

Hearing Officer Transmittal Checklist

Hearing Date
11/3/15
Agenda Item No.
6

Project Number: R2006-00500-(5)
Conditional Use Permit- Minor Modification Case No.
Case(s): 200600040

Planner: Richard Claghorn

- Project Summary
- Property Location Map
- Staff Analysis
- 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/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 

October 22, 2015

TO: Bruce Durbin
Hearing Officer

FROM: Richard Claghorn
Principal Regional Planning Assistant
Zoning Permits North Section

**SUBJECT: PROJECT NO. R2006-00500
MODIFICATION TO CONDITIONAL USE PERMIT NO. 200600040
November 3, 2015 Discussion & Possible Action
Agenda Item No. 6**

The applicant, Robert Reyes ("permittee"), requests to modify conditions of approval numbers 19, 20, 22, 24.c, and 25.p of Conditional Use Permit ("CUP") 200600040, which was approved by the Regional Planning Commission on July 30, 2008, authorizing the winery. In addition, Condition 16 is proposed to be modified to clarify the permitted signage, a change is being made to Condition 25.d to correct a typographical error, and Condition 25.g is being revised with clearer language. The minor modification also adds Condition 26, which authorizes four cargo containers for use as storage space based on the Agua Dulce Community Standards District ("CSD") requirements. This proposed modification also modifies the project scope to allow the existing structure labeled as Building B on the approved Exhibit "A" to remain as a single-family residence. The parking layout and building layout have also been modified on a new Exhibit "A". The project site is located at 10262 Sierra Highway in the unincorporated community of Agua Dulce in the Soledad Zoned District.

The purpose of the requested condition modification is to reflect changes to the project resulting from a reduction in the occupant load of the tasting room and a decision to maintain the existing single-family residence rather than convert it to part of the winery. The changes would result in fewer required parking spaces and elimination of a left-turn pocket requirement and related requirements, as well as allowing the access road to remain unpaved, and to modify other project conditions.

The applicant proposes modifying the project description and the following conditions:

The project description on page 1 of the CUP conditions currently reads as follows:

"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."

With the requested modification, the project description would read as follows:

"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. No part of the residence may be used for any winery-related activity, event, or business.

Condition 16 is being modified to update it and to provide more specific information about the signage.

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."

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."

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 Building and Safety dated August 7, 2012.

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."

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."

The permittee is requesting modification of Condition Number 20 to allow the access road to remain in its existing "all-weather" unpaved condition.

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."

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."

The permittee is requesting modification of condition Number 22 to allow for the 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.

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."

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."

The permittee is requesting modification of condition Number 24.c to allow wine tastings and tours without appointments.

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;"

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;"

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.

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."

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."

Condition Number 25.g is being modified to make the meaning more clear and accurate.

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."

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."

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.

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;"

With the requested modification, Condition Number 25.p would be deleted:

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.

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;"

As required by Section 22.56.1620 of the County Code, notices of the request for modification were mailed to all property owners within a 1,000-foot radius and other interested parties on September 15, 2015. The notice was also published in the *Antelope Valley Press* and *La Opinion* and posted at the project site for at least 15 days.

According to Section 22.56.1630 of the County Code, "The hearing officer shall approve an application to modify or eliminate any condition(s) of a previously approved conditional use permit only upon a finding by the hearing officer that (1) not more than one protest to the granting of the application is received within the specified protest period; and (2) the information submitted by the applicant substantiates the following findings:

1. That the burden of proof for the conditional use permit as modified has been satisfied as required by Section 22.56.040;
2. That approval of the application will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit; and,
3. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit."

Staff has received two opposition letters to the proposed modification of the conditions of approval for this project during the protest period. However, one of the opposition letters was received from the Agua Dulce Town Council, which indicated that it wanted to discuss the Project at one of its formal meetings before rendering a final decision. The next Town Council meeting at which the Project could be discussed is on November 11, 2015. To allow additional time for the Town Council to make a final decision of whether to uphold its opposition letter or to withdraw its opposition based on the information presented at its meeting, it is recommended that the hearing be continued to a later date.

Staff believes that the burden of proof for modification is met by the project request. The changes in conditions to CUP 200600040 do not intensify the use or substantially alter or materially deviate from the terms and conditions of the original CUP, and the proposed changes are necessary to allow the reasonable operation and use granted by the CUP. However, because of the Town Council's desire to have more time to review the Project before rendering a decision, it is recommended that this Minor Modification to Conditional Use Permit No. 200600040 be CONTINUED.

SUGGESTED MOTION:

I, THE HEARING OFFICER, CONTINUE THE MODIFICATION AND ELIMINATION OF CONDITIONS OF CONDITIONS 16, 19, 20, 22, 24.C, 25.D, 25.G, 25.P AND 26 FOR CUP NUMBER 200600040 SUBJECT TO THE ATTACHED FINDINGS AND MODIFIED CONDITIONS.

Attachments:

Draft Findings

CUP Modification Addendum

Applicant's Burden of Proof statement

Original Findings & Conditions of Approval for CUP 200600040

October 22, 2015

RG:RC



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER
 R2006-00500-(5)

HEARING DATE
 November 3, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 200600040 (Minor Modification)
 Environmental Assessment No. 201200217

PROJECT SUMMARY

OWNER / APPLICANT

Robert Reyes

MAP/EXHIBIT DATE

November 19, 2014

PROJECT OVERVIEW

The applicant, Robert Reyes, is requesting minor modification of conditions for a Conditional Use Permit ("CUP") for a winery in the A-1-2 (Light Agricultural-Two Acre Minimum Required Lot Area) Zone. The conditions to be modified pertain to a reduction in the required parking, elimination of the left-turn pocket requirement and paving requirement for the off-site driveway, removal of a restriction on sales of wine bottles under 750 ml, elimination of the requirement for appointments for wine tasting, allowance of cargo storage containers, and other minor changes, corrections, and clarifications of existing conditions, pursuant to Section 22.56.1630 of the Los Angeles County Code. The CUP for the winery was approved in 2008 and expires in 2023. The winery is located in the Soledad Zoned District.

LOCATION

10262 Sierra Highway, Agua Dulce

ACCESS

Sierra Highway

ASSESSORS PARCEL NUMBER(S)

3213-016-029

SITE AREA

16.25 Acres

GENERAL PLAN / LOCAL PLAN

Santa Clarita Valley Area Plan

ZONED DISTRICT

Soledad

LAND USE DESIGNATION

Rural Land 2

ZONE

A-1-2 (Light Agricultural-Two Acre Minimum Required Lot Area)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

1 dwelling unit/2 acres

COMMUNITY STANDARDS DISTRICT (CSD)

Agua Dulce

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.195 (Alcoholic beverage sales requirements)
 - 22.56.1600 to 22.56.1655 (CUPs-Modification or Elimination of Conditions)
 - 22.24.100 (A-1 Zone Uses Subject to Permits)
 - 22.44.113 (Agua Dulce CSD)

CASE PLANNER:

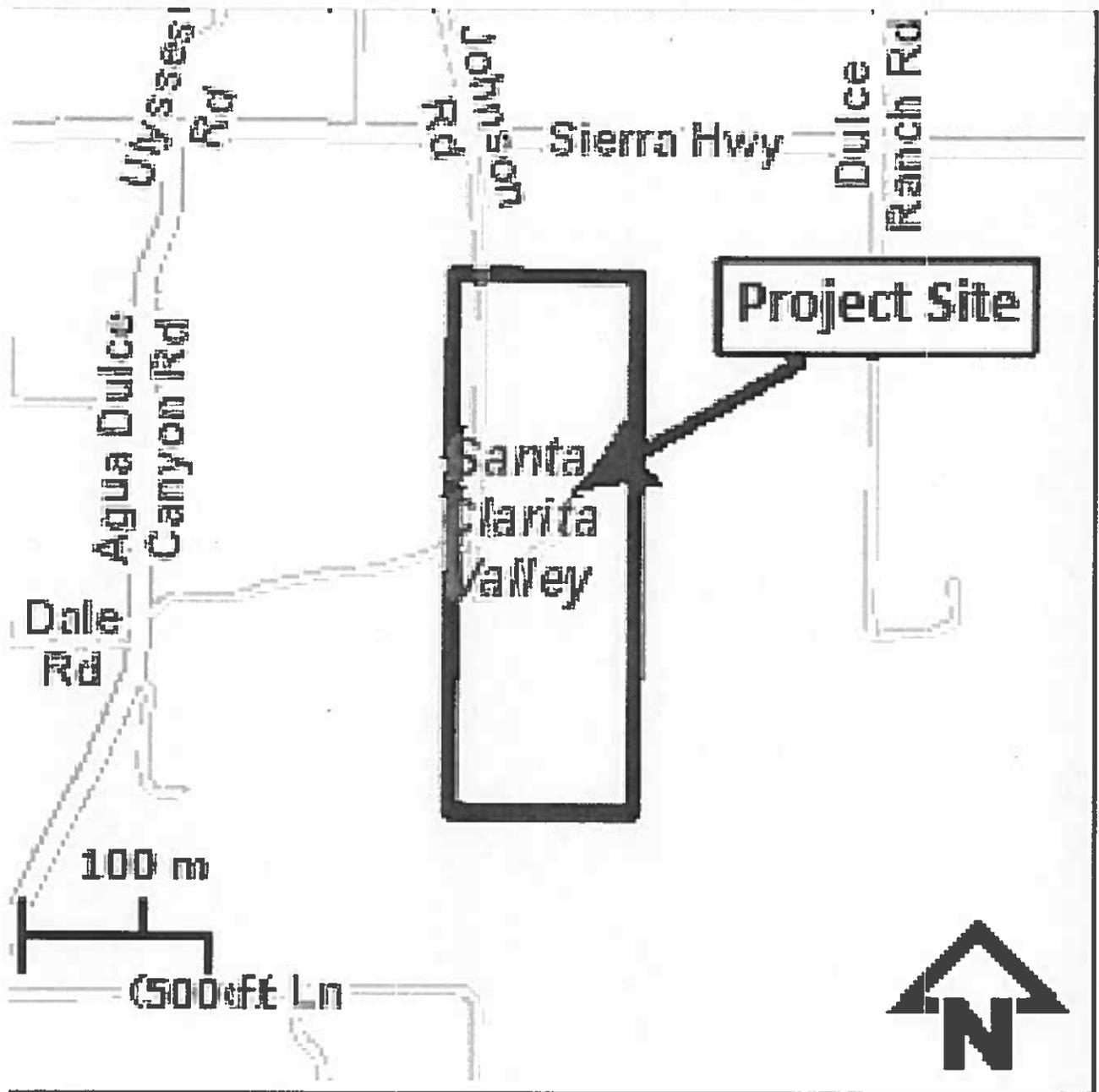
Richard Claghorn

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**DRAFT 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 next Agua Dulce Town Council meeting at which the Project could be discussed will reportedly be on November 11, 2015.

47. 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.
48. *To be inserted after the public hearing to reflect hearing proceedings.*
49. The Hearing Officer finds that since two written protests were 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 denied. The 15-day period ended on October 7, 2015, and included an additional seven days for mailing, pursuant to Department policy. However, 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 next meeting will be after the November 3, 2015 Hearing Officer hearing date for the Project, continuing the hearing until after their meeting will allow adequate time for the Agua Dulce Town Council to make a decision on the Project request.
50. 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.
51. 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.
52. 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.
53. 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.

54. 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 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.

55. 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.

56. 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.

57. 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.

58. 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.

59. The Hearing Officer finds that two written protest letters were received during the comment period. However, since one of these letters was from the Agua Dulce Town Council, which requested more time to review the Project at one of their public meetings, to hear from the permittee and from members of the community, before making a final decision on the Project, additional time is needed so that the permittee has the opportunity to present the Project to the Town Council. The Hearing Officer shall deny the application, as required under Section 22.56.1630.B of the County Code, unless one of the protest letters received during the 15-day comment period is retracted based on the outcome of the Town Council meeting.
60. 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. Because more time has been requested by the Agua Dulce Town Council to allow the permittee to present the Project at a Town Council meeting before making a final decision, the Hearing Officer's decision should be postponed until after the Town Council meeting;

THEREFORE, THE HEARING OFFICER:

1. Continues this item requesting the modification to CUP 200600040 to a later date. Attached modified draft conditions of approval have been prepared for reference.

ACTION DATE: November 3, 2015

RG:RC
October 22, 2015

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 proposed modified conditions that, together with previous approved conditions, would 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.



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

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, 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.

THE WINERY WILL NOT BE GENERATING ANY KIND OF NOISE NOR HAZARDOUS TO AFFECT ANYONE IN THE SURROUNDING AREA. THE WINERY DOES NOT USE ANY HAZARDOUS MATERIALS THAT WOULD CREATE ANY ODORS, DUST, FIRES OR ANYTHING ELSE. THE VINEYARD HAS EXISTED FOR 8 YEARS AND HAS NOT HAD ANY NEGATIVE IMPACT ON PROPERTY VALUES. IF ANYTHING IT HAS MADE THE AREA MORE ATTRACTIVE.

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 PROPERTY IS 16.25 ACRES, OF WHICH APPROXIMATELY 15 ACRES ARE PLANTED WITH GRAPE VINES. THE PROPERTY IS ADEQUATE IN SIZE FOR THE EXISTING USE AND IS IN LINE WITH THE GENERAL USE OF LAND IN THE AREA. THE COMMUNITY HAS WELCOMED THE WINERY, AS IT HAS ADDED CHARM TO THE COMMUNITY. PARKING IS AMPLE FOR THE EXISTING USE OF THE FACILITIES.

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, and
2. By other public or private service facilities as are required.

THE WINERY HAS AMPLE PARKING FOR ITS VISITORS, AND WILL NOT HAVE A SIGNIFICANT IMPACT NOR INCREASE IN TRAFFIC TO THE AREA. MOST VISITORS COME TO BOTH THE AGUA DULCE WINERY AND TO REYES WINERY ON WEEKENDS. THE WINERY HAS NO IMPACT ON SERVICES SUCH AS SHERIFF, FIRE, WATER & SEWER, ETC.

Martin & Mary Johnson
8001 Clayvale Road
Agua Dulce, CA 91390
661-492-5999

September 27, 2015

Mr. Richard Bruckner
Director of Planning
LA County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

RE: REYES WINERY - 10262 Sierra Highway
Minor Modifications to CUP Project R2006-00500

Dear Mr. Bruckner:

We are writing to oppose granting of the Request for Minor Modification to the Conditions of Approval for Conditional Use Permit Project R2006-00500 the Reyes Winery at 10262 Sierra Highway in Agua Dulce.

Specifically we oppose the modification of allowing the existing access road to remain unpaved. In early 2012, we contacted Regional Planning to determine if Reyes Winery was in compliance with their Conditional Use Permit regarding the unpaved access road. Both Mark Child and Oscar Gomez, Regional Planning staffers, indicated the CUP required the access road to be paved. The winery received approval on their CUP in 2008. At that point, the winery should have been in compliance with ALL of the conditions in the CUP. It is now 2015, and Reyes Winery is NOT in compliance.

The last correspondence I have from Oscar Gomez dated January 31, 2012 indicated at that present time that there was not a Permit Inspector to conduct an inspection. He wanted to assign another inspector to conduct an inspection of the facility to determine the status and compliance. We never heard any more, but I can tell you the access road was never paved.

We are opposed to granting these requested modifications when Reyes Winery has not been in compliance for over seven years.

We request a public hearing and proper notification for the modifications to the CUP.

Sincerely,

Martin and Mary Johnson

Martin and Mary Johnson

cc: Rosalind Wayman
Richard Claghorn

AGUA DULCE TOWN COUNCIL

33201 Agua Dulce Canyon Road * Box Number 8 * Agua Dulce, CA 91390

Website: www.adtowncouncil.com

October 5, 2015

Mr. Richard Claghorn
LA County Dept. of Regional Planning
Hall of Records, Room 1348
320 West Temple Street
Los Angeles, CA 90012

Via Email to: rclaghorn@planning.lacounty.gov

**RE: Protest: Minor Modification to the Conditions of CUP 200600040
(Project R2006-00500) Reyes Winery-10262 Sierra Highway, Agua Dulce**

- Don Henry, President
(661) 268-1731
BH33605@aol.com
- Mary Johnson, Secretary
(661) 492-5999
maryjohnson767@gmail.com
- Troy Fosberg, Treasurer
(818) 854-0031
damage22@gmail.com
- Steve Cummings, Clerk
(661)433-3234
hasaranch1@yahoo.com
- Scott Keller, Member
(661)317-5355
scottwilliamkeller@aol.com
- Ed Porter, Member
(661) 992-3692
porteredward@msn.com
- Lou Vince, Member
(310) 597-7154
Lou@LouVince.com

Dear Mr. Claghorn:

The Agua Dulce Town Council is in receipt of the notice of Request for Minor Modification to the Conditions of Approval for Conditional Use Permit 200600040 (ProjectR2006-00500). Please accept this as a formal protest of granting the Minor Modifications to 200600040 (ProjectR2006-00500). We are protesting based on the following issues and concerns:

- The deadline for receiving written protests cannot be extended. Therefore, in order for us to fulfill our fiduciary duty on behalf of our constituents, we must file the protest to allow the public to review the proposed modifications so we can accurately submit comments regarding the proposed modifications.
- Based on the proposed modifications, it appears that the permittee has not been in compliance with a number of conditions of the CUP approved in 2008.
- Paving the access road was a condition of the approved CUP (Condition Number 20). This condition was separate and apart from the conditions required by the Fire Department (Condition Number 23).
- A left turn pocket and required changes by the Department of Public Works was a condition of the approved CUP (Condition Number 22). It appears that this condition was never in compliance during the seven years the CUP has been in effect.
- Exceeding the maximum number of cargo containers allowed through the Agua Dulce CSD.
- It appears that the permittee has not been operating in full compliance with the conditions that were accepted by the permittee and made part of the CUP and therefore is in violation of the conditions.

In 2008, Mr. Reyes, the applicant, presented his proposed project to the community at a regularly scheduled Agua Dulce Town Council meeting. At that time, traffic and safety from Sierra Highway into and out of the project were important community concerns. Additionally paving the access road to eliminate airborne dust and associated particulate matter was another significant issue raised by the public.

The Agua Dulce Community Standards District was revised and approved in 2014 after many arduous years of community input and working with various County agencies to ensure compatibility. Cargo containers are a matter that requires serious consideration. The Council will be looking to the public for their input regarding additional containers.

In order to adequately review the proposed modifications, the Council requests the permittee attend a future Council meeting to present the proposed modifications for community discussion.

Based on the fact that there are numerous proposed modifications and one specifically that is not in compliance with the Agua Dulce Community Standards District (number of cargo containers) and the permittee's apparent failure to comply with the existing approved CUP, the Town Council in upholding our elected responsibilities has no choice but to protest granting this request. Please include these comments as part of the public record and forward our comments on to the Director of Planning.

Sincerely,

Don Henry

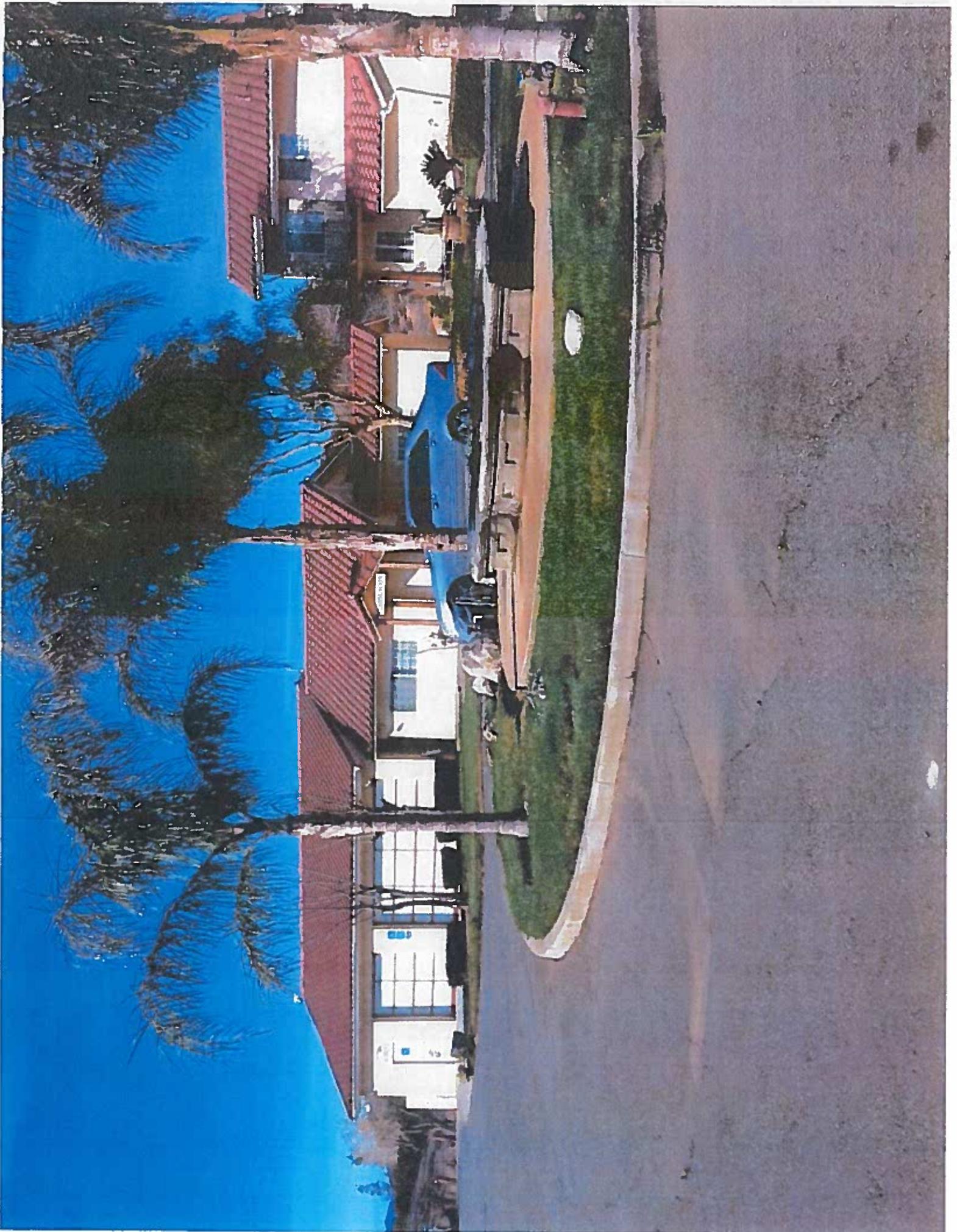
Don Henry, President
Agua Dulce Town Council – 2015

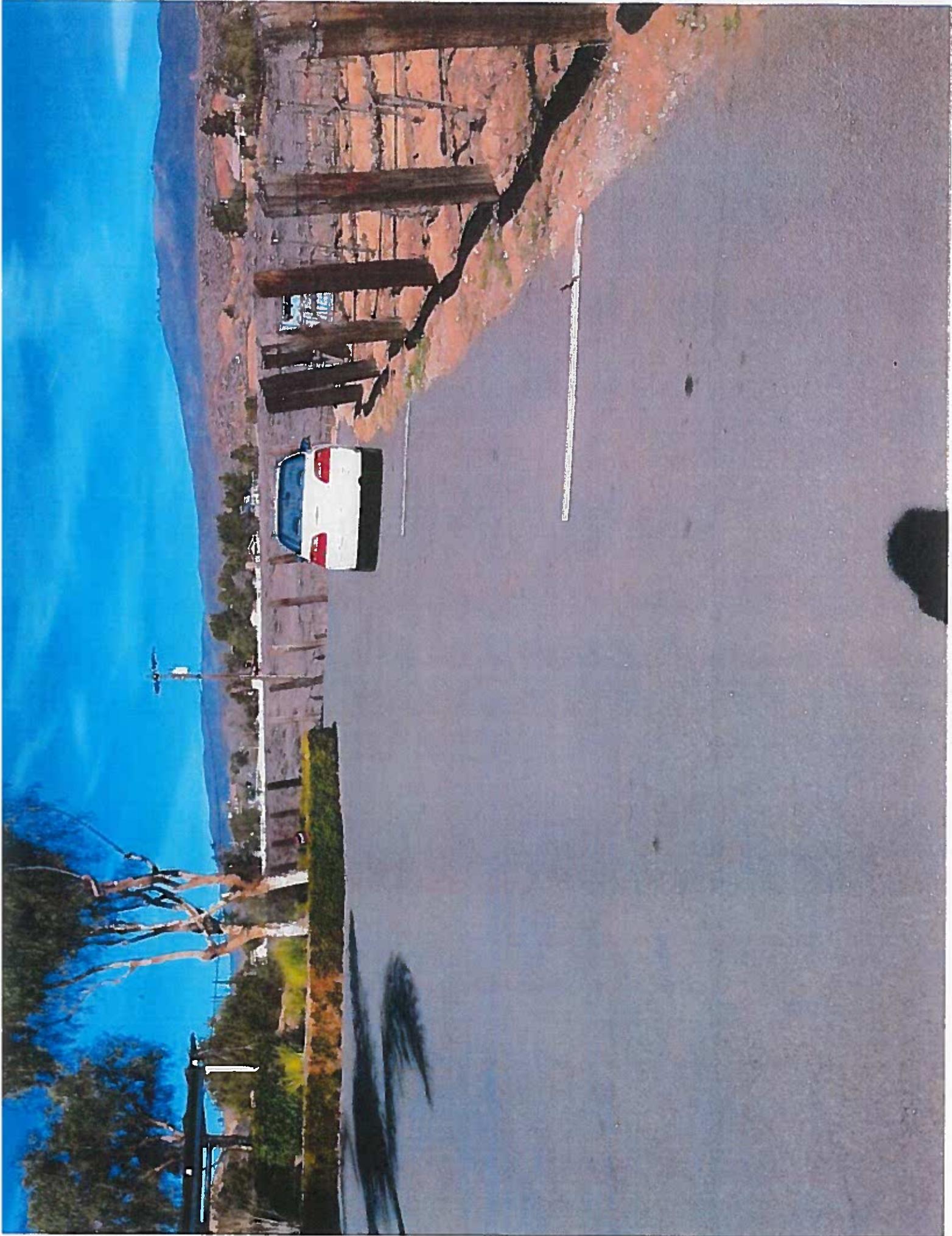
Cc: Mr. Richard Bruckner, Director of Planning, Dept. of Regional Planning
rbruckner@planning.lacounty.gov
Mr. Edel Viscarra, 5th District Land Use Deputy evizcarra@lacbos.org
Ms. Rosalind Wayman, 5th District Senior Deputy rwayman@lacbos.org

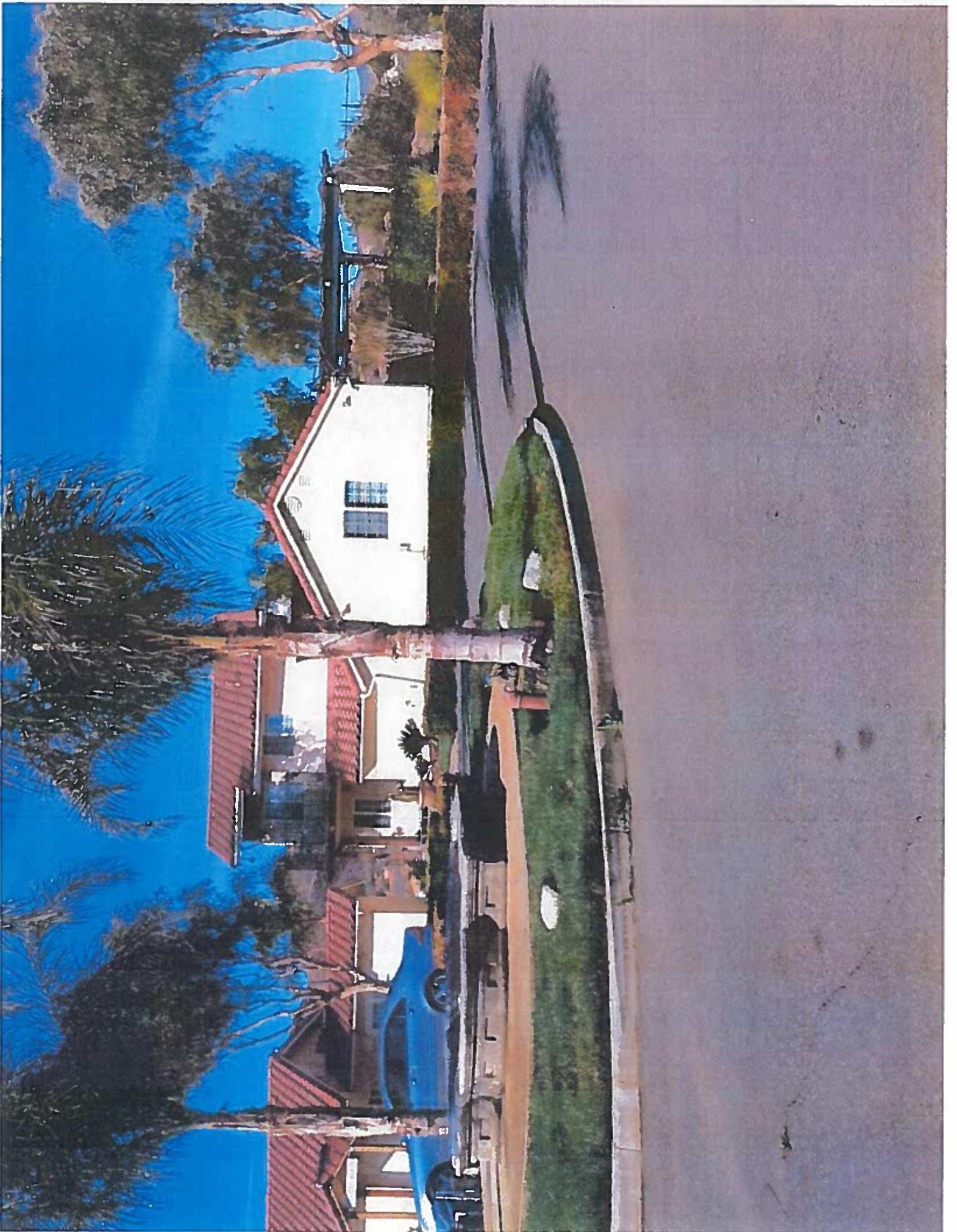


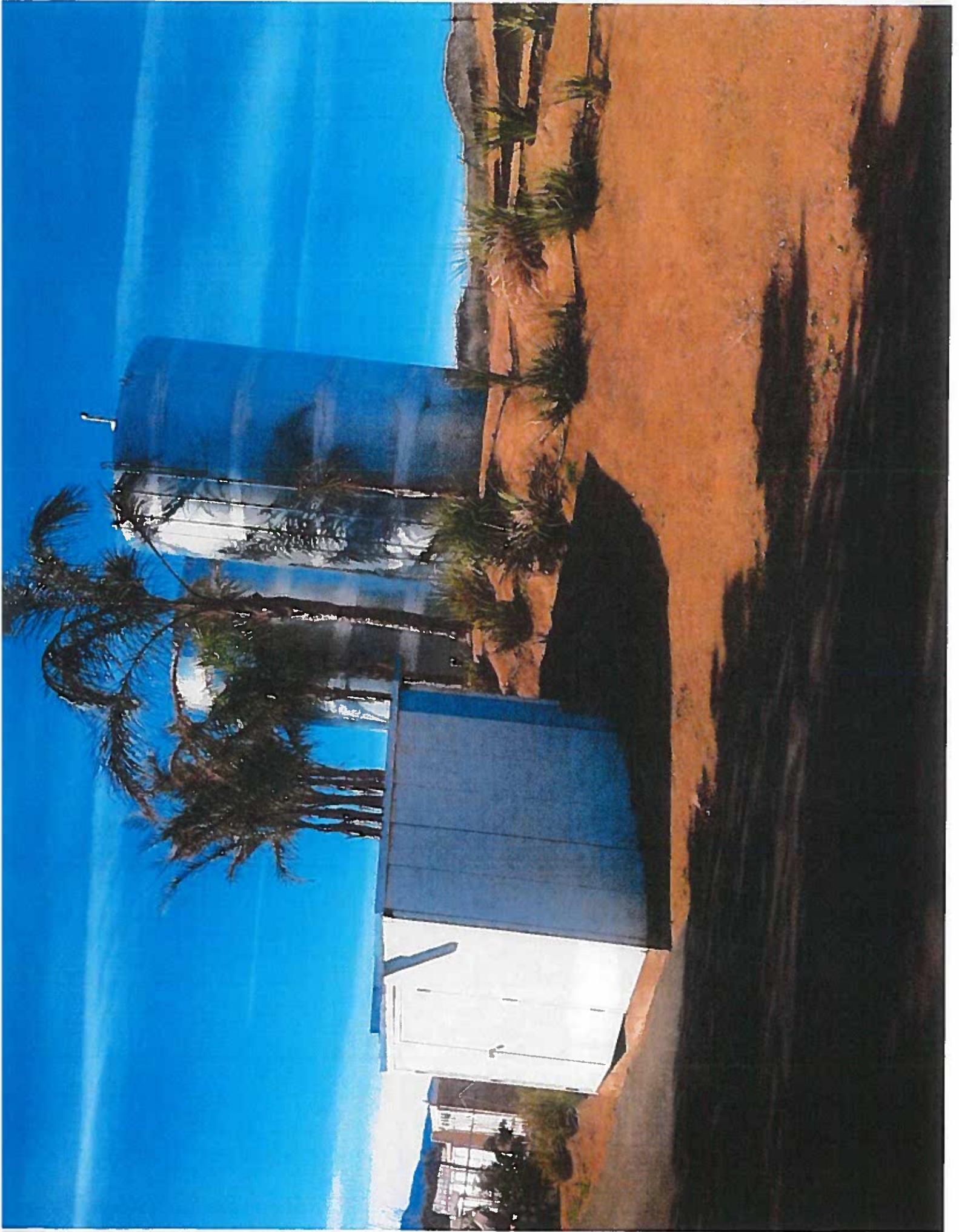
Reyes Winery
OPEN SAT 11:00 AM - 5:00 PM

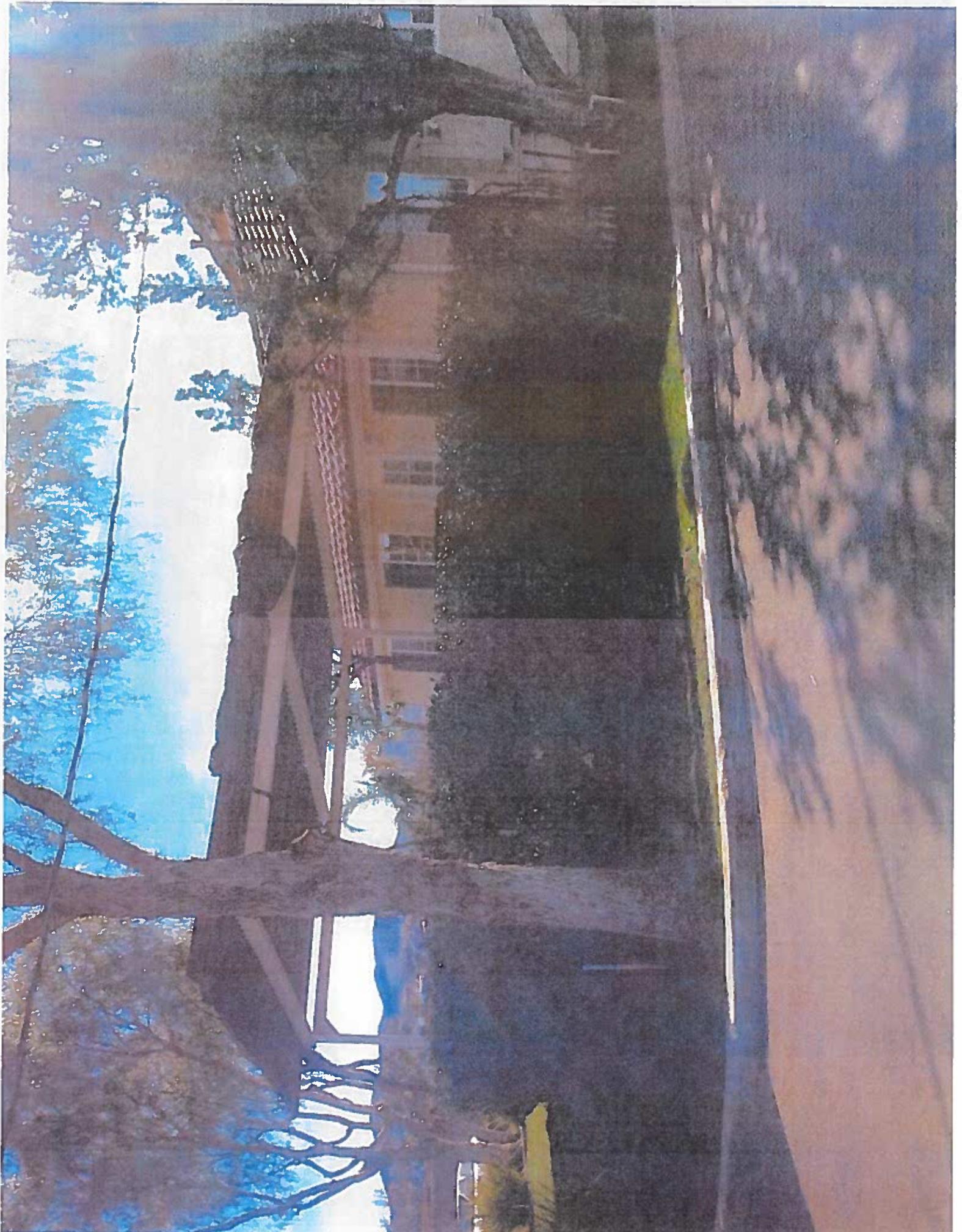
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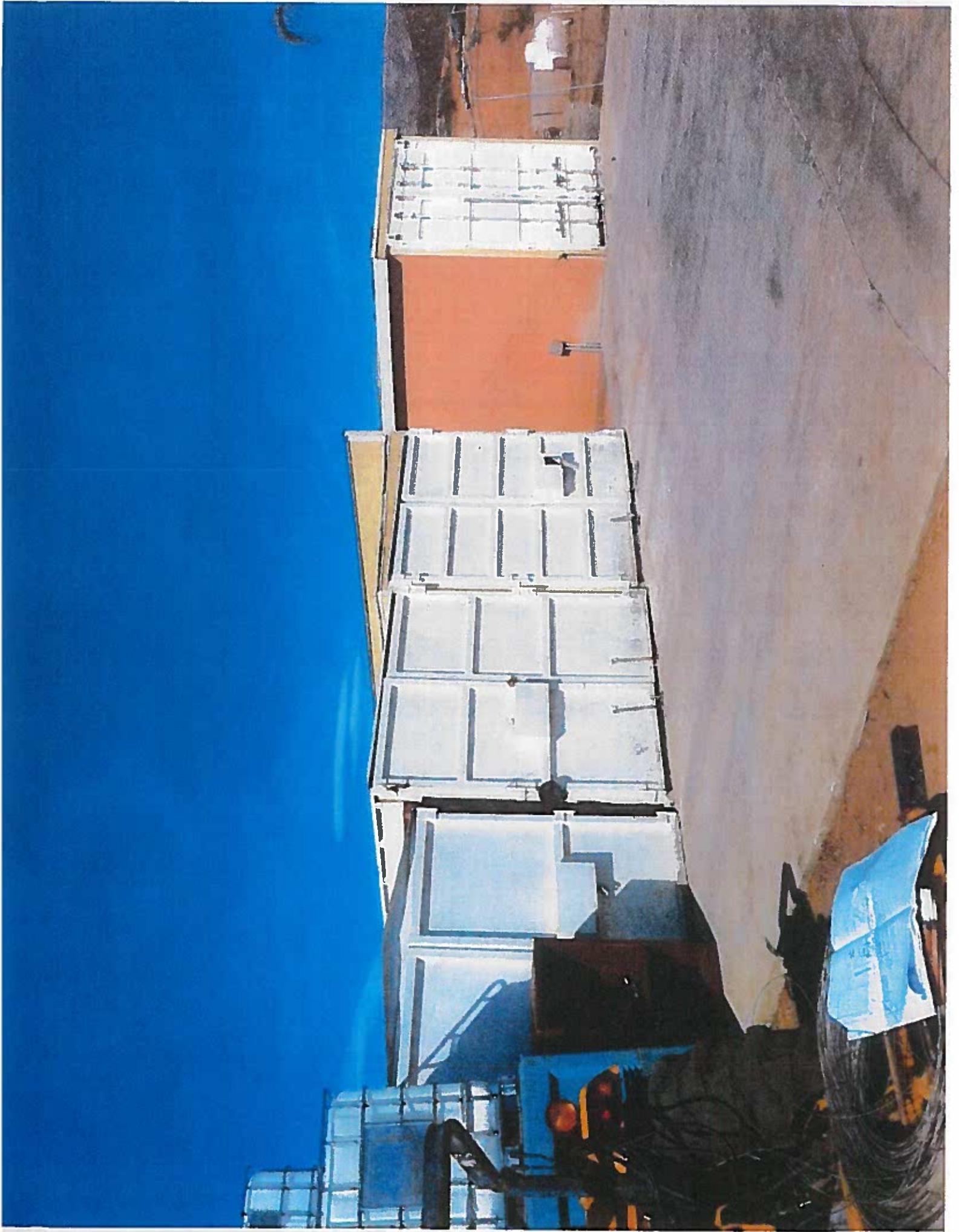




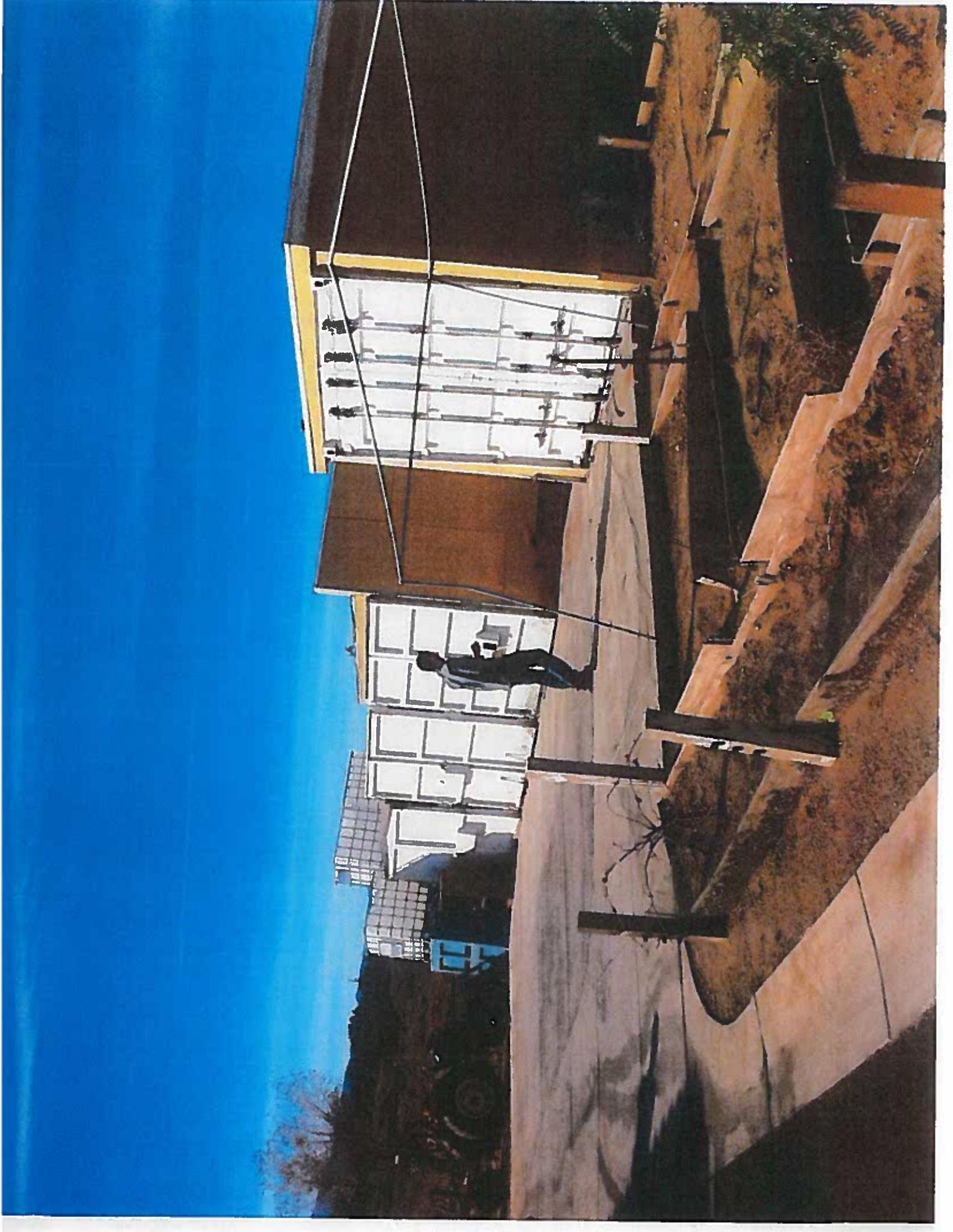


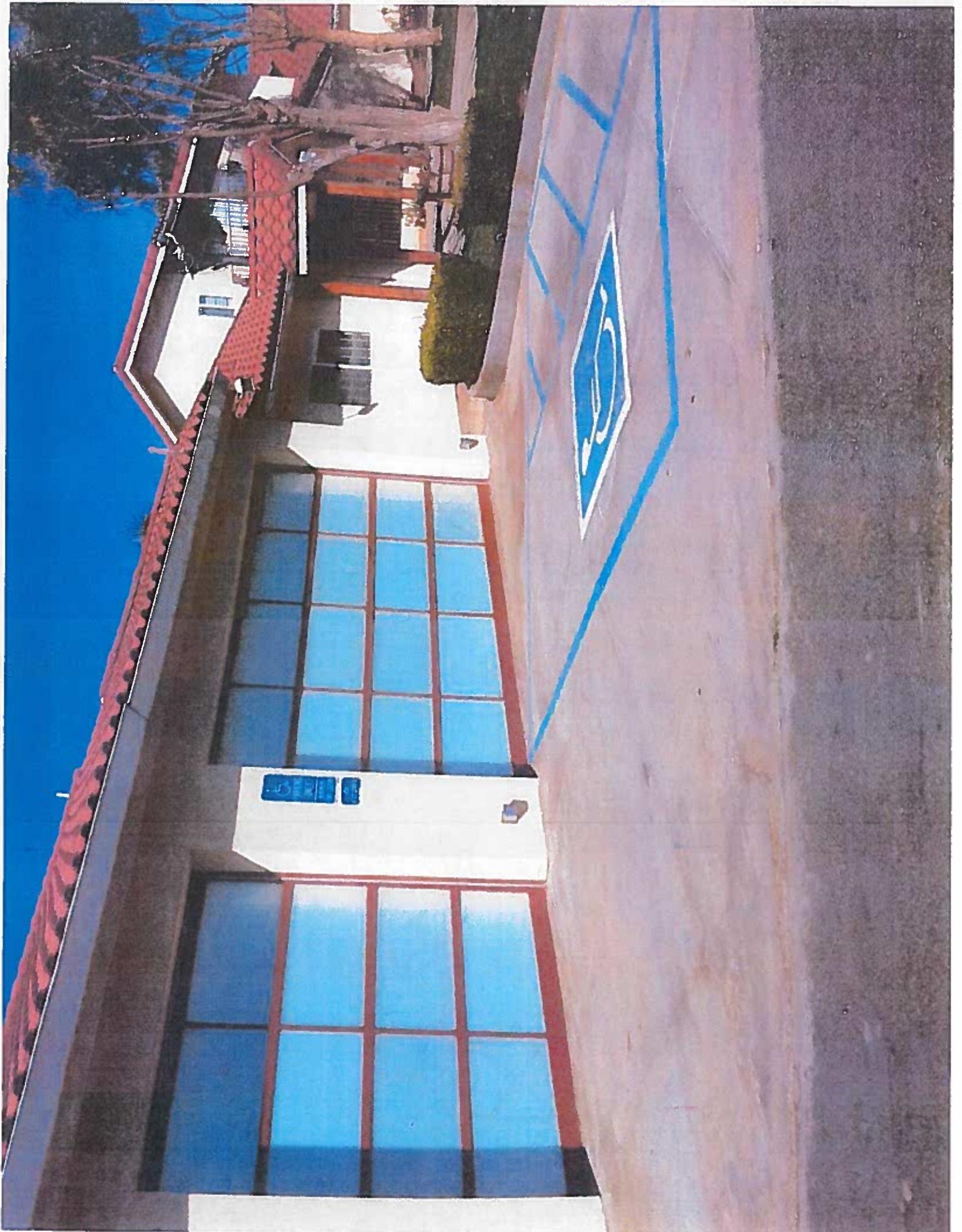


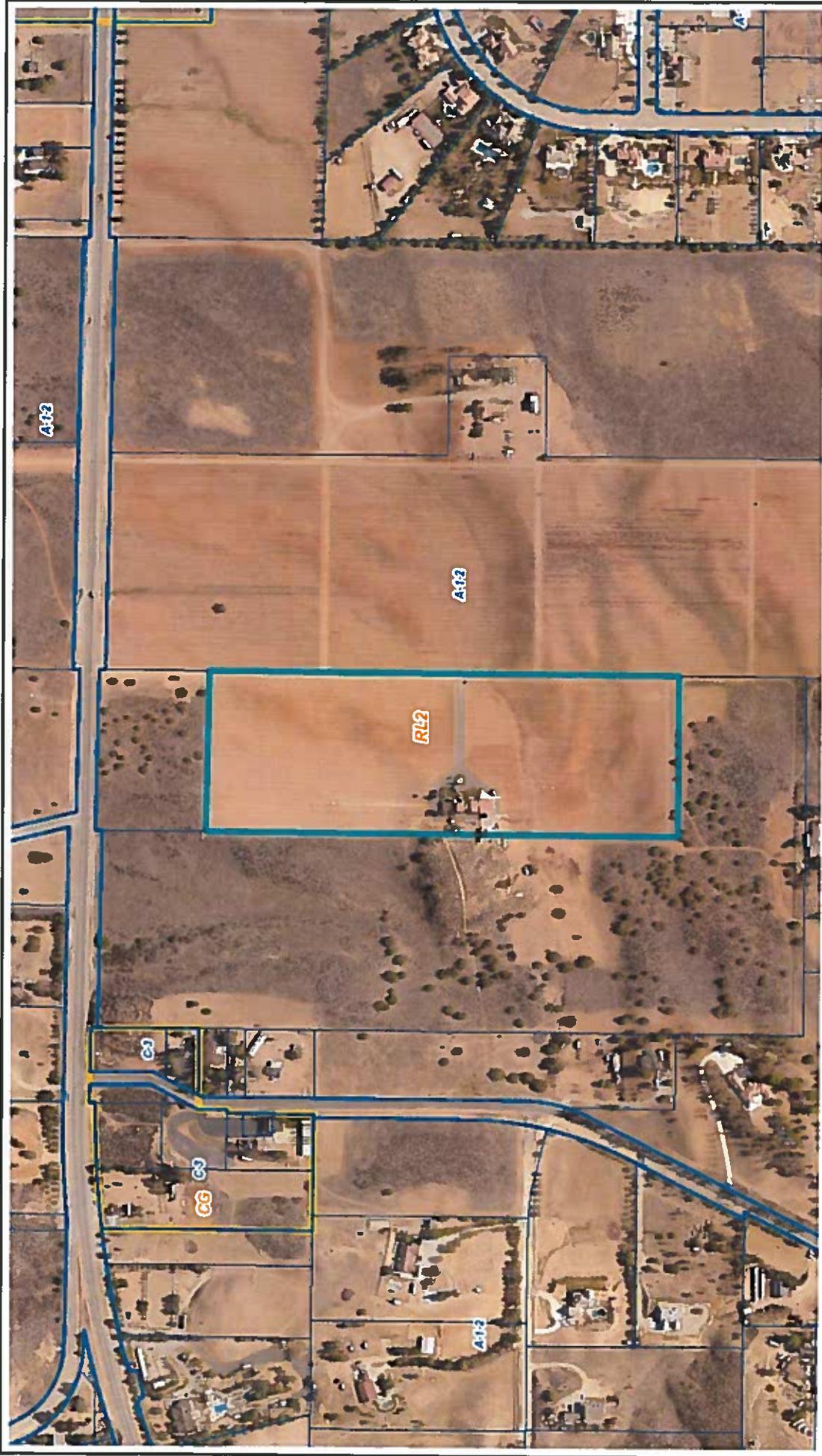








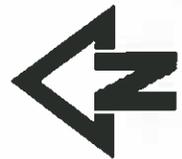




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Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Bruce W. McClendon, FAICP
Director of Planning

July 30, 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Robert Reyes, Sr
9412 Gidley Street
Temple City, CA 91780

RE: PROJECT NO. R2006-00500-(5)
CONDITIONAL USE PERMIT NO. 200600040-(5)
10262 SIERRA HWY, AGUA DULCE, SOLEDAD ZONED DISTRICT
TO AUTHORIZE THE ESTABLISHMENT OF A WINERY

Dear Mr. Reyes:

The Regional Planning Commission, by its action of July 30, 2008, **APPROVED** the above described Conditional Use Permit. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 2 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

Ere The applicant or other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on August 13, 2008.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

DRP FILE COPY

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Mi Kim in the Zoning Permits Section I at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP
Director of Planning



Mark Child
Supervising Regional Planner
Zoning Permits I Section

Enclosures: Findings and Conditions
Affidavit of Acceptance (Permittee's Completion)
Fish and Game Handling Fee

C: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement

MC:MKK
7/30/08

**PROJECT NO. R2006-00500-(5)
CONDITIONAL USE PERMIT NO. 200600040-(5)**

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE: July 30, 2008

SYNOPSIS: The applicant, Mr. Robert Reyes, is requesting to convert an existing single family residence, guest house, and storage facility into a winery with accessory uses, and the authorization for the onsite and offsite sale of alcoholic beverages limited to wine. The winery's annual production capacity is limited to 13,000 gallons. The site plan depicts wine tasting areas, sales office, warehouse and production facility, and winery waste disposal tank. The proposed winery operating hours is from 9:00 a.m. to 7:00 p.m. Tuesday through Sunday and 12 special events during the said operating hours for private group wine tasting, wine club, and charity auctions. Food service will be limited to the sale of pre-packaged food items.

PROCEEDINGS BEFORE THE COMMISSION:

A duly noticed public hearing was held on July 30, 2008, before the Regional Planning Commission. Commissioners Bellamy, Valadez, and Rew were present. Commissioners Helsley and Modugno were absent. Three persons, including the applicant, Mr. Robert Reyes, testified in favor of the project. One person did not take a position on the project, but relayed that she had received numerous calls regarding concerns over water in the area.

The Commission directed staff to add a finding regarding the applicant's plan to reclaim wastewater from the grapes, which shall comply with all local, state and federal regulations. Per comments from the Department of Public Works, a finding will be added to clarify that the approval of this project does not confer additional water rights other than what is entitled by the agricultural zoning, which allows agricultural uses by-right.

There being no further testimony, the Regional Planning Commission voted to close the public hearing, adopt the Negative Declaration and approve the conditional use permit. Commissioners Bellamy, Valadez, and Rew voted in favor of the request.

Findings

1. The applicant requests a conditional use permit to authorize a winery with accessory uses and the onsite and offsite sales of alcoholic beverages limited to wine.
2. The subject property is located on 10262 Sierra Hwy near the Agua Dulce Canyon Road in the unincorporated community of Agua Dulce within the Soledad Zoned District.
3. The subject property is approximately 16.25 acres in size, rectangular in shape and on a flat terrain. Access to the site is from the Sierra Highway to an unpaved access road (to be paved in the future) to an existing paved driveway.
4. The applicant proposes to convert existing single family residence (1,638 sq ft), accessory structure (987 sq. ft.) and storage facility (1,695 sq. ft.), and vineyard into a winery. No alteration to the building envelope is proposed, but the conversion of the existing structures to accommodate wine tasting areas, sales office, and warehouse and production facility.
5. The winery's capacity is 80 tons of grapes per year with a production of 13,000 gallons of wine per year.
6. The operating hours are 9 a.m. to 7 p.m., Tuesday through Sunday, with 12 special events per year.
7. The winery will provide 35 parking spaces including one handicap parking space, and 1,000 sq. ft. of loading space.
8. There are two existing wells on the property and 30,000-gallon water tank for water storage.
9. The applicant plans to reclaim water from the processing of the grapes using a system, which complies with local and state regulations and subject to approval by the said agencies.
10. The approval of this project does not confer additional water rights other than what is entitled by the agricultural zoning that allows agricultural uses by-right.
11. The subject property is zoned A-1-10,000 (Light Agriculture—10,000 sq. ft. Minimum Required Area). Surrounding zoning is A-1-10,000 to the east, south and west, and A-1-1 to the north. Surrounding land use consists of vacant lots, grapevines and single family residences.

12. The site is designated as N1 (Non-Urban-1 (0.5 du/ac) in the Santa Clarita Valley Area Plan. The proposed winery is consistent with this designation as the primary use is agricultural (vineyard) with the secondary use, wine production and sale.
13. A sale of alcoholic beverages for either on-site or off-site consumption requires a conditional use permit.
14. The proposed project is located in the Agua Dulce Community Standards District and complies with its development standards.
15. In accordance with the State and County CEQA guidelines, a Negative Declaration was prepared for the project. The Negative Declaration concludes that the project will not have a significant effect on the environment.
16. The California Department of Alcoholic Beverage Control (ABC) provided a report indicating that the subject property is not located in a high crime rate-reporting district, but that an undue concentration of offsite and onsite sale of alcohol exists in the area.
17. Hearing notices were mailed to the applicant, 33 neighbors within a 1,000-foot radius of the project site, and 21 other interested parties on May 29, 2008. Required case materials were also mailed to the Canyon Country Joann Darcy Library on May 29, 2008. Newspaper advertisements were published in LA Opinion and The Signal Newspaper on June 3, 2008. Hearing notices were posted at the site on June 8, 2008.
18. The following fees will apply: cost recovery deposit of \$2,250 to cover the costs of the fifteen (15) recommended zoning enforcement inspections, one every other year for the term of this grant (additional funds would be required if violations are found on the property).

BASED ON THE FOREGOING, REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- 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.

- 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.
- 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, and
 - 2. By other public or private service facilities as are required.

AND, REGARDING THE REQUIRED FINDINGS FOR THE ONSITE AND OFFSITE SALES OF ALCOHOLIC BEVERAGES:

- D. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
- E. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- F. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a conditional use permit and for the onsite and off-site sales of beer and wine as set forth in Section 22.56.090 and Section 22.56.195.B of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Commission has considered the Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Negative Declaration for the project.
2. In view of the findings of fact presented above, Conditional Use Permit No. T200600040-(4) with findings and conditions is **APPROVED**.

VOTE:

Concurring: Bellamy, Valadez, Rew

Dissenting: 0

Abstaining: 0

Absent: Modugno, Helsley

Action Date: July 30, 2008

MC:MKK
7/30/08

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:

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 until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of 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 Conditions No. 9.
3. 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 notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
4. 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 according to Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing and with payment of the applicable fee, at least six months before the expiration date.
6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
7. 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. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
8. **This grant will terminate on July 30, 2023.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least three (3) months prior to the expiration of this permit, whether or not any modification of the use is requested at that time unless an extension is granted pursuant to conditions 8a or 8b.
 - a. Upon written application of the permittee made no less than six (6) months prior to the termination date above, the term of this grant may be extended by the Director for a period not to exceed five (5) years, as provided herein. The Director shall grant such extension unless it finds one of the following: (1) that the permittee has failed to adhere to the conditions of approval and such failure has not been timely corrected upon written notice thereof, (2) that the use is not or has not been in compliance with all applicable laws and regulations, or (3) that the Director has received more than three complaints in any twelve month period from the community during the grant period. If any of the foregoing findings are made by the Director, the extension shall be denied and the grant shall terminate and a new Conditional Use Permit will be required.
 - b. If the term of the grant is extended pursuant to condition 8(a), upon termination of the extension period, the Director may grant a second five-year extension subject to the requirements of condition 8(a). If a second extension is granted pursuant to this condition, the grant shall terminate at the end of the second extension period and no additional administrative extensions may be granted. If the permittee

intends to continue operations after this date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of the extension period, whether or not any modification of the use is requested at that time.

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. The permittee shall deposit with the County of Los Angeles the sum of \$2,250.00. 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. The fund provides for 15 annual inspections. Inspections 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 condition of this grant, the permittee shall be financially responsible 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. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the amount equal to the current recovery cost at the time of payment, if that amount is different.

Should an extension be granted by the Director pursuant to condition number 8a or 8b, the permittee shall deposit with the County of Los Angeles the sum of \$750.00 within thirty (30) days of the official date of the Director's granting of the extension. 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. The fund provides for 5 annual inspections per extension period. If the deposit is not made within thirty (30) days, the grant shall terminate.

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 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 health or safety

or so as to be a nuisance. In the event that the county deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the applicant shall compensate the county for all costs incurred in such proceedings.

11. 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.
12. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
14. The subject facility shall be developed and maintained in compliance with requirements of Los Angeles County Department of Health Services. Adequate water and sewage disposal facilities shall be provided to the satisfaction of said Department.
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.

In the event such extraneous markings occur, 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.

16. 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.
17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises under the permittee's control. Yard areas that are visible from the street shall be free of debris, trash,

- lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.
18. Outdoor storage and display (with the exception of crops and parking) are prohibited on the property.
 19. 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.
 20. The existing access from the Sierra Hwy to the subject property is unpaved, the permittee shall provide paved, all weather surface access to the subject property.
 21. The permittee shall provide and continuously have on file with the Department of Regional Planning a contact name and phone number.
 22. The permittee shall comply with all recommended conditions set forth in the attached correspondence from the Department of Public Works dated April 10, 2008.
 23. The permittee shall comply with all recommended conditions set forth in the attached correspondence from the Fire Department dated November 1, 2006.
 24. The following conditions shall apply to the operation of the winery:
 - a. The winery shall be operated in conjunction with existing vineyards located on the subject property;
 - b. The annual production capacity of the winery shall not exceed 13,000 gallons of wine, of which 80 percent of the wine shall be produced from grapes cultivated on the subject property. A maximum of 20 percent of the wine may be produced from grapes not cultivated on the subject property and the facility may export grapes equivalent to the amount imported, if any. Upon review and approval of the Director, the facility may also process grapes grown within the boundaries of the Agua Dulce Community Standards District to a maximum of 50% of total annual production pursuant to Section 22.56.225(A)(3) of the County Code;

- 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 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;
- d. Structures for the winery, visitor-serving uses, and/or private waste disposal system shall be located not less than 50 feet from exterior lot lines and 100 feet from any stream banks. They shall be located and designed to minimize adverse impacts to adjoining properties and to minimize water quality impacts to nearby streams, with design features and/or best management practices such as, but not limited to, fences, walls, landscaping, and buffer areas;
- e. Sound levels of the winery operations and visitor-serving uses shall comply with noise standards for residential properties as specified in Section 12.08.390;
- f. Operating hours of the winery and visitor-serving uses shall be limited to the hours between 9:00 am and 7:00 pm, except during harvest season when hours may be extended to between sunrise and sunset;
- g. 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 in the County Code and any events classified as temporary uses shall be subject to the approval of a Temporary Use Permit.
- h. Winery operations, visitor-serving uses, and/or private sewage disposal systems shall be conducted in accordance with applicable Los Angeles County Department of Health Services, Los Angeles County Department of Public Works, and California Regional Water Quality Control Board standards and requirements. In no case shall any waste be treated, stored, or disposed of in a manner that could result in runoff into any surface stream or leach into groundwater;
- i. This grant shall be contingent upon the applicant obtaining all required permits and complying with all applicable provisions of state and local laws, ordinances, regulations, and policies;

- j. The processing of wine shall occur entirely within the enclosed wine processing building. Staging for wine processing may occur outside the building provided that County Noise Ordinance limitations are not exceeded;
 - k. The president of the SPV Water Company shall be provided with written notice no less than four (4) days in advance of the application/spraying of any herbicides, pesticides or other weed/pest control products. Said notifications shall also identify the product to be applied/sprayed;
 - l. There shall be no application/spraying of any herbicides, pesticides, or other weed/pest control products during periods of high winds (i.e. greater than 20 mph averaged over one hour);
 - m. The permittee shall employ feasible methods of controlling dust on the premises; and
 - n. Except for the watering of grape vines, all work in the vineyards shall occur during daylight hours.
25. The following conditions shall apply to the sale of alcoholic beverages for on and off-site consumption:
- a. The permittee shall not permit on-site consumption of alcoholic beverages in areas of the property outside of the winery buildings with the exception of designated tables in the patio area and in conjunction with the consumption of prepackaged food sold on the premises.
 - b. The permittee shall not advertise the sale of alcoholic beverages on the exterior walls or windows of the winery buildings or at any location on the winery premises visible from off-site with the exception of approved free-standing signs along Sierra Highway. No self-illuminating advertising for alcoholic beverages shall be located on the building walls or windows;
 - c. There shall be no loitering permitted outside the winery buildings;
 - d. 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;

- e. The permittee shall provide adequate lighting for the parking lot area. Said lighting shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons on or about the parking lot. Lighting shall be of low intensity and directed downward to minimize impacts to adjacent properties;
- f. The permittee shall provide adequate lighting above the entrance of the winery buildings. Said lighting shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons entering or exiting the premises;
- g. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area(s) in the retail building;
- h. The permittee shall not install or maintain video games, pool tables, or similar game activities or equipment in the winery buildings;
- i. The winery buildings shall have no coin-operated amusements, such as small carousel rides or similar riding machines, with the exception of official State Lottery machines;
- j. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Department of Regional Planning zoning inspector or Department of Alcoholic Beverage Control (ABC) investigator. The winery manager and all employees of the winery shall be knowledgeable of the conditions herein;
- k. All servers of alcoholic beverages must be at least 18 years old;
- l. The placement of portable signs on sidewalks adjacent to the licensed premises is prohibited;
- m. The licensee, and all managers and employees of the establishment 18 years of age or older shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the California Department of Alcoholic Beverage Control. This training shall be on-going and all new employees shall be required to attend. The licensee shall display a certificate or plaque in the lobby of the establishment indicating its participation in this program;

- n. The permittee shall adhere to all State of California Alcoholic Beverages Control regulations;
- o. The sale of alcoholic beverages shall be limited to the sale of wine processed in the on-site winery; and
- p. There shall be no wine sold in containers of less than 750 milliliters. No miniatures of any type may be sold.

Attachments:

Department of Public Works letter dated April 10, 2008
Fire Department letter dated November 7, 2006
Public Health letter dated March 25, 2008

MC:MKK
7/30/08



DEAN D. EFSTATHIOU, Acting Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: LD-1

April 10, 2008

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

FROM: *for* Steve Burger *MLS*
Land Development Division

CONDITIONAL USE PERMIT (CUP) REVIEW AND COMMENT
PROJECT NO. R2006-00500
CUP NO. RCUP 200600040
10262 SIERRA HIGHWAY

- Public Works recommends approval of this CUP.
- Public Works does NOT recommend approval of this CUP.

We reviewed the site plan for the subject CUP in the unincorporated Agua Dulce area near Johnson Road and Dulce Ranch Road. This permit is to convert the existing structures in the winery to wine processing, storage, and showroom facilities.

Upon approval of the site plan, we recommend the following conditions:

1. Right of Way and Road Improvement Requirements
 - 1.1. A detailed signing and striping plan (scale 1:40) is required on Sierra Highway, showing the westbound left-turn pocket at the proposed access road per the approved conceptual striping plan to the satisfaction of Public Works.
 - 1.2. Provide adequate pavement and pavement transition using 65 MPH design speed for the left-turn lane per the approved conceptual striping plan dated February 27, 2008, to the satisfaction of Public Works.
 - 1.3. Reconstruct the existing culvert and head wall to accommodate the pavement transition, if required to the satisfaction of Public Works.

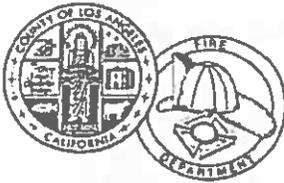
Mark Child
April 10, 2008
Page 2

For questions regarding the items above, contact Joseph Nguyen at (626) 458-4921.

If you have any other questions or require additional information, please contact Ruben Cruz or Toan Duong at (626) 458-4910.

RC:ca

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COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN
November 1, 2006

NOV 7 2006

Kim Szalay, Senior Regional Planning Assistant
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Szalay:

PROJECT NO. R2006-00500, CONDITIONAL USE PERMIT NO. 200600040, WINERY AND WINE TASTING FACILITY (AGUA DULCE), FFER 200600232

The Mitigated Negative has been reviewed by the Planning Division, Land Development Unit, and Forestry Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. The closest fire station is Station 81, located at 8710 W. Sierra Highway, about 1.5 miles from the entrance to the property.
2. Any development will increase the service demand on existing resources. Although this development would be in proximity to an existing fire station, it would increase service demand on the existing fire protection resources in the general area. Additional manpower, equipment, and facilities are needed in the area now.

SERVICE RESPONSIBILITY:

3. The applicant shall participate in an appropriate financing mechanism to provide funds for fire protection facilities which are required by new commercial, industrial or residential development in an amount proportionate to the demand created by this project. Currently, this finance mechanism is a developer fee per square foot of building space. The Fire Mitigation Fee box should have been checked in the Initial Study. It applies to the proposed expansion of the storage structure on this property.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKESIDE	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSEMead	WALNUT
BELL GARDENS	COMMERCE	GLEN DORA	IRWINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

LAND DEVELOPMENT UNIT:

1. Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.
2. Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.
3. Access roads shall be maintained with a minimum of ten (10) feet of brush clearance on each side. Fire access roads shall have an unobstructed vertical clearance clear-to-sky with the exception of protected tree species. Protected tree species overhanging fire access roads shall be maintained to provide a vertical clearance of 13 feet 6 inches.
4. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.
5. Fire Department requirements for access, fire flow and hydrants are addressed during the building permit stage.

COMMERCIAL:

6. The development may require fire flows up to 1000 gallon per minute at 20 pounds per square residual pressure for up to a two-hour duration. Final fire flows will be based on the size of buildings, its relationship to other structures, property lines, and types of construction used.
7. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department, Land Development Unit's EIR Specialist at (323) 890-4243.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

Kim Szalay, Senior Regional Planning Assistant
November 1, 2006
Page 3

2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

DRL:cm



COUNTY OF LOS ANGELES
Public Health

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

JONATHAN FREEDMAN
Acting Chief Deputy

Environmental Health
ANGELO BELLOMO, REHS
Director of Environmental Health

Bureau of Environmental Protection
Land Use Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm



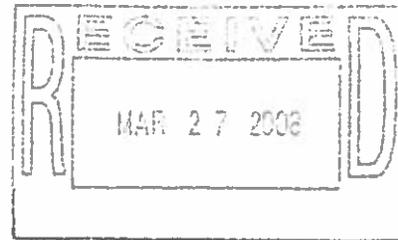
BOARD OF SUPERVISORS

Gloria Molina
First District
Yvonne B. Burke
Second District
Zev Yaroslavsky
Third District
Don Knabe
Fourth District
Michael D. Antonovich
Fifth District

March 25, 2008

RFS No. 06-0023416

Los Angeles County
Department of Regional Planning
Zoning Permit I Section
320 West Temple Street
Los Angeles, CA 90012



RE: ^{PA.} Project No. ~~R2006-00500~~ (5), CUP No. 200600040-(5)
Location: 10262 Sierra Highway

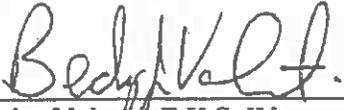
The submitted reports and documents have been received and reviewed. The data tends to support the proposed use; therefore the Department issues a conceptual approval for this project. The following conditions shall be completed prior to the establishment of the winery:

1. The current onsite waste water treatment system may be undersized for the proposed use. The applicant shall contact Teri Hachey at the Lancaster Health Center for requirements related to expansion of the current system.
2. The Water Quality Program shall be contacted concerning potable water requirements. Contact Richard Lavin at (626) 430-5420.
3. The use of reclaimed water is subject to the requirements of the Los Angeles County Code. Please contact Carlos Borja of the Cross Connections and Water Pollution Control Program at (626) 430-5290.
4. Please contact Tat Lau of the Food and Milk Program for requirements concerning food processing. He may be contacted at (626) 430-5400.
5. Please contact the Plan Check Program for requirements related to food facility design. You may contact Emmanuel Egeonu at (626) 430-5560.

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If you have any questions or require further information, please contact me at (626) 430-5380.

Respectfully,

A handwritten signature in cursive script, appearing to read "Becky Valent", written over a horizontal line.

Becky Valent, E.H.S. IV
Land Use Program