Zone and are consistent with the requirements of Sections 22.52.960 and 22.44.113.D.4.d.iv of the County Code. Any changes to the size or location of any of the signs or any new proposed signs shall be subject to review of a Revised Exhibit 'A' prior to any new work. Signage may not contain advertising, such as special events or sales. All signage shall be developed in accordance with the requirements of Part 10 of Chapter 22.52 of the County Code, except where modified by the CSD."

16. The permittee is requesting modification of Condition Number 19 to require fewer parking spaces for the winery. The parking requirement for the winery has been reduced from 35 spaces to 25 spaces based on an occupant load determination of 75 for the tasting room from the County Engineer (Building and Safety) dated August 7, 2012. The parking requirement is one space per three occupants, based on Section 22.52.1110 of the County Code, so the reduction in occupant load leads to a lower parking requirement, which was the reason for the requested change to this condition.
17. Condition Number 19, as currently approved, reads as follows: *"A minimum of 35 automobile parking spaces, including one handicap parking space, shall be provided onsite at all times and shall be developed according to the requirements of Section 22.52.1060 of the County Code. A maximum of 14 of the required spaces may be compact spaces. The required parking spaces are to remain clear and free for use by employees and visitors; no supplies or materials may be stored in these spaces. Recreational vehicle parking, storage of inoperable vehicles and vehicle repair are prohibited on the site."*
18. With the requested modification, Condition Number 19 would read as follows: *"A minimum of 25 automobile parking spaces, including one handicap parking space, shall be provided onsite for the winery at all times and shall be developed according to the requirements of Section 22.52.1060 of the County Code. A maximum of forty percent of the required spaces may be compact spaces. The required parking spaces are to be striped and to remain clear and free for use by employees and visitors; no supplies or materials may be stored in these spaces. Recreational vehicle parking, storage of inoperable vehicles and vehicle repair are prohibited on the site. Parking shall be provided in accordance with the approved Exhibit "A"."*
19. The permittee is requesting modification of Condition Number 20 to allow the access road to remain in its existing "all-weather" unpaved condition. The Los Angeles County Fire Department has indicated that the existing access road qualifies as "all weather" access and that it does not require that the access road be paved. The original CUP findings do not state why the condition required paving.
20. Condition Number 20, as currently approved, reads as follows: *"The existing access from the Sierra Highway to the subject property is unpaved, the permittee shall provide paved, all weather surface access to the subject property."*

21. With the requested modification, Condition Number 20 would read as follows: *"The existing access from Sierra Highway to the subject property has an unpaved all weather surface. The permittee shall maintain all weather surface access to the subject property satisfactory to the Fire Department."*
22. The permittee is requesting modification of condition Number 22 to allow for the Department of Public Works ("DPW") requirements to be updated. The current condition requires that the permittee shall comply with all recommended conditions set forth in the correspondence from DPW dated April 10, 2008. The DPW conditions include providing a left turn pocket, adequate pavement to pavement transition, and reconstruction of the existing culvert and head wall to accommodate the pavement transition. DPW issued an updated letter dated August 17, 2015 based on the current modification request and the revised plans. It eliminated the left-turn pocket and related conditions pertaining to pavement transition. Because of the reduced occupant load, DPW determined that these improvements were no longer necessary, as long as the scope of work is reduced as proposed under the revised plans and project description.
23. Condition Number 22, as currently approved, reads as follows: *"The permittee shall comply with all recommended conditions set forth in the attached correspondence from the Department of Public Works dated April 10, 2008."*
24. With the requested modification, Condition Number 22 would read as follows: *"The permittee shall comply with all recommended conditions set forth in the attached correspondence from the Department of Public Works dated August 17, 2015." (left-turn pocket and the related conditions pertaining to pavement transition referenced in the DPW letter are no longer necessary)*
25. The permittee is requesting modification of condition Number 24.c to allow wine tastings and tours without appointments. The permittee believes the provision requiring an appointment for tours and wine tasting is unnecessary and too restrictive.
26. Condition Number 24.c, as currently approved, reads as follows: *"Winery-related incidental visitor-serving uses including, but not limited to, the following may be permitted: (a) the sale of wine produced on the premises; (b) winery and vineyard tours and wine tasting by appointment only; (c) noncommercial social activities; and (d) prepackaged food service. These visitor-serving uses shall be directly related to and clearly secondary to the winery. Adequate parking, fire protection, water supply, and sanitation facilities for these visitor-serving uses shall be required;"*
27. With the requested modification, Condition Number 24.c would read as follows: *"Winery-related incidental visitor-serving uses including, but not limited to, the following may be permitted: (a) the sale of wine produced on the premises; (b) winery and vineyard tours and wine tasting; (c) noncommercial social activities; and (d) prepackaged food service. These visitor-serving uses shall be directly related to*

and clearly secondary to the winery. Adequate parking, fire protection, water supply, and sanitation facilities for these visitor-serving uses shall be required;"

28. Condition Number 25.d is being modified to correct an erroneous reference to a non-existent condition. The original condition referred to condition 26a, but no such condition exists. The reference should have been to condition 25a, because that is the condition that mentions that alcoholic beverages may be consumed at the tables in the designated patio area. Also, the condition is clarified to require signage in Spanish, which is the predominant second language in the neighborhood. The changes to this condition were not requested by the applicant but are requested to correct an error in the original condition and to provide clarity on the predominant second language requirement.
29. Condition Number 25.d, as currently approved, reads as follows: *"The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages outside the winery buildings except as authorized in condition 26a and prohibiting loitering. The signage shall be in English and the predominant second language in the neighborhood. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary."*
30. With the requested modification, Condition Number 25.d would read as follows: *"The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages outside the winery buildings, except as authorized in condition 25a, and prohibiting loitering. The signage shall be in English and Spanish. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary."*
31. Condition Number 25.g is being modified to make the meaning more clear and accurate. As currently written it could be misinterpreted to mean one wine club event or corporate gathering could be held each year for 12 years or that 12 such events could be allowed in any given 12-month period. It now clarifies that up to 12 such events would be allowed during any one calendar year. This change was not requested by the applicant but was added by Department of Regional Planning staff to clarify the intent of the original condition.
32. Condition Number 25.g, as currently approved, reads as follows: *"A maximum of 12 annual wine club or corporate parties or gatherings may take place on the subject property. A maximum of six (6) of these events may be temporary uses as defined in Section 22.56.1835 of the County Code and any events classified as temporary uses shall be subject to the approval of a Temporary Use Permit."*
33. With the requested modification, Condition Number 25.g would read as follows: *"A maximum of 12 wine club or corporate parties or public gatherings may take place on the subject property in any calendar year. A maximum of six (6) of these events may be temporary uses as defined in Section 22.56.1835 of the County Code and any events classified as temporary uses shall be subject to the approval of a Temporary Use Permit."*

34. The permittee is requesting the elimination of Condition Number 25.p to allow bottling and sale of wine in containers of less than 750 milliliters. The permittee believes the provision prohibiting the sale of miniature containers is unnecessary and too restrictive. This condition is normally required for convenience stores but not for specialty stores and gift shops selling alcoholic beverages, although it may be used as an optional condition.
35. Condition Number 25.p, as currently approved, reads as follows: *"There shall be no wine sold in containers of less than 750 milliliters. No miniatures of any type may be sold;"*
36. With the requested modification, Condition Number 25.p would be deleted.
37. The Agua Dulce CSD allows up to three cargo shipping containers on parcels greater than 10 acres in size. Additional containers may be authorized through a Minor CUP. Since there is a CUP on the property already, an additional container may be authorized through a Minor Modification to the CUP. The applicant has proposed a total of four cargo shipping containers on the site. A new CUP condition will be added to limit the total number of cargo containers to four. If not for the requested CUP modification, the subject property would be limited to three cargo containers.
38. There is currently no Condition Number 26. With the requested modification, Condition Number 26 would read as follows: *"A total of four cargo shipping containers are allowed on the property through this CUP, pursuant to Section 22.44.113.E.1.f of Title 22. There shall be no more than four cargo containers, as shown on the Exhibit 'A', and they shall be maintained in compliance with the requirements of the Agua Dulce CSD and other applicable requirements."*
39. Section 22.56.1630.C of the County Code says that, "In approving an application, the hearing officer may impose additional condition(s) deemed necessary to insure that the modification or elimination of any condition will be in accord with the requirements of subsection A of the section". The additional condition Number 26 is needed to limit the number of cargo containers on the site and to ensure that the CUP burden of proof will be met.
40. The site plan for the Project depicts a single-family residence with winery buildings, including a tasting room and wine storage building to the south. It also depicts four storage containers and two water tanks to the west of the residence, a 24-foot wide all-weather unpaved access road along the east property line leading to Sierra Highway, a 26-foot wide paved driveway leading from the access road to the residence and winery, nine paved parallel parking spaces for the winery along the north side of the paved driveway, 16 additional winery parking spaces, including one van-accessible handicapped space near the structures, and two residential parking spaces to the west of the residence. The structures are located roughly in the center of the property, but closer to the west property line. Most of the remainder of the

Project Site is used for vineyards. The parcel to the north of the Project Site (Assessor's Parcel Number 3213-016-028) is also depicted on the site plan. It contains a sign for the winery near Sierra Highway and the north part of the access road leading to the Project Site. A patio is attached to the north side of the single-family residence. The residence, its two parking spaces, and a small area around it are shown on the site plan with hash marks to show the area to be used for residential use only. Although the patio is attached to the residence, it is excluded from the residential area because it has been and will continue to be used by winery customers.

41. The cargo containers shall be located at least 25 feet from the side (west) property line as depicted on the site plan. Currently the cargo containers are less than 25 feet from the property line and will need to be re-oriented so that they maintain the 25 foot setback as required by the Agua Dulce CSD.
42. The Project Site is accessible via a driveway to Sierra Highway to the north.
43. The Project provides parking for a total of 25 automobile parking spaces for the winery and two spaces for the single-family residence.
44. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from 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, because the Project involves minor modifications to conditions of approval for an existing winery and no physical changes or improvements are proposed, except for re-orienting the cargo storage containers to match what is shown on the site plan. The modification request would legalize the accessory storage containers, which already exist, albeit without prior authorization.
45. Pursuant to the provisions of sections 22.56.1620 of the Zoning Code, the community was appropriately notified of the Project's hearing by mail, newspaper, and property posting.
46. Department of Regional Planning ("Regional Planning") staff received two protest letters to the proposed modifications during the comment period. One letter, from a member of the Agua Dulce Town Council, objects primarily to the modification of Condition No. 20, which required the driveway to be paved. The other letter was from the Agua Dulce Town Council president on behalf of the council, and listed several concerns, including the paving of the driveway, the left turn pocket requirement, the cargo containers, failure to comply with the existing CUP conditions, and a desire to have the Project reviewed by the Agua Dulce Town Council prior to the hearing date. The Agua Dulce Town Council discussed the modification request at its public meeting on November 11, 2015, and agreed to a survey in the *Country Journal*, a local newspaper, to provide community input regarding the modifications.

47. The survey results were published in the *Country Journal* in its December 5, 2015 and December 19, 2015 editions. A total of 116 responses were received, of which four were disqualified. The survey showed that 103 respondents had no concerns about dust resulting from traffic on the private access road, which would remain unpaved based on the modified CUP Condition No. 20. It also showed that 102 respondents did not object to the four cargo containers to be authorized under Condition No. 26 of the modified CUP conditions. Based on results of the survey, at its December 9, 2015 the Agua Dulce Town Council unanimously agreed to retract its protest letter. The notification of the retraction was sent by the Agua Dulce Town Council to Regional Planning in an email on December 31, 2015.
48. The procedures for grant or denial of a request for modification or elimination of conditions for a CUP are found in Section 22.56.1630 of the County Code. In cases where two or more written protest letters are received the Hearing Officer shall deny the application.
49. A duly noticed public hearing was held on November 3, 2015 before the Hearing Officer. Due to the fact that the Agua Dulce Town Council had requested more time in order to allow the permittee to present the modification request at one of their meetings, to obtain community input, and to gather more information before making a decision, the Hearing Officer continued the public hearing until January 5, 2016. At the January 5, 2016 hearing, staff made a presentation regarding the developments relating to the Project since the previous hearing and informed the Hearing Officer that the Agua Town Council had retracted its letter of opposition. The permittee, Robert Reyes, was present but did not testify at the November 3, 2015 and January 5, 2016 hearings. There being no further testimony, the Hearing Officer closed the public hearing, determined that the project is categorically exempt, and approved the CUP modifications subject to the findings and modified conditions.
50. The Hearing Officer finds that since only one written protest which was not retracted was received during the 15-day comment period as required by Section 22.56.1620.D of the County Code, the request for modification of the CUP conditions must be approved if the requirements for approval of the modification application in Section 22.56.1630 are satisfied. The 15-day period ended on October 7, 2015, and included an additional seven days for mailing, pursuant to Department policy. Since the Agua Dulce Town Council requested additional time to review the Project at one of their meetings and to hear from the applicant and the community before rendering a final decision, and since their final decision on December 31, 2015 was to withdraw their objection to the modifications, their initial opposition letter dated October 5, 2015 was not counted.
51. The Hearing Officer finds that the proposed modifications will not be inconsistent with the adopted plan for the area and that the Project will still be consistent with the adopted plan. The Project Site is within the Santa Clarita Valley Area Plan.

52. The Hearing Officer finds that proposed modifications will not violate any zoning code or development standard and that the Project will still be consistent with the Zoning Code.
53. The Hearing Officer finds that the proposed modifications to CUP 200600040 will not change the primary land use of the site as approved. Such land use, a winery, is consistent with the adopted area plan for the site. The single-family residence is also to remain on the property and is consistent with the area plan. The residence use is not subject to a CUP.
54. The Hearing Officer finds that the proposed modification of the nine conditions will reduce the overall scope of the previously approved project and will not alter the means by which the burden of proof was met.

Therefore, 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, 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.

55. The Hearing Officer finds that the proposed modifications to the nine conditions of approval of CUP 200600040 will in no way change the size or shape of the property or physical features of the approved winery, except to legalize four existing accessory storage containers. The proposed modifications will allow a reduction in the number of required parking spaces from 35 to 25 based on the reduced occupant load, will allow the existing access road to remain in its current condition as an all-weather unpaved driveway, will eliminate the left-turn pocket requirement and related requirements from DPW based on the reduced occupant load, will allow winery tours and wine tastings without an appointment, will allow the sale of miniature containers less than 750 ml, will allow a fourth cargo container on the site, and will make minor corrections and clarifications to other existing CUP conditions.

Therefore, 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

56. The Hearing Officer finds that the proposed modification of the nine conditions will in no way change existing or proposed highway or street layouts, widths, or improvements. All highways and streets in the vicinity are adequate to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic generated by the project. The reduction in occupant load will allow for the elimination of the left-turn pocket and related requirements. The subject property is adequately served from Sierra Highway.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle,

and vehicle traffic such use would generate, and by other public or private service facilities as are required.

57. The Hearing Officer finds that the proposed minor modifications are reasonable to allow the efficient operation of the winery, while maintaining the spirit of the original conditions to protect the surrounding area. The overall intent of the original conditions of approval will remain intact.

Therefore, the modified CUP will not substantially alter or materially deviate from the terms and conditions imposed in the previously approved CUP.

58. The Hearing Officer finds that approval of the application is necessary to allow the reasonable operation and use granted in the CUP. Because the scale of the winery operation has been reduced, the need for parking is less than originally anticipated, and the left-turn pocket is no longer necessary. The paving of the access road is not required by any County ordinance, and it meets the Fire Department all-weather surface access requirement. The elimination of the appointment requirement and minimum bottle size requirement will enable the winery to attract more customers and business and to operate more efficiently, and the changes will help to update the CUP conditions to reflect changed circumstances.

59. The Hearing Officer finds that pursuant to sections 22.56.1620 of the County Code, the community was properly notified of the hearing by mail, newspaper, and property posting. On September 15, 2015, a total of 31 Notices of Request for Minor Modification were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 21 notices to those on the courtesy mailing list for the Soledad Zoned District and one notice to the California Department of Alcoholic Beverage Control.

60. The Hearing Officer finds that two written protest letters were received during the comment period. However, since the letter from the Agua Dulce Town Council, which requested more time to review the Project at one of their public meetings, was later retracted, only one protest letter was counted against the modification request.

61. 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, California 90012. The custodian of such documents and materials shall be the Section Head of the North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

A. That the proposed use will be consistent with the adopted general plan for the area; and

- B. That the burden of proof for the conditional use permit as modified has been satisfied pursuant to Section 22.56.040:
- a. 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, 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;
 - 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area;
 - c. 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 pedestrian, bicycle, and vehicle traffic such use would generate, and by other public or private service facilities as are required; and
- C. That the modified CUP will not materially deviate from the terms and conditions imposed in the previously approved CUP; and
- D. That the approval of the application is necessary to allow the reasonable operation and use granted in the CUP.
- E. That only one opposition letter was received during the public comment period which was not later retracted;

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is categorically exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves the modified conditions to Conditional Use Permit 200600040, subject to the attached modified conditions addendum.

ACTION DATE: January 5, 2016

RG:RC
January 5, 2016

c: Hearing Officer, Zoning Enforcement, Building and Safety

**MODIFIED CONDITIONS ADDENDUM
COUNTY OF LOS ANGELES
PROJECT NO. R2006-00500-(5)
MODIFICATION TO CONDITIONAL USE PERMIT NO. 200600040**

The following are the modified conditions that, together with the previous approved conditions, comprise the revised conditions of approval for Conditional Use Permit No. 200600040.

Modified Project Description: This grant authorizes the establishment of a winery by converting the existing accessory structures and vineyard into a winery with accessory uses such as wine tasting area, wine sales, sales office, and storage and production facility, and winery waste disposal tank as depicted on the approved Exhibit "A". In addition, this grant also authorizes the onsite and offsite sale of wine. This approval is subject to all of the following conditions of approval. The existing single-family residence shall remain as a single family residence, which is not part of this entitlement.

Condition no. 16: No signs shall be provided except for the signs shown on the approved Exhibit "A". Signs shown on the current Exhibit "A" include a 20 square foot offsite freestanding directional sign located on Assessor's Parcel Number 3213-016-028, a 3.3 square foot wall mounted directional sign for the tasting room, and a 2.5 square foot wall mounted directional sign for the winery (wine storage room). These signs are located in the A-1 Zone and are consistent with the requirements of Sections 22.52.960 and 22.44.113.D.4.d.iv of the County Code. Any changes to the size or location of any of the signs or any new proposed signs shall be subject to review of a Revised Exhibit 'A' prior to any new work. Signage may not contain advertising, such as special events or sales. All signage shall be developed in accordance with the requirements of Part 10 of Chapter 22.52 of the County Code, except where modified by the CSD.

Condition no. 19: A minimum of 25 automobile parking spaces, including one handicap parking space, shall be provided onsite for the winery at all times and shall be developed according to the requirements of Section 22.52.1060 of the County Code. A maximum of forty percent of the required spaces may be compact spaces. The required parking spaces are to be striped and to remain clear and free for use by employees and visitors; no supplies or materials may be stored in these spaces. Recreational vehicle parking, storage of inoperable vehicles and vehicle repair are prohibited on the site. Parking shall be provided in accordance with the approved Exhibit "A".

Condition no. 20: The existing access from Sierra Highway to the subject property has an unpaved all weather surface. The permittee shall maintain all weather surface access to the subject property satisfactory to the Fire Department.

Condition no. 22: The permittee shall comply with all recommended conditions set forth in the attached correspondence from the Department of Public Works dated August 17, 2015.

Condition no. 24.c: Winery-related incidental visitor-serving uses including, but not limited to, the following may be permitted: (a) the sale of wine produced on the premises; (b) winery and vineyard tours and wine tasting; (c) noncommercial social activities; and (d) prepackaged food service. These visitor-serving uses shall be directly related to and clearly secondary to the winery. Adequate parking, fire protection, water supply, and sanitation facilities for these visitor-serving uses shall be required;

Condition no. 25.d: The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages outside the winery buildings, except as authorized in condition 25a, and prohibiting loitering. The signage shall be in English and Spanish. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.

Condition no. 25.g: A maximum of 12 wine club or corporate parties or public gatherings may take place on the subject property in any calendar year. A maximum of six (6) of these events may be temporary uses as defined in Section 22.56.1835 of the County Code and any events classified as temporary uses shall be subject to the approval of a Temporary Use Permit.

Condition no. 25.p: (This condition has been deleted.)

Condition no. 26: A total of four cargo shipping containers are allowed on the property through this CUP, pursuant to Section 22.44.113.E.1.f of Title 22. There shall be no more than four cargo containers, as shown on the Exhibit 'A', and they shall be maintained in compliance with the requirements of the Agua Dulce CSD and other applicable requirements.