

Regional Planning Commission Transmittal Checklist

Hearing Date 4/6/2016
Agenda Item No. 6.

Project Number: R2014-00881-(5)
Case(s): Conditional Use Permit Case No. 201400037
Environmental Assessment Case No. 201400078
Planner: Kristina Kulczycki

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions + Other department letters of recommended 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:  _____



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

PROJECT NUMBER
 R2014-00881-(5)

HEARING DATE
 4/6/16

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400037
 Environmental Assessment No. 201400078

PROJECT SUMMARY

OWNER / APPLICANT

Joanna and Doug Gaudi / Robert Friedman

MAP/EXHIBIT DATE

10/1/15

PROJECT OVERVIEW

The applicant is requesting a Conditional Use Permit to construct a 6,000-square-foot retail building containing three tenant spaces, a 3,300-square-foot restaurant with a drive-through, and a 1,600-square-foot accessory storage building. The property is currently vacant. The site plan depicts fewer trees than are required by the C-RU zone within the setback area; however, staff recommends a reduction to this requirement in light of the current water shortage issue in southern California, particularly in Antelope Valley.

LOCATION

Vacant Property, Acton

ACCESS

Sierra Highway

ASSESSORS PARCEL NUMBER(S)

3217-021-022

SITE AREA

1.95 Acres

GENERAL PLAN / LOCAL PLAN

Antelope Valley Area Plan

ZONED DISTRICT

Soledad

LAND USE DESIGNATION

CR- Rural Commercial

ZONE

C-RU-DP (Rural Commercial-Development Program)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

Acton

ENVIRONMENTAL DETERMINATION (CEQA)

Negative Declaration

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)
 - 22.44.126 (Acton CSD requirements)

CASE PLANNER:

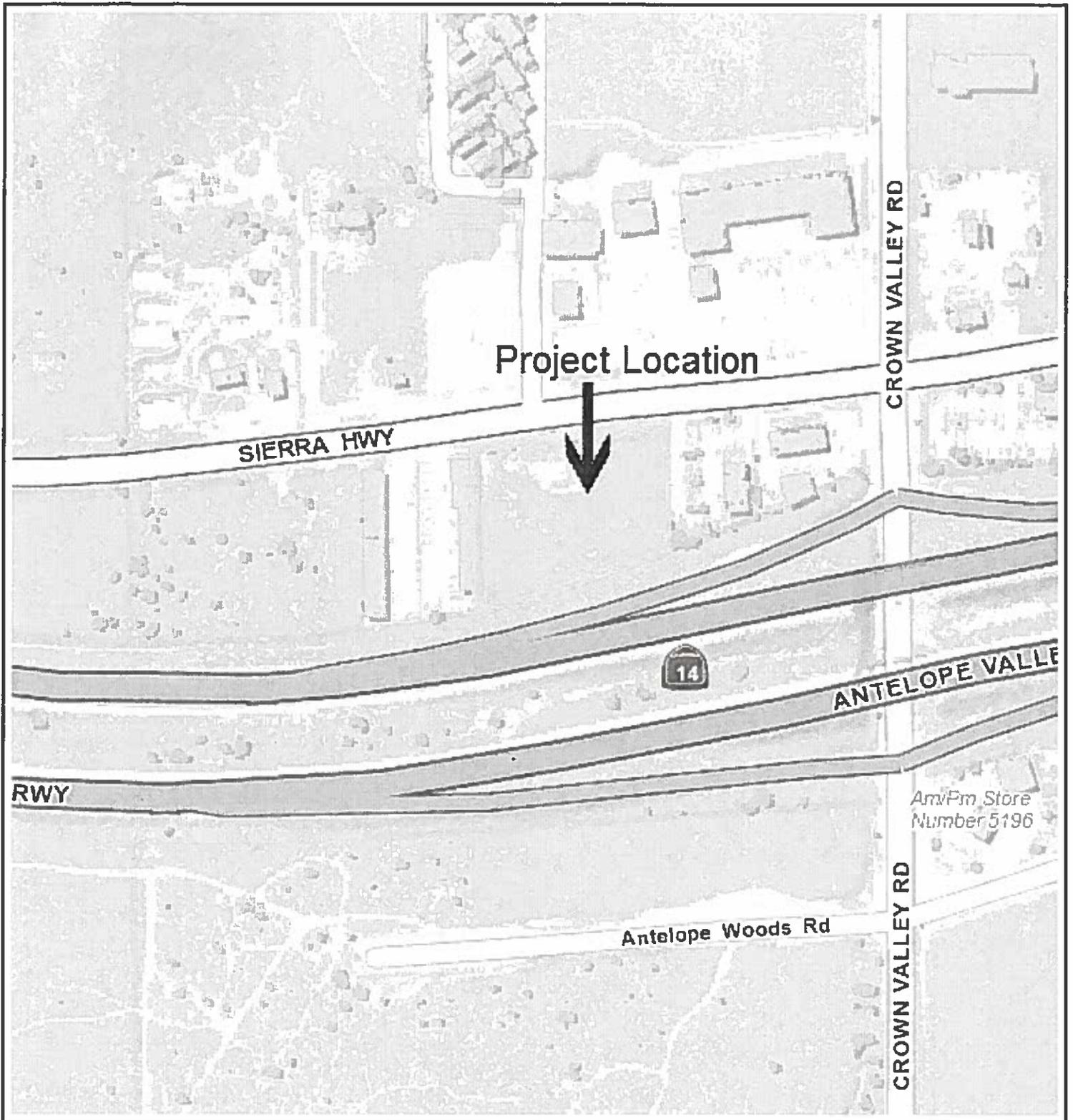
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R2014-00881-(5)

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ENTITLEMENTS REQUESTED

- Conditional Use Permit ("CUP") for the construction of a commercial retail center with a restaurant with a drive-through service in the (-)DP (Development Program) Zone pursuant to County Code Section 22.40.040. A CUP is also required for drive-through services in the C-RU-DP (Rural Commercial-Development Program) Zone pursuant to County Code Section 22.28.390.

PROJECT DESCRIPTION

The project is a request for a Conditional Use Permit to authorize the construction of a commercial center on a vacant parcel zoned (-)DP (Development Program) and to authorize drive-through services in the C-RU (Rural Commercial) Zone. The proposed construction includes a new 6,000-square-foot commercial building containing a 3,000-square-foot feed and hardware store tenant and two additional 1,500-square-foot retail tenant spaces, a 3,300-square-foot restaurant with drive-through services, and a 1,600-square-foot accessory storage building. The property is adjacent and visible from the State-Route 14 Freeway, which abuts the property to the south. The west-bound freeway on-ramp is immediately south of the site, with the entrance located approximately 400 feet to the east of the site and the east-bound off-ramp is located approximately 300 feet south of the site. Based on the location of the property and its visibility and proximity to the freeway, the drive-through service, in conjunction with the restaurant, would make the dining experience convenient and would attract commuters from the freeway and therefore, would be incompatible with the rural character of the community.

The request includes grading, consisting of 590 cubic yards of cut and 590 cubic yards of fill, as part of the construction activities. A landscaping plan was submitted as part of the request, but does not comply with the C-RU zoning requirement which states that the setback area shall be landscaped with at least one 24-inch box tree for every 20 linear feet of street frontage. Fourteen box trees are required along the landscaped setback area and the landscaping plan depicts two 24-inch box trees as well as several other 24-inch box trees within the parking lot area. Staff recommends that this requirement be reduced as part of the development program in light of the current water shortage issue in southern California, particularly in Antelope Valley.

SITE PLAN DESCRIPTION

The site plan depicts the 1.95-acre property with two driveways located along the northern property line that are accessible from Sierra Highway, a 100-foot-wide Major Highway on the County Master Plan of Highways. There are three proposed buildings depicted on the site plan: a 3,300-square-foot restaurant and associated drive-through near the eastern property line, a 6,000-square-foot commercial building adjacent to the western property line, and a 1,600-square-foot accessory storage building in the southwestern corner. The site plan identifies 14,850 square feet of landscaping provided on-site. Customer parking is proposed in front of the retail building as well as to the west of the restaurant. A total of 65 vehicle parking spaces are depicted on the site plan including 57 standard spaces, four compact spaces, and four Americans with Disabilities Act-compliant spaces. An equestrian hitching post will be located near the northeastern corner of the retail building. Behind the retail building are several additional parking spaces, a loading space, and a trash

enclosure. There are several parking spaces, a loading area, and a trash enclosure southwest of the restaurant as well.

No bicycle parking is depicted on the site plan. A revised plan that depicts two short-term bicycle parking spaces and two long-term bicycle parking spaces in accordance with Section 22.52.1225 will be required as a condition of approval. The signage that is depicted on the plans does not meet the current development standards listed in Part 10 of Chapter 22.52 (Signs) or Section 22.44.126 (Acton Community Standards District). Therefore, signage will not be evaluated at this time and the applicant will have to provide revised plans with proposed signage.

EXISTING ZONING

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

Surrounding properties are zoned as follows:

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

South: A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) and C-RU

East: C-RU

West: A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and C-RU-DP

EXISTING LAND USES

The subject property is currently a vacant lot.

Surrounding properties are developed as follows:

North: A commercial center, a communication utility site, vacant land, a single-family residence, apartments, a feed and grain sales store, a frame shop, and mobile home sales

South: Antelope Valley Freeway (SR-14) and vacant land

East: Fast-food restaurants and a gas station with mini-market

West: Vacant land, commercial shops, and a restaurant

PREVIOUS CASES/ZONING HISTORY

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

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

Ordinance No. 2007-0093Z was adopted by the Board of Supervisors on August 28, 2007 and rezoned the subject property to C-3-DP (Unlimited Commercial – Development Program). Zone Change No. 200400004 and Conditional Use Permit No. 200500139 were processed concurrently to rezone the subject property to C-3-DP in order to develop a retail feed store at the subject location. The retail feed store was never constructed.

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

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

ENVIRONMENTAL DETERMINATION

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

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Rural Commercial (CR) land use category of the 2015 Antelope Valley Area Plan. This designation is intended for limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices. The commercial center is proposed to contain a feed store, a restaurant, and two other retail uses. The feed store will provide agricultural-related products to the surrounding rural community. Restaurant and retail uses are included and specifically called out as compatible uses within the CR land use category.

Land use concepts for specific communities, such as Acton, are listed within Chapter 7 of the Antelope Valley Area Plan. Within the Acton "Land Use Concepts" section, there are areas identified that have the CR designation outside of a rural town center. The subject property is included in this category as it is not located along Crown Valley Road, but has the Rural Commercial land use designation. The Area Plan states "The intent of these designations is to allow low-intensity local commercial uses that serve community residents and to prohibit high-intensity regional commercial uses that serve travelers along State Route 14" (COMM-3 and 4). The restaurant without a drive-through service, feed store, and retail uses are compatible with the uses listed in the CR land use category. As mentioned in the project description, the location of the project site with a restaurant with a drive-through service will make the dining experience more convenient and would attract commuters from the State-Route 14 Freeway. Therefore, the drive-through component of the restaurant is not consistent with the intended uses within the Rural Commercial land use category within the Acton community.

Countywide General Plan Consistency

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

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

The proposed commercial center will provide an additional restaurant option for the community. Two new retail stores will further diversify the products and options available to the community. The feed store will be relocating from a nearby site to the subject property and will continue to serve the local community.

General Plan Land Use Element Policy LU 10.3: "Consider the built environment of the surrounding area and location in the design and scale of new or remodeled buildings, architectural styles, and reflect appropriate features such as massing, materials, color, detailing or ornament." (Page 90)

The buildings of the commercial center will be designed to meet the architectural style guidelines as specified for development in the Acton Community Standards District. The building facades will have a Western frontier village style design. Fencing, outdoor lighting, and signage will also promote the style of the Western frontier architectural guidelines. The proposed hitching post will further promote the Western frontier motif.

2015 Antelope Valley Area Plan Consistency

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

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

As mentioned in the project description, the drive-through service proposed in conjunction with the restaurant use will make the dining experience more convenient and would attract commuters from the State-Route 14 Freeway due to the location of the property and its adjacency to the freeway. Therefore, the drive-through service is inconsistent with the rural character of the community and the intended uses of the Rural Commercial land use category.

Land Use Policy LU 1.1 of the Antelope Valley Area Plan:

"Direct the majority of the unincorporated Antelope Valley's future growth to rural town center areas and identified economic opportunity areas, through appropriate land use designations, as indicated on the Land Use Policy Map (Map 2.1) of this Area Plan."

The Project Site is not located within the rural town center or economic opportunity areas as identified on the Antelope Valley Area Plan land use policy map. The Acton rural town

center is defined as the area along Crown Valley Road between Soledad Canyon Road and Gillespie Avenue. The Acton town center area is located approximately 1.5 miles south of the Project Site. Although the project is located outside of the rural town center and the economic opportunity areas, a commercial center is appropriate for this location because restaurants and retail uses are permitted in the C-RU-DP zone with a development program. However, the drive-through service and the proximity to State-Route 14 Freeway is anticipated to primarily attract drivers from the freeway to the Acton community, which conflicts with the Antelope Valley Area Plan policy.

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

“Some areas outside the rural town center area have also been designated as Rural Commercial (CR) to acknowledge existing uses and to provide additional commercial services and employment opportunities. The intent of these designations is to allow low-intensity local commercial uses that serve community residents and to prohibit high-intensity regional commercial uses that serve travelers along State Route 14.”

The Antelope Valley Area Plan prohibits “high-intensity regional commercial uses” within this area of Acton. The commercial center with restaurant and retail uses is not considered to be high-intensity or a regional use. Based on the Traffic Impact Study (“TIS”) dated January 20, 2015 and the evaluation by the Department of Public Works, the traffic generated by this project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area. Moreover, the project is small in size; the project’s floor area ratio (“FAR”) is 0.13, compared with the maximum FAR of 0.5 allowed in the Rural Commercial category of the Antelope Valley Area Plan.

The restaurant without a drive-through service and retail stores for this location are considered to be consistent with the applicable policies of the Antelope Valley Area Plan and the land use category. The feed store is a use currently occupying a nearby property and serving the local rural community. The other two retail tenants will be limited to 1,500-square-foot tenant spaces and must be uses that are permitted in the C-RU-DP zone. There are several commercial centers and other restaurants within the vicinity of the project site which have similar operations.. For example, there is an existing two-story commercial building and detached building with a combined area of over 41,000 square feet located north of the subject property. That parcel contains a restaurant with an occupant load of 242, a smaller restaurant with an occupant load of 48, a coffee shop with an occupant load of 29, as well as office space, retail space, and other commercial uses. There are also other restaurants within the vicinity of the project site including a Jack-In-The-Box immediately east of the subject property and a McDonald’s restaurant on the southeast corner of the intersection of Crown Valley Road and Sierra Highway. The property located in the northeastern corner of the same intersection was recently approved for a Taco Bell restaurant. Furthermore, the parcel to the east of the McDonald’s contains a commercial building with an area of over 17,000 square feet, which includes a sushi restaurant having an occupant load of 77. There is also a Subway sandwich shop and

convenience store located on one of the gas station sites. The scale of the project is much smaller than the commercial center across the street and is compatible with most of the other existing established uses in the immediate surrounding area. Therefore, it would not be out of character for the area nor would the addition of another restaurant without a drive-through service and retail space significantly alter the character of the area.

Due to the location near a freeway exit for the State-Route 14 Freeway, the drive-through will inevitably be used by travelers from outside the local community. The drive-through may also serve the local community, but the main function is to allow those in their cars to conveniently pick-up food in order to continue on their journey to their final destination. Drive-through facilities are designed and used as time-savers to avoid the nuisance of parking, dining on-site, and then maneuvering out of the parking lot back into traffic. As such, they mainly serve those in transition between two locations rather than those who are within the local community. Therefore, the drive-through is not consistent with the intended uses for this property as anticipated in the Antelope Valley Area Plan.

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

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

The proposed buildings are only one story in height and include Old West design elements. The project site is accessible to pedestrians, bicyclists and equestrians traveling along Sierra Highway and Crown Valley Road. The road improvement requirements for the project required by Public Works are based on rural highway standards.

Other applicable policies of the Antelope Valley Area Plan include:

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

The project site is appropriate for the proposed use, without drive-through services, given the existing uses in the immediate surrounding area. It will help to meet the needs of rural residents by providing a new restaurant option, additional retail, and a new location for the feed store. Additionally, it will provide local employment opportunities.

The subject site is located within close proximity to the Crown Valley Road freeway on-ramps and off-ramps and is adjacent and visible from the State-Route 14 Freeway. The drive-through use is proposed to be used in conjunction with the restaurant, but will mainly

serve drivers that are in transition to another location. As such, the drive-through would serve both the local community and those travelling on the State-Route 14 Freeway. It would also provide local employment opportunities.

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

The Project Site is suitable for the use due to the existing infrastructure already in place, including the highways and public water system. The project includes alternative transportation options for the rural community including the provision of an on-site hitching post for equestrian riders. The project site is accessible from Sierra Highway, a proposed Class III Bike Path as designated by the 2012 Bicycle Master Plan. There will also be on-site short-term and long-term bicycle parking spaces. Furthermore, the Project Site is located within Los Angeles County Waterworks District No. 37, which has issued a conditional will serve letter for the Project.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.360 of the County Code, the following are permitted uses in the C-RU Zone: feed and grain sales; hardware stores including the sale of lumber and other building materials and supplies, but excluding milling or woodworking other than incidental cutting of lumber to size; retail stores; and restaurants and other eating establishments including food take-out and outdoor dining, subject to the standards and limitations in subsection G of Section 22.28.070. Pursuant to Section 22.28.370 of the County Code, accessory buildings and structures, such as the proposed storage building, are permitted as accessory uses in the C-RU Zone. Pursuant to Section 22.28.390 of the County Code, drive-through services are permitted with an approved conditional use permit.

Pursuant to Section 22.28.390.B. of the County Code, any use listed in Section 22.28.360 that would generate vehicular traffic requiring the provision of new or additional traffic lights shall be subject to a conditional use permit. Based on the comments from the Department of Public Works identified in the letters dated October 22, 2015 and November 23, 2015, no new or additional traffic lights are required for the project.

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

Floor Area Ratio.

The maximum floor area ratio for non-residential buildings shall be 0.5. The proposed floor area ratio is 0.13.

Height.

The maximum height for a building or structure shall not exceed 35 feet above grade. The retail building is proposed to be 27 feet and 10 inches in height. The building housing the restaurant is proposed to be a maximum height of 35 feet. The storage structure will not exceed 23 feet, seven inches, and 7/8 of an inch in height.

Lot Coverage.

The area of a lot occupied by buildings shall not exceed 50 percent of the net lot area. As all the proposed buildings will be one-story in height, the lot coverage will be 13 percent.

Landscaping.

A minimum of 10 percent of the net lot area devoted to commercial use shall be landscaped with drought tolerant landscaping. The proposed site plan identifies 14,850 square feet of landscaping which is equivalent to 17.5 percent of the net lot area.

Parking.

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

Vehicle Parking. Pursuant to Section 22.52.1100, every lot or parcel of land which is used for a use permitted in Zone C-3 but not permitted in Zone R-4 shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used. The retail floor area totals 7,600 square feet; therefore, 30 vehicle parking spaces are required for the retail uses. Pursuant to Section 22.52.1110, every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking space for each three persons based on the occupancy load as determined by the county engineer. On March 13, 2014, staff from the Building and Safety Division of the Department of Public Works ("Building and Safety") determined that the occupancy load determination for the restaurant is 84. Therefore, 28 vehicle parking spaces are required for the restaurant. The floor plan that was analyzed by Building and Safety included an outdoor dining area with 16 seats that has since been removed from the proposal. Therefore, the occupancy load has decreased since the determination from Building and Safety. Based on the proposed development, a total of 58 vehicle parking spaces are required and 65 are provided.

Bicycle Parking. Pursuant to Section 22.52.1225, the number of bicycle parking spaces for general retail, including restaurants, is one short-term bicycle parking space for each 5,000 square feet of gross floor area with a minimum of two spaces and one long-term bicycle parking space for each 12,000 square feet of gross floor area with a minimum of two spaces. Therefore, two short-term bicycle parking spaces and two long-term bicycle parking spaces are required for the development as the total gross floor area for the site is 10,900 square feet.

- Where a lot fronts on a parkway, highway, or street, vehicle parking and loading zone areas shall be set back not less than five feet from the right of way. The site plan depicts a setback of 16 feet from the front property line adjacent to Sierra Highway to the proposed on-site parking.

- The setback area shall be landscaped with at least one 24-inch box tree for every 20 linear feet of street frontage. The street frontage for the property is 276.54 feet (after removing the frontage along the driveways); therefore, 14 box trees are required along the landscaped setback area. The landscaping plan depicts two 24-inch box trees and a variety of shrubs within the landscaped setback area as well as several other 24-inch box trees within the parking lot area and smaller trees lining the rear of the property adjacent to the Antelope Valley Freeway. The proposed plan does not meet the required development standard for landscaping; however, staff recommends that this requirement be reduced in light of the current water shortage issue in southern California, particularly in Antelope Valley.

Pursuant to Section 22.44.126 of the County Code, establishments in the Acton Community Standards District ("CSD") are subject to the following development standards:

- **Height.** All uses in commercial land classifications shall not exceed a height of 35 feet except for chimneys and pole antennas, which may not exceed a height of 45 feet. The retail building is proposed to be 27 feet and 10 inches in height. The building housing the restaurant is proposed to be a maximum height of 35 feet. The storage structure will not exceed 23 feet, seven inches, and 7/8 of an inch in height.
- **Architectural design.** All uses in commercial land classifications shall be designed in a "Western frontier village, circa 1890s style" in substantial conformance with the architectural style guidelines. The restaurant and retail building both contain architectural elements that are consistent with the "Western frontier village, circa 1890s style" including a façade with stone veneers and a one-story covered porch supported by heavy timber posts. The project also includes a hitching post for equestrian traffic lamp posts and bell-shaped lamp posts.
- **Drainage.** Maximum impervious finished surface areas for nonresidential uses shall not exceed 90 percent for stores and restaurants. As 17.5 percent of the site will be landscaped, the development will not exceed this limitation.
- **Signage.** Signage shall promote the style of the Western frontier architectural guidelines. Lighting shall be external, using fixtures designed to focus all light directly on the sign, and internal illumination shall be prohibited. The plans currently propose internal illumination for the wall signs which is prohibited. The maximum permitted area of wall signage is one and one-half square feet for each one linear foot of building frontage, not to exceed 100 square feet per tenant. The wall signs on the retail building and the restaurant exceed this limitation. Pursuant to Subsection A.1. of Section 22.52.880, no signage should be proposed on the storage building as this building does not contain any public frontages and is accessory to the retail building. Freestanding business signs, typically monument style, shall be limited to a maximum height of five feet and a maximum area of 100 square feet for the combined faces on such signs. The freestanding sign proposed on the plan is six feet in height and exceeds the allowed maximum area. Therefore, the signage depicted on the plans does not comply with the requirements of the Acton Community Standards District or Part 10 of Chapter 22.52 (Signs) and should be revised to comply with these development standards.

- **Fencing.** Only split rail, open wood, wire or wrought iron style or similar open-type perimeter fences shall be permitted. The landscaping plan depicts 30-inch high decorative fencing within the landscaping setback. The fencing consists of two (2) six-inch diameter tree round rails (with bark) with native rock pilasters spaced at approximately 10 feet apart between rail segments.
- **Outdoor lighting.** Where outdoor lights are required, light fixtures shall be provided and shall be required to keep in architectural style with the Western frontier design. The site lighting plan depicts both single and double LED lamp poles with bell-shaped lamps that are directed toward the ground.

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

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

Site Visit

A site visit was conducted on January 21, 2016 by Los Angeles County Department of Regional Planning ("DRP") staff. The Project Site is currently vacant and there is an existing restaurant adjacent to the site with a drive-through. There are several restaurants located near the project site and the area contains multiple commercial uses.

Burden of Proof

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

Neighborhood Impact/Land Use Compatibility

The proposed commercial center without a drive-through service for the restaurant is compatible with the surrounding community. There are other restaurants and commercial centers within the vicinity of the project site; many of which are similar in operation to that which is proposed. The Traffic Impact Study ("TIS") for the Project was completed by Hall and Foreman and is dated January 20, 2015. According to the TIS, the traffic generated by the project alone, as well as cumulatively with other related projects will not have a significant transportation impact to County roadways or intersections in the area. The Department of Public Works and the California Department of Transportation have reviewed the TIS and agree with the conclusions of the study

Although the Project may not create a significant transportation impact, the Project is accessible from Sierra Highway, a Major Highway as designated on the County Master Plan of Highways which is designed to accommodate more traffic. With the location of the project being adjacent to the State-Route 14 Freeway and the Crown Valley Road on-ramp and off-ramps located within 400 feet of the project site, the drive-through is expected to draw travelers from the State-Route 14 Freeway as well as serving the local residents. The Antelope Valley Area Plan indicates that properties with the CR land use category that are outside the rural town center are intended to be local-serving, low-intensity uses and seeks to prohibit high-intensity regional commercial uses that serve travelers along State-Route 14. Although the commercial center is consistent with the neighborhood uses and will not generate enough traffic to cause a significant impact on County roadways or intersections, the drive-through will mainly serve the customers that are en route to another location. Therefore, the drive-through is inconsistent with the Antelope Valley Area Plan and the rural character for the Acton community.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

In August of 2014, the Department of Parks and Recreation contacted Regional Planning staff by email and indicated that they suggested the inclusion of a hitching post for equestrian use as part of the project. The applicant revised the plans accordingly to provide a hitching post in front of the retail building. The Department of Public Health issued a letter dated February 25, 2015 which included a recommendation of approval for the project with a list of conditions related to drinking water, wastewater disposal, noise, and food retail facilities requirements. A letter dated September 18, 2015 was submitted by the Fire Department indicating that the project is cleared for public hearing. The letter from the Fire Department included a list of recommended conditions that will be added to the conditions of approval for the project. Staff received a letter from the Department of Public Works dated November 23, 2015 which recommended approval of the conditional use permit. The letter contains conditions of approval related to road requirements, drainage, grading, and water supply. The recommended conditions from each agency shall be included with the conditions of approval for the project.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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

PUBLIC COMMENTS

Five letters in support of the project and one letter in opposition to the project have been received. Additionally, the Acton Town Council ("ATC") submitted two letters with comments on the project. The first letter was dated October 6, 2014 and included language in support of the project with the following stipulations: a traffic study should be prepared, no freeway-facing signage should be permitted, the outdoor seating would be removed, no license to sell alcohol would be permitted on the site, the contact information for the applicant would be provided to the ATC, and a hitching post would be included in the design. On October 22, 2014, a second letter was submitted by the ATC which amended the comments of the original letter to state that they are still in support of the project with the exception of the proposed drive-through.

In addition to the above-mentioned support and opposition letters, Ms. Jacki Ayer, a member of the Acton Town Council, sent two subsequent emails detailing concerns brought up at the Acton Town Council meeting held in March of 2016. These emails were included in the hearing package. Additionally, the applicant's agent submitted over 300 form letters in support of the project that will be posted on the website for review.

FEES/DEPOSITS

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

STAFF RECOMMENDATION

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

Staff recommends **APPROVAL** of Project Number R2014-00881-(5), Conditional Use Permit No. 201400037, without a drive-through service subject to the attached findings and conditions.

SUGGESTED APPROVAL MOTION:

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

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NUMBER 201400037 WITHOUT A DRIVE-THROUGH SERVICE SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Kristina Kulczycki, Regional Planning Assistant II, Zoning Permits North, Section

Reviewed by Robert Glaser, Supervising Regional Planner, Zoning Permits North Section

Attachments:

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Correspondence

Negative Declaration

Site Photographs

Site Plan, Land Use Map

RG:KK

3/24/16

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-00881-(5)
CONDITIONAL USE PERMIT NO. 201400037**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted duly-noticed public hearings in the matter of Conditional Use Permit No. 201400037 ("CUP") on March 9, 2016 and April 6, 2016.
2. The permittee, Robert Friedman ("permittee"), requests the CUP to authorize construction of a 6,000-square-foot retail building containing three tenant spaces, a 3,300-square-foot restaurant with drive-through services, and a 1,600-square-foot accessory storage building as well as a reduction in the number of required trees within the landscaped setback area ("Project") on a property located at Assessor Parcel Number 3217-021-022, a vacant property located approximately 320 feet southwest of the intersection of Crown Valley Road and Sierra Highway in the unincorporated community of Acton ("Project Site") in the C-RU-DP (Rural Commercial-Development Program) Zone pursuant to Los Angeles County Code ("County Code") Sections 22.28.390 and 22.40.040.
3. The CUP is required because of the (-)DP combining zone, pursuant to County Code Section 22.40.040, which allows any use permitted in the basic zone (C-RU) if a CUP has been obtained. Pursuant to County Code Section 22.28.390, a CUP is also required for drive-through services in the C-RU Zone.
4. The Project Site is 1.95 acres in size and consists of one legal lot. The Project Site is irregular in shape with gently-sloping topography and is currently vacant land.
5. The Project Site is located in the Acton Community Standards District ("CSD") and the Soledad Zoned District. The Project Site is currently zoned C-RU-DP (Rural Commercial-Development Program).
6. The Project Site is located within the Rural Commercial ("CR") land use category of the 2015 Antelope Valley Area Plan Land Use Policy Map.
7. Surrounding zoning within a 500-foot radius includes:
 - North: A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area), C-RU (Rural Commercial), and C-RU-DP
 - South: A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) and C-RU
 - East: C-RU
 - West: A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and C-RU-DP
8. Surrounding land uses within a 500-foot radius include:

- North: A commercial center, a communication utility site, vacant land, a single-family residence, apartments, a feed and grain sales store, a frame shop, and mobile home sales
- South: Antelope Valley Freeway (SR-14) and vacant land
- East: Fast-food restaurants and a gas station with mini-market
- West: Vacant land, commercial shops, and a restaurant
9. The Project Site was rezoned to A-1-10,000 in 1958 and was rezoned again to C-3-DP in 2007. The Project Site was rezoned to C-RU-DP and the land use plan category was changed to Rural Commercial with the adoption of the 2015 Antelope Valley Area Plan and Ordinance No. 2015-0021Z on June 16, 2015.
10. The site plan for the Project depicts the 1.95-acre property with Sierra Highway to the north and the Antelope Valley Freeway to the south. There are two driveways along the northern property line that are accessible from Sierra Highway. There are three proposed buildings depicted on the site: the 3,300-square-foot restaurant and drive-through near the eastern property line, the 6,000-square-foot commercial building adjacent to the western property line, and a 1,600-square-foot storage building in the southwestern corner. The request includes grading, consisting of 590 cubic yards of cut and 590 cubic yards of fill, as part of the construction activities. The site plan identifies 14,850 square feet of landscaping provided on-site. Customer parking is proposed in front of the retail building as well as to the west of the restaurant. An equestrian hitching post will be located near the northeastern corner of the retail building. Behind the retail building are several additional parking spaces, a loading space, and a trash enclosure. There are several parking spaces, a loading area, and a trash enclosure southwest of the restaurant as well.
11. No bicycle parking is depicted on the site plan and the signage depicted on the plans is incorrect. No signage will be permitted on the storage building. Additionally, the amount of signage on the restaurant and retail building exceeds the allowable area. Internal illumination is proposed but, the Acton Community Standards District prohibits internal illumination. Lastly, the proposed monument sign exceeds the allowed height and area. Therefore, revised plans would need to be submitted following the hearing that depict bicycle parking and signage that meet the development standards listed in the County Code.
12. The grading plan for the Project, which is dated February 19, 2014, provides the estimated grading quantities for the project, including 590 cubic yards of cut and 590 cubic yards of fill.
13. The Project will provide a total of 65 vehicle parking spaces including 57 standard spaces, four compact spaces, and four Americans with Disabilities Act-compliant spaces. A hitching post is proposed in front of the retail building. Two short-term bicycle parking spaces and two long-term bicycle parking spaces are required for the project.
14. Prior to scheduling this case for hearing, the applicant presented the proposed project to the Acton Town Council. Staff has received comments from the Acton Town Council as well as several members of the community.

15. In August of 2014, the Department of Parks and Recreation contacted Regional Planning staff by email and indicated that they suggested the inclusion of a hitching post for equestrian use as part of the project. The applicant revised the plans accordingly to provide a hitching post in front of the retail building. The Department of Public Health issued a letter dated February 25, 2015 which included a recommendation of approval for the project with a list of conditions related to drinking water, wastewater disposal, noise, and food retail facilities requirements. A letter dated September 18, 2015 was submitted by the Fire Department indicating that the project is cleared for public hearing. The letter from the Fire Department included a list of recommended conditions that will be added to the conditions of approval for the project. Staff received a letter from the Department of Public Works dated November 23, 2015 which recommended approval of the conditional use permit. The letter contains conditions of approval related to road requirements, drainage, grading, and water supply. The recommended conditions from each agency shall be included with the conditions of approval for the project.
16. Prior to the Commission's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, staff from Regional Planning determined that a Negative Declaration was the appropriate environmental document for the Project because the Initial Study concluded that there was no substantial evidence that the Project would result in a significant impact on the environment.
17. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
18. Five letters in support of the project and one letter in opposition to the project have been received. Additionally, the Acton Town Council ("ATC") submitted two letters with comments on the project. The first letter was dated October 6, 2014 and included language in support of the project with the following stipulations: a traffic study should be prepared, no freeway-facing signage should be permitted, the outdoor seating would be removed, no license to sell alcohol would be permitted on the site, the contact information for the applicant would be provided to the ATC, and a hitching post would be included in the design. On October 22, 2014, a second letter was submitted by the ATC which amended the comments of the original letter to state that they are still in support of the project with the exception of the proposed drive-through.

In addition to the support and opposition letters specified above, the applicant's agent submitted over 300 form letters in support of the project that are posted to the website. Ms. Jacki Ayer, a member of the Acton Town Council, submitted emails following the Acton Town Council meeting in March of 2016 that included concerns that were raised at the meeting. These comments are included in the hearing package.

19. A duly noticed public hearing was held on March 9, 2016 before the Regional Planning Commission. Staff recommended continuance of the hearing to April 6, 2016 in order to provide the applicant with sufficient time to submit additional materials. The motion to continue the hearing to April 6, 2016 passed unanimously.
20. *To be inserted after the public hearing to reflect hearing proceedings.*
21. The subject site is located within close proximity to the Crown Valley Road freeway on-ramps and off-ramps and is adjacent to and visible from the State-Route 14 Freeway. The Antelope Valley Area Plan acknowledges that the intent of the Rural Commercial land use category is to allow low-intensity local commercial uses while prohibiting high-intensity regional commercial uses that serve travelers along State-Route 14. While the project is not considered a high-intensity use, the location of the property being visible and adjacent to the freeway, the drive-through services proposed in conjunction with the restaurant will provide a convenient dining option for travelers along State-Route 14 and will be disruptive to the rural character of the community. Therefore, the Commission finds that the drive-through is inconsistent with preserving the rural character for the Acton community.
22. The purpose of the Rural Commercial (CR) land use category of the Antelope Valley Area Plan is for *"limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices"*. The commercial center is proposed to contain a feed store, a restaurant, and two other retail uses. The feed store will provide agricultural-related products to the surrounding rural community and both the restaurant and retail uses are listed as commercial uses that are compatible with the CR land use category. Restaurant and retail uses are included and specifically identified as compatible uses within the CR land use category. However, the Antelope Valley Area Plan acknowledges the intent to allow low-intensity local commercial uses while prohibiting high-intensity regional commercial uses that serve travelers along State-Route 14. As mentioned previously, the location of the project site is adjacent to the freeway and is near a freeway off-ramp. As such, the drive-through services provided as part of the restaurant will attract commuters from the State-Route 14 Freeway by providing a convenient dining option. Therefore, the Commission finds that the Project, without the drive-through, is consistent with the CR land use category of the Antelope Valley Area Plan.
23. The Antelope Valley Area Plan prohibits "high-intensity regional commercial uses" within this area of Acton. However, the retail center with restaurant and retail uses is not considered to be high-intensity or a regional use. Based on the Traffic Impact Study dated January 20, 2015 and the evaluation by the Department of Public Works, the traffic generated by this project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area. The retail center with restaurant and retail uses is considered to be consistent with the applicable policies of the Antelope Valley Area Plan, including the land use category.
24. The Commission finds that the Project is consistent with the C-RU-DP zoning classification. Restaurants, retail stores, feed and grain sales and hardware stores are

permitted uses in the C-RU Zone pursuant to Section 22.28.360 of the County Code. According to Section 22.28.390 of the County Code, drive-through services are permitted in the C-RU-DP Zone with the approval of a CUP. Accessory uses, such as storage buildings, are permitted in the C-RU Zone pursuant to Section 22.28.370. Lastly, property in a (-)DP Zone may be used for any use permitted in the basic zone pursuant to County Code Section 22.40.040.

25. The Project will comply with all the development standards that apply to properties in the C-RU Zone, as listed in County Code Section 22.28.400, with the exception of the requirement to plant one 24-inch box tree for every 20 linear feet of street frontage for the parking setback areas. The Commission finds that this requirement should be reduced in light of the current water shortage issue in southern California, particularly in the Antelope Valley. The Commission finds that two 24-inch box trees, as depicted on the landscaping plan, are sufficient within the front setback area as there are other proposed trees within the parking areas and the rear of the property.
26. The Commission finds that Project is consistent with the applicable development standards of the Acton CSD in Section 22.44.126.C of the County Code. The proposed buildings and signage will include design elements that are of the "Western frontier village, circa 1890s style." The buildings will not exceed a height of 35 feet and the total impervious surface area will not exceed 90 percent. The fencing, signage, and outdoor lighting will be designed to comply with the standards listed in the CSD.
27. The Commission finds that the Project is located within a Rural Outdoor Lighting District. The Project will be required to comply with its requirements, which are designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 30 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass. The applicable standards are found in County Code Sections 22.44.500 through 22.44.590.
28. The proposed commercial center is suitable for the area as there are several existing restaurants and other commercial centers within the vicinity of the project site. The building is designed to conform to the Acton CSD architectural style guidelines, and the Project will comply with the CSD requirements. The Project site is immediately adjacent to other commercial uses and the proposed use without the drive-through service will not substantially change the character of the area. However, the subject parcel abuts the State-Route 14 Freeway to the south and is located near the Crown Valley Road east-bound off-ramp. As such, the drive-through will be primarily serving travelers as a convenient dining option along the State-Route 14 Freeway due to the proximity of the site to the freeway. Based on the foregoing, the Commission finds that if the drive-through is not included, then the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

29. The Project Site is adequate in size to accommodate the parking spaces required for the use. Based on the proposed development, a total of 58 vehicle parking spaces are required and 65 are provided. The site plan depicts 14,850 square feet of landscaping on-site which exceeds the minimum requirement of 10 percent. Based on the foregoing, the Commission finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features as are required in order to integrate the Project into the surrounding area.
30. The Project Site is accessible from Sierra Highway via two driveways located along the northern property line. Sierra Highway is classified as an existing Major Highway within the 2015 Master Plan of Highways and is a proposed Class III Bike Path according to the 2012 Bicycle Master Plan. The northern side of Sierra Highway is identified as part of the proposed County Trail System. Furthermore, a Traffic Impact Study ("TIS") was completed for the project and was reviewed by the Traffic and Lighting Division of the Department of Public Works. According to the TIS, the traffic generated by the project along, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area based on the Traffic Impact Analysis Guidelines. Based on the foregoing, the Commission finds that the Project Site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
31. The Commission finds that pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Acton Agua Dulce Library. On January 28, 2016, a total of 36 Notices of Public Hearing 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 29 notices to those on the courtesy mailing list for the Soledad Zoned District and to any additional interested parties.
32. Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
33. After consideration of the Negative Declaration, together with the comments received during the public review process, the Commission finds on the basis of the whole record before it that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the Negative Declaration reflects the independent judgment and analysis of the Commission.
34. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

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

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Certifies that the Negative Declaration for the Project was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the Negative Declaration and that the Negative Declaration reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; determined that on the basis of the whole record before the Commission that there is no substantial evidence that the Project will have a significant effect on the environment; and adopts the Negative Declaration; and
- 2. Approves Conditional Use Permit No. 201400037, without a drive-through facility, subject to the attached conditions.

RG:KK
3/24/16

c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-00881-(5)
CONDITIONAL USE PERMIT NO. 201400037**

PROJECT DESCRIPTION

The project is for the construction of a retail center including a 6,000-square-foot retail building, a 3,300-square-foot restaurant without a drive-through, and a 1,600-square-foot accessory storage building. This project also includes a reduction in the required tree planting due to the current drought conditions of the area. The project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 9, and until a new Will Serve Letter has been issued or a time extension has been granted as required by Condition No. 20. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The 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 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the

costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$400.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **two (2)** 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 one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount

charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Within five (5) working days from the day after your appeal period ends **March 30, 2016**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **\$2,285.25** (\$2,210.25 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." As the plans that were presented at the public hearing do not depict the required bicycle parking spaces and incorrectly depict the signage, **three (3) copies of a modified Exhibit "A"** shall be submitted to Regional Planning by **July 6, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies of the proposed plans** to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

19. This grant shall authorize the construction, operation, and maintenance of a new retail center, including a new restaurant without a drive-through, as depicted on the Exhibit "A."
20. Prior to construction of the retail center, the permittee shall obtain a current Will Serve letter and/or time extension from the Waterworks Division No. 37 of the Los Angeles County Department of Public Works for the project.
21. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of one space for every 250 square feet of gross floor area used for the commercial buildings. The permittee shall provide parking for the restaurant as required by the County Code, calculated at a parking ratio of one space for each three occupants based on the occupancy load determination from the county engineer. The commercial building and storage structure have a total area of 7,600 square feet which would require not less than 30 spaces be provided based on the applicable ratio. The restaurant received an occupancy load determination of 84 from the Department of Public Works. Therefore, 28 parking spaces are required for the restaurant use and the total number of required parking spaces for the project site is 58 based on the current proposal.
22. The permittee shall provide bicycle parking as required by the County Code, calculated at a parking ratio of one short-term bicycle parking space for each 5,000 square feet of gross floor area with a minimum of two spaces and one long-term bicycle parking space for each 12,000 square feet of gross floor area with a minimum of two spaces. The commercial buildings have a total square footage of 10,900 square feet which would require not less than two short-term spaces and two long-term spaces be provided based on the applicable ratio and the current proposal.

23. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated February 25, 2015.
24. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated September 18, 2015.
25. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated November 23, 2015.

Attachments:

Public Health Department Letter dated February 25, 2015

Fire Department Letter dated September 18, 2015

Public Works Department Letter dated November 23, 2015



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

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

TERRI S. WILLIAMS, REHS
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February 25, 2015

TO: Thuy Hua, AICP
Senior Regional Planner
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA M.T.
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2014-00881/ RCUP 201400037
Acton Feed Store and Primo Restaurant
Crown Valley & Sierra Hwy, Acton

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

The Department of Public Health has reviewed the information provided for the project identified above. The CUP is for the proposed construction of a 6,000 SF retail feed store and a 3,084 SF restaurant with drive-thru in Acton. The Department clears the project, and recommends approval of the CUP contingent upon the observance of the conditions stated below following public hearing.

Potable Water Supply

The Drinking Water Program recommends approval of this CUP.

The project will be served by a public water system (Los Angeles County Waterworks District No. 37). The applicant has submitted a current will serve letter from the water purveyor to this Department to ensure the availability of a potable water supply for the project.

For questions regarding the above requirement, please contact Lusi Mkhitarian or Epifanio Braganza at (626) 430-5420 or at lmkhitarian@ph.lacounty.gov and ebraganza@ph.lacounty.gov.

Wastewater Disposal

The Land Use Program recommends approval of this CUP contingent upon the following condition:

Based on the review of the proposed project's Feasibility Report submitted, the percolation test results indicate that a non-conventional system is to be installed due to the percolation rates which are greater than 5.12 gallons/square feet /day. A design for a non-conventional septic system has been submitted based on the manufactures recommendations. At this time the Program recommends conditional approval of the CUP. The Program has not received a copy of the report from the Regional Water Quality Control Board. **The approval of the Regional Water Quality Control Board must be received prior to the issuance of a building permit for the finalization of the Land Use Program's approval of an Onsite Wastewater Treatment System (OWTS) installation.**

Notes:

- A. The design and installation of OWTS shall conform to the requirements of this Department and other applicable regulatory agencies. The applicant shall contact the Los Angeles Regional Water Quality Control Board and file necessary document for Waste Discharge Requirement permit in order to obtain authorization before proceeding with this project.
- B. **Note:** The required size and capacity of the proposed OWTS shall be determined based on the factors including fixture unit count, number of employees, the type of food facilities and number of customers and meals served in each room, number of parking spaces, restrooms, etc., either individually or in combination of one, two or more factors, whichever method results in the largest system capacity and in accordance with Table K-2 and K-3 of Appendix K of the Plumbing Code and requirements established in the Department's guidelines.
- C. If a public sewer connection is available within 200 feet of any part of the proposed building or exterior drainage, all future drainage and piping shall be connected to such public sewer.

For question regarding the above section, please contact Eric Edwards or Vicente Banada at (626) 430-5380 or at eedwards@ph.lacounty.gov and vbanada@ph.lacounty.gov.

Noise

The applicant shall adhere to the requirements of the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12.

For question regarding the above section, please contact Evenor Masis or Robert Vasquez at (213) 738-3220 or at emasis@ph.lacounty.gov and rvasquez@ph.lacounty.gov.

Food Retail Facilities

The applicant shall comply with all the Department of Public Health requirements relating to the construction and operation of food establishments. Three sets of construction plans for the proposed food establishment shall be submitted to the Department's Plan Check Program for review and approval prior to issuance of any building permits. The proposed food establishment must be issued a Public Health Permit to operate by this Department after construction.

For questions regarding the above section, please contact the Plan Check Program at (626) 430-5560.

For any other questions regarding this report, please contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.



GAIL FARBER, 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

November 23, 2015

IN REPLY PLEASE
REFER TO FILE: LD-2

TO: Robert Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Kristina Kulczycki

FROM: Art Vander Vis
Land Development Division
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) NO. 201400037
PROJECT NO. R2014-00881-(5)
ACTON FEED STORE AND PRIMO RESTAURANT
ASSESSOR'S MAP BOOK NO. 3217, PAGE 21, PARCEL NO. 22
UNINCORPORATED COUNTY COMMUNITY OF ACTON**

Thank you for the opportunity to review the site plan and zoning permit application for the project located on Assessor's Parcel Number 3217-021-022 in the unincorporated County community of Acton. The applicant is requesting authorization for a CUP to allow the construction of a 6,000-square-foot retail feed store, a 3,300-square-foot restaurant with a drive-thru, and a 1,600-square-foot storage building.

- Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents; therefore, a Public Hearing shall NOT be scheduled until the following comments have been addressed:

Road

1. Construct both driveways along the property frontage on Sierra Highway to comply with the Americans with Disabilities Act guidelines and to the satisfaction of Public Works. Please note this will require the driveways to be depressed at the back of the walk. Relocate any affected utilities including the existing street light located on the westerly property line.

2. Submit and obtain approval of street lighting plans that show the proposed relocation of the existing street light located on the westerly property line (if affected by the construction of the proposed westerly driveway) by Public Works' Traffic and Lighting Division, Street Lighting Section. The street lighting plans shall show all existing and proposed street lights along the property frontage and be accompanied by plans that show all existing and/or proposed underground utilities.
3. Provide and continuously maintain adequate sight distance (10 feet minimum) from all proposed driveways to the back of the sidewalk to the satisfaction of Public Works. This means there cannot be any obstructions, such as landscaping, above 3.5 feet in height within a 10-foot sight triangle.
4. Comply with all of the requirements listed in the attached Traffic and Lighting Division letter dated October 22, 2105.
5. Submit a detailed signing and striping plan (scale: 1"=40') showing the westerly extension of the existing two-way, left-turn lane, on Sierra Highway near the project's proposed westerly driveway, for review and approval prior to obtaining a grading permit. The proposed striping transition shown on the site plan is not necessarily approved.
6. Provide an adequate pavement transition on the northern side of Sierra Highway to accommodate the extension of the existing two-way, left-turn lane, near the project's proposed westerly driveway, to the satisfaction of Public Works. Although the pavement transition will be located entirely within the existing public right of way, additional off-site grading within the properties, on the north side of Sierra Highway, may be necessary to adequately tie the grades within the parkway area to the new edge of pavement. It shall be the sole responsibility of the applicant to obtain any necessary off-site covenants/permissions from the affected property owners. The proposed pavement transition shown on the site plan is not necessarily approved.
7. Submit street improvement plans and acquire street plan approval before obtaining a grading permit.
8. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

Drainage/Grading

1. Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated October 15, 2015 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating sheet overflow, ponding, and high-velocity scouring action. The plans need to call out the construction of at least all drainage devices and details and paved driveways; elevation of all pads, water quality devices, Low-Impact Development (LID) features; and existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.
2. Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.
3. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/idd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf>.
4. Comply with the approved hydrology study dated October 15, 2015 (or latest revision), for the design of all drainage facilities to the satisfaction of Public Works.
5. Provide a maintenance agreement/covenant for any privately maintained drainage devices.
6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.
7. Provide permits and/or letters of nonjurisdiction from all applicable State and Federal agencies. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

For questions regarding the drainage/grading condition, please contact Diego Rivera of Public Works' Land Development Division at (626) 458-4921 or drivera@dpw.lacounty.gov.

Robert Glaser
November 23, 2015
Page 4

Water Supply

1. Comply with all of the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by Waterworks District No. 37 will expire on February 25, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water supply condition, please contact Toni Khalkhali of Public Works' Land Development Division at (626) 458-4921 or tkhalkh@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

MD:tb

P:\dpub\SUBPCHECK\Plan\CUP\CUP 201400037\TCUP 201400037\2015-10-26 TCUP 201400037 SUBMITTAL\2015-11-12. CUP 201400037 docx



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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

October 22, 2015

IN REPLY PLEASE
REFER TO FILE: T-4

Mr. Robert Kilpatrick
Hall & Foreman
Suite 101
14297 Cajon Avenue
Victorville, CA 92392-2335

Dear Mr. Kilpatrick:

**ACTON RETAIL CENTER PROJECT
CONDITIONAL USE PERMIT 201400037
TRAFFIC IMPACT STUDY – AUGUST 4, 2015
UNINCORPORATED ACTON AREA**

We reviewed the Traffic Impact Study (TIS) for the proposed Acton Retail Center project to be located on the south side of Sierra Highway approximately 500 feet west of Crown Valley Road in the unincorporated Acton area. The proposed project consists of a feed store and a drive-through restaurant.

According to the TIS, the traffic generated by the project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area based on the Traffic Impact Analysis Guidelines. We generally agree with the findings in the TIS.

According to the TIS, the existing two-way left-turn lane on Sierra Highway would need to be extended westerly to accommodate left-turn movements at the project's west driveway. We concur with this improvement. Accordingly, the project applicant shall submit detailed signing and striping plans to Public Works for review and approval.

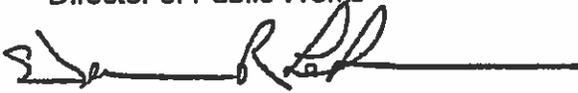
We recommend the applicant consult with the State of California Department of Transportation to obtain concurrence with any potential California Environmental Quality Act impacts within its jurisdiction.

Ms. Robert Kilpatrick
October 22, 2015
Page 2

If you have any questions regarding the review of this document, please contact Mr. Kent Tsujii of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4776.

Very truly yours,

GAIL FARBER
Director of Public Works

A handwritten signature in black ink, appearing to read 'D. R. Lehman', is written over a solid horizontal line.

DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

SR:mrb
P:\TL\Pub\STUDIES\15-0133 - ACTON RETAIL CENTER.DOC

bc: Land Development (Narag)

LOS ANGELES COUNTY WATERWORKS DISTRICTS

P.O. Box 1460
Alhambra, CA 91802
(626) 300-3306

260 E Ave K-8
Lancaster, CA 93535
(661) 940-9270

23533 Civic Center Way
Malibu, CA 90265
(310) 317-1388

TO:

Los Angeles County
Department of Health Services
Environmental Health: Mtn & Rural/
Water, Sewage, & Subdivision Program
5050 Commerce Dr
Baldwin Park, CA 91706-1423

Los Angeles County
Department of Public Works
Building & Safety Division

Los Angeles County
Department of
Regional Planning

City of Lancaster
Building Department
44933 N Fern Ave
Lancaster, CA 93534

City of Malibu
Building Department
23815 W Stuart Ranch Rd
Malibu, CA 90265

City of Palmdale
Building Department
38300 N Sierra Hwy
Palmdale, CA 93550

RE: 3910 W Sierra Hwy (CUP R2014-00881)

Acton

93510

Address

City

Zip

3217-021-022

PM 21321

1

Assessor's Parcel Number

Tract / Parcel Map

Lot

Los Angeles County Waterworks District No. 37 will serve water to the above single lot property subject to the following conditions:

<input type="checkbox"/>	Annexation of the property into Los Angeles County Waterworks Districts is required. Water service to this property will not be issued until the annexation is complete.
<input checked="" type="checkbox"/>	The appropriate connection fees have NOT been paid to Waterworks Districts.
<input type="checkbox"/>	The appropriate connection fees have been paid to Waterworks Districts.
<input type="checkbox"/>	Water system improvements will be required to be installed by the developer subject to the requirements set by the Fire Department and the Waterworks Districts.
<input checked="" type="checkbox"/>	The service connection and water meter serving the property must be installed in accordance with Waterworks Districts' standards.
<input type="checkbox"/>	The property has an existing service connection and water meter.
<input checked="" type="checkbox"/>	Public water system and sewage disposal system must be in compliance with Health Department separation requirements.
<input checked="" type="checkbox"/>	A portion of the existing fronting watermain may be required to be replaced if the water service tap cannot be made or if damage occurs to the watermain.
<input type="checkbox"/>	Property may experience low water pressure and/or shortages in high demand periods.
<input type="checkbox"/>	The Waterworks Districts CANNOT serve water to this property at this time.

BY:


Signature
Sheila Niebla
Print Name

Associate Civil Engineer
Title
(661) 940-9270 02/25/2015
Phone Number Date

*** THIS WILL SERVE LETTER WILL EXPIRE ONE (1) YEAR AFTER THE DATE OF ISSUANCE.**

201037037a



FORM 196
Rev. 04/03

COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Fire Prevention Engineering
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4125 Fax (323) 890-4129

Information on Fire Flow Availability for Building Permit

For All Buildings Other Than Single Family Dwellings (R-3)

INSTRUCTIONS:

Complete parts I, II (A) when:

Verifying fire flow, fire hydrant location and fire hydrant size.

Complete parts I, II (A), & II (B) when:

For buildings equipped with fire sprinkler systems, and/or private on-site fire hydrants.

PROJECT INFORMATION (To Be Completed By Applicant)

PART I

Building Address: 3910 W Sierra Hwy (APN 3217-021-022)

City or Area: Acton, CA 93510

Nearest Cross Street: Crown Valley Rd

Distance of Nearest Cross Street: 200'

Applicant: Robert Friedman Telephone: (626) 484-5251

Address: 2059 E Foothill Blvd

City: Pasadena, CA 91107

Occupancy (Use of Building): B A3 Sprinklered: Yes No

Type of Construction: V

Square Footage: 6000 + 3300 Number of Stories: 1

Present Zoning: C-3

LOS ANGELES COUNTY
WATERWORKS DISTRICTS
INFORMATION PROVIDED HEREON
IS FOR VERIFICATION OF PUBLIC FIRE
FLOW AVAILABILITY ONLY. IT IS NOT
INTENDED FOR USE IN EVALUATION OF
FLOW AVAILABILITY FOR PRIVATE
WATER DISTRIBUTION SYSTEMS.

Applicant's Signature _____

Date _____

PART II-A

INFORMATION ON FIRE FLOW AVAILABILITY
(To be completed by Water Purveyor)

Location South side of Sierra Hwy, 372 ft west of Crown Valley Rd

Hydrant Number --
Distance from Nearest Property Line 41' Size of Hydrant 6x4x2-1/2" Size of Water main 12"
Static PSI 210 Residual PSI 107 Orifice size -- Pitot --
Fire Flow at 20 PSI 2000 gpm Duration 2 hrs Flow Test Date / Time --

Location South side of Sierra Hwy, 647 ft west of Crown Valley Rd

Hydrant Number --
Distance from Nearest Property Line 97' Size of Hydrant Size of Water main 12"
Static PSI 210 Residual PSI 107 Orifice size -- Pitot --
Fire Flow at 20 PSI 2000 gpm Duration 2 hrs Flow Test Date / Time --

~~Location
Hydrant Number
Distance from Nearest Property Line Size of Hydrant Size of Water main
Static PSI Residual PSI Orifice size Pitot
Fire Flow at 20 PSI Duration Flow Test Date / Time~~

PART II-B SPRINKLERED BUILDINGS/PRIVATE FIRE HYDRANTS ONLY

Detector Location (check one) Above Grade Below Grade Either
Backflow Protection Required (Fire Sprinklers/Private Hydrant) (check one) Yes No
Minimum Type of Protection Required (check one) Single Check Detector Assembly
 Double Check Detector Assembly Reduced Pressure Principle Detector Assembly

Los Angeles County Waterworks Districts
Water Purveyor

Date 2/24/2015

LOS ANGELES COUNTY WATERWORKS DISTRICTS
INFORMATION PROVIDED BY
THE INFORMATION IS FOR VERIFICATION OF FIRE FLOW AVAILABILITY ONLY. IT IS NOT INTENDED FOR USE IN EVALUATION OF WATER DISTRIBUTION SYSTEMS.
Signature [Signature]
Associate Civil Engineer
Title

This Information is Considered Valid for Twelve Months

Fire Department approval of building plans shall be required prior to the issuance of a Building Permit by the jurisdictional Building Department. Any deficiencies in water systems will need to be resolved by the Fire Prevention Division only prior to this department's approval of building plans.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-00881 MAP DATE: February 2, 2015
LOCATION: Sierra Highway, West of Crown Valley Road, Acton
PLANNER: Thuy Hua

8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3
9. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1
10. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5
11. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1
12. An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector.
 - All locking devices shall comply with the County of Los Angeles Fire Department Regulation 5, Compliance for Installation of Emergency Access Devices.



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.

THIS PROJECT IS IN KEEPING WITH THE SURROUNDING AREA COMMERCIAL. TO THE SOUTH IS THE 14 HWY, EAST JACK IN THE BOA RESTAURANT, WEST COMMERCIAL, NORTH ACROSS SIERRA HWY COMMERCIAL

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 PROPOSED SITE HAS ADEQUATE PARKING WITH OVER SIZED DRIVEWAYS AND DRIVE ALLEYS. FACIT BLDG HAS A LOADING ZONE. THE LANDSCAPE AREA EXCEEDS REQUIREMENTS. SETBACK FORCED MINIMUM ALLOWED.

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.

ACCESS IS BY SIERRA HWY WHICH IS IMPROVED WITH CURB CUTTERS AND SIDEWALKS, AS WELL STREET LIGHTING.

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



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

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

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

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

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

Gross Acreage: 1.95

General plan designation: N/A

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

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

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

Surrounding land uses and setting:

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

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

South: SR 14 – Antelope Valley Freeway

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

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

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

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

Major projects in the area:

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

Reviewing Agencies:

Responsible Agencies

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

Special Reviewing Agencies

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

Regional Significance

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

Trustee Agencies

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

County Reviewing Agencies

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

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

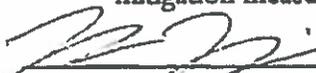
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Department)
On the basis of this initial evaluation:

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

 Kristina Kulczyk
Signature (Prepared by)

1/28/16
Date

 Robert Gusek
Signature (Approved by)

1/28/16
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

1. AESTHETICS

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

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

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

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

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

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

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

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

2. AGRICULTURE / FOREST

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

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

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

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

3. AIR QUALITY

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

a) Conflict with or obstruct implementation of applicable air quality plans of either the South Coast AQMD (SCAQMD) or the Antelope Valley AQMD (AVAQMD)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project is located within the boundaries of the South Coast AQMD (SCAQMD). The proposed project is consistent with the underlying land use category of Rural Commercial. Land use categories are assessed by the SCAQMD when analyzing impacts for their air quality plans. When a project is consistent with the underlying land use category, it generally does not have a significant impact. In this case, since the proposed project is consistent with the underlying land use category, it will not conflict with or obstruct implementation of the SCAQMD air quality plan.

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

The environmental/regulatory setting related to air quality includes:

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

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

4. BIOLOGICAL RESOURCES

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

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

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

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

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

subject property.

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

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

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

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

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

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

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

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

identified as a conservation area.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

The environmental/regulatory setting related to biological resources include:

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

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

5. CULTURAL RESOURCES

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

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or contain rock formations indicating potential paleontological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

The environmental/regulatory setting related to cultural resources include:

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

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

6. ENERGY

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

a) Conflict with Los Angeles County Green Building Ordinance (L.A. County Code Title 22, Ch. 22.52, Part 20 and Title 21, § 21.24.440) or Drought Tolerant Landscaping Ordinance (L.A. County Code, Title 21, § 21.24.430 and Title 22, Ch. 22.52, Part 21)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project is subject to County Title 31 – Green Building Standards Code and will satisfy all applicable standards to the satisfaction of the Department of Public Works who administers that title.

b) Involve the inefficient use of energy resources (see Appendix F of the CEQA Guidelines)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project is subject to County Title 31 – Green Building Standards Code and will satisfy all applicable standards to the satisfaction of the Department of Public Works who administers that title.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

The environmental/regulatory setting related to energy includes:

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

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

7. GEOLOGY AND SOILS

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

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

<p>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault trace? Refer to Division of Mines and Geology Special Publication 42.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The entirety of Los Angeles County is part of the seismically active region of Southern California. No known surface traces of active faults traverse the subject property. The subject property is not located within an Alquist Priolo Earthquake Fault Zone. The closest major seismic source is the San Andreas Fault located approximately six miles north of the subject property.

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

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

<p>iii) Seismic-related ground failure, including liquefaction and lateral spreading?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Soils subject to liquefaction are water-saturated soils, frequently loosely packed and granular in nature, that when subjected to seismic activity lose their cohesion and act like a fluid. The subject property is not located within a designated liquefaction zone as determined by the California Department of Conservation. The soil condition that occurs at the site is one of thick dense older alluvium underlain by bedrock. The observed conditions are not considered to be conducive to seismic-related ground failure.

iv) Landslides?

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

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

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

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

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

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

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

8. GREENHOUSE GAS EMISSIONS

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

9. HAZARDS AND HAZARDOUS MATERIALS

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

10. HYDROLOGY AND WATER QUALITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

k) Otherwise substantially degrade water quality?

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

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

The proposed project does not include any housing.

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

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

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

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

11. LAND USE AND PLANNING

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

- a) **Physically divide an established community?**

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

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

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

12. MINERAL RESOURCES

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

The environmental/regulatory setting related to mineral resources includes:

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

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

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

13. NOISE

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

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

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

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

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

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

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

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

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

The environmental/regulatory setting related to noise includes:

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

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

14. POPULATION AND HOUSING

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

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

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

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

The proposed project involves the development of commercial uses on an existing commercially-zoned vacant parcel. There will be no impact to existing housing nor will it necessitate the construction of replacement housing elsewhere.

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

The proposed project involves the development of commercial uses on an existing commercially-zoned vacant parcel. There will be no displacement of people nor will it necessitate the construction of replacement housing elsewhere.

- d) Cumulatively exceed official regional or local population projections?

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

15. PUBLIC SERVICES

	<i>Less Than Significant</i>		
<i>Potentially Significant Impact</i>	<i>Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

a) **Would the project create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

Fire protection?

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

Sheriff protection?

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

Schools?

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

Parks?

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

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

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

Libraries?

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

Other public facilities?

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

The environmental/regulatory setting related to public services includes:

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

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

16. RECREATION

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

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

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

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

c) Would the project interfere with regional open space connectivity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project is being developed on land that has been designated as suitable for commercial development as noted by its land use designation and zoning.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

17. TRANSPORTATION/TRAFFIC

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

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

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

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>b) Conflict with an applicable congestion management program (CMP), including, but not limited to, level of service standards and travel demand measures, or other standards established by the CMP for designated roads or highways?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>c) Result in a change in air traffic patterns, including</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

either an increase in traffic levels or a change in location that results in substantial safety risks?

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

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

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

e) Result in inadequate emergency access?

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

18. UTILITIES AND SERVICE SYSTEMS

	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impa ct</i>
	<i>Potentially Significant Impact</i>		

Would the project:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

19. MANDATORY FINDINGS OF SIGNIFICANCE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

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

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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

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

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

Kristina Kulczycki

From: Jacki Ayer [airspecial@aol.com]
Sent: Wednesday, March 23, 2016 10:16 AM
To: Kristina Kulczycki
Cc: evizcarra@iacbos.org; cborzaga@iacbos.org; atc@actontowncouncil.org; Robert Glaser
Subject: Re: R2014-00881_zoningapp
Attachments: IMG_4881.JPG

Thanks for that clarification. However, it is not true that "any use that is permitted in this zone can occupy the proposed vacant retail spaces". In fact, uses permitted in DP zones are subject to any and all conditions appropriate to ensure that these uses are consistent with the approved DP program. Section 22.40.040 states "property in Zone ()-DP may be used for any use permitted in the basic zone *subject to the conditions and limitations of the conditional use permit, including the approved development program which shall be contained therein.*"

Now I am going to get really deep in the weeds on this thing, because DRP needs to understand the nature and extent of the limitations that various planning documents and the code imposes on commercial development in Acton in general, and on this project in particular.

First, please be advised that the Exhibit "A" approved by the RPC and the BOS as part of the -DP zone change under 11.40.030 specifically identifies the uses that can be constructed on the property, AND IT HAS RESTAURANTS, CAFES, FOOD TAKE OUT AND CATERING USES CROSSED OUT (see attached). Second, ZC approval condition 1 states "This grant authorizes the use of the subject property for any use permitted in the C-3 zone as depicted on the approved Exhibit "A" subject to all the following conditions of approval" and Condition 14 states "The property shall be developed and maintained in substantial compliance with the approved Exhibit "A".

The fact is, only the uses identified in "Exhibit A" are allowed on the property, ***and restaurants are not allowed.***

Moreover, RPC Zone Change Case Finding #7 establishes that the purpose of the zoning and DP designation placed on this property was "to provide convenient local shopping opportunities to the neighboring communities". Notably, it was not established to (and therefore cannot be used for) freeway serving businesses.

Furthermore, the newly adopted Rural Commercial ordinance further conditions any and all commercial uses if they create traffic issues.

As I have previously pointed out to you, the traffic study that was done assumes a "specialty retail" trip generation profile which shows that very little traffic will occur. However, at this point it does not appear that DRP is imposing any limitation on what retail shops can be constructed on the site. So, the traffic analysis is inconsistent with the project that DRP intends to approve.

To be honest, I would rather not bring all of this up at either the RPC hearing or the BOS hearing, but I will not hesitate to do so if DRP fails to recognize the very real and substantive limitations that are imposed on this project site. There were a lot of people at the ATC meeting on Monday, and the Primo Burger project was discussed at length. NOT ONE PERSON VOICED SUPPORT. Many expressed serious concerns about what the site plans depict, and everyone recognized the "bait and switch" that has been perpetrated. Ten years ago, this town came together and supported a zone change to build a community-oriented project, but now the developer is hell-bent on building (yet another) fast food burger joint that will rely entirely on freeway business.

The ATC has received one email in support of the project; it was submitted by a person who owns A-1 land adjacent to the freeway and who has asked the ATC to support a zone change request to convert it to unrestricted commercial. Obviously, the ATC has denied that request.

Hope this clarifies things.

Thanks

Jacki

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

From: Kristina Kulczycki <kkulczycki@planning.lacounty.gov>

To: Jacki Ayer <airspecial@aol.com>

Cc: Robert Glaser <rglaser@planning.lacounty.gov>

Sent: Wed, Mar 23, 2016 8:12 am

Subject: RE: R2014-00881_zoningapp

Good morning Jacki,

Thank you for your email. I will include your comments in the hearing package that will be available later this week.

1. In response to your concerns about the trail, I've attached an email chain from the Department of Parks and Recreation. In their emails, staff from the Department of Parks and Recreation map the location of the trail and depict it across the street from this project site.
 - 2.) and 3.) The signage depicted on the plans does not meet development standards and will need to be revised. I have noted these discrepancies in my staff report and findings.
 - 4.) The subject property is zoned C-RU-DP and any use that is permitted in this zone can occupy the proposed vacant retail spaces. The applicant has identified that the feed store will be occupying the larger tenant space in the retail building, but there are two tenant spaces that are currently identified as "retail" spaces because no specific use is proposed.

I hope this helps to clarify some of the issues.

Regards,

Kristina

Kristina Kulczycki
Senior Regional Planning Assistant
Zoning Permits North
Department of Regional Planning
<http://planning.lacounty.gov>
213-974-6443

From: Jacki Ayer [<mailto:airspecial@aol.com>]
Sent: Tuesday, March 22, 2016 2:18 PM

To: Kristina Kulczycki
Subject: Re: R2014-00881_zoningapp

Thank you very much for the site plan. There were some concerns discussed at the ATC meeting last night;

1) This project is located on the dedicated Darrell Redmond Trail, but no trail is indicated on the site plan. I think I spoke with Parks and Rec about this trail requirement and the fact that the project is on the trail nearly 2 years ago, and I thought it had been fixed, but it does not appear that is the case. The trail proceeds along the south side of Sierra Highway, then turns right and goes down Crown Valley (on the west side) all the way to the Acton Park (which is also on the west side).

2) The lights are all back-lit, which doesn't comply with the CSD. The lights they propose will require a variance.

3) There are signs on every side of every building, which does not comply with the code either. The proposed placements for nearly all the wall signs will require a variance, and if the project uses the bright and garish colors typical of Primo Burger projects, that will require a variance as well.

4) The applicant's original site plan and proposed commercial development constituted a critical factor in both the ATC's 2007 decision to support the original rezone request, and the RPC's 2008 approval of the original rezone request. Pursuant to 22.40.030 *et seq*, the site plan becomes part of the approved project under the -DP zoning designation. It was noted last night that the site plans submitted to DRP indicate a "Nail Salon", a "Goodwill" store, a "Hardware" store and a "Feed" store. Will these businesses categories be specifically identified and included as part of the project approval? If so, will the project be constrained to these types of retail businesses? Or will DRP allow any commercial development in (like Starbucks or Chick Fil A Baja Fresh, all of which will be freeway dependent). I ask because under 22.40.030 commercial uses in -DP zones are not unbounded and in fact must be consistent with the development program that was contemplated and approved when the zone change was processed nearly 10 years ago. This issue is of significant importance to the community of Acton, because both the county and the property owner made commitments to the ATC and the community of Acton that only community-serving businesses (and not freeway serving businesses) would be constructed on the site, and it was on that basis that the ATC supported the zone change and the RPC approved it.

Thanks!

Jacki

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

From: Kristina Kulczycki <kkulczycki@planning.lacounty.gov>
To: Jacki Ayer <airspecial@aol.com>
Sent: Mon, Mar 21, 2016 4:15 pm
Subject: RE: R2014-00881_zoningapp

Hi Jacki,

Glad we found the application! I've attached the plans as well.

Regards,

Kristina

Kristina Kulczycki
Senior Regional Planning Assistant
Zoning Permits North
Department of Regional Planning
<http://planning.lacounty.gov>
213-974-6443

From: Jacki Ayer [<mailto:airspecial@aol.com>]
Sent: Monday, March 21, 2016 2:41 PM
To: Kristina Kulczycki
Subject: Re: R2014-00881_zoningapp

thank you; that is exactly the app I was looking for; could not remember if it was 2014 or 2015.

Thanks again
Jacki

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

From: Kristina Kulczycki <kkulczycki@planning.lacounty.gov>
To: Jacki Ayer <airspecial@aol.com>
Sent: Mon, Mar 21, 2016 1:56 pm
Subject: R2014-00881_zoningapp

Hi Jacki,

I could only find the attached application in our files and this appears to be the application that was sent out with referral forms. The burden of proof is included in this PDF. I checked with the previous planner assigned to this case and she said that she doesn't remember another application being submitted, but does remember that they revised the Environmental Assessment form (which has signatures dated 5-28-14). I've attached a copy as well. It may take a little time to have the plans scanned and sent to you so I am going to send this email along first and send a second email with the plans once I receive them.

Hope this helps,

Kristina

Kristina Kulczycki
Senior Regional Planning Assistant
Zoning Permits North
Department of Regional Planning
<http://planning.lacounty.gov>
213-974-6443

LIST OF PERMITTED USES

ANTIQUE SHOP
APPLIANCE SHOPS
ART SUPPLY STORES
BAKERY SHOPS
BICYCLE SHOPS
BOOKSTORES
CLOTHING STORES
CONFECTIONARY OR CANDY STORES
DELICATESSENS
DRESS SHOP
DRUGSTORES
FEED AND GRAIN SALES
FLORIST SHOPS
GIFT SHOPS
BANKS, SAVINGS AND LOANS, CREDIT
UNIONS AND FINANCE COMPANIES
BARBER SHOPS
BEAUTY SHOPS
~~CATERING SERVICES~~
COSTUME RENTALS
DENTAL CLINICS
ELECTRICIANS' SHOPS
INTERIOR DECORATING STUDIOS
OFFICES, BUSINESS OR PROFESSIONAL
PET GROOMING, EXCLUDING BOARDING
PHOTOGRAPHY STUDIOS
PLUMBING SHOPS
POST OFFICES
PRINTERS OR PUBLISHERS
REAL ESTATE OFFICES
HEALTH FOOD STORES
HOBBY SUPPLY STORES
ICE CREAM SHOPS
JEWELRY STORES
LEATHER GOOD STORES
MUSIC STORES
PAINT AND WALLPAPER STORES
PET STORES, WITHIN AN ENCLOSED BUILDING ONLY PET SUPPLY
STORES
PHOTOGRAPHIC EQUIPMENT AND SUPPLY STORES
RADIO AND TELEVISION STORES
RETAIL STORES
~~SHOE STORES RESTAURANTS AND OTHER EATING
ESTABLISHMENTS, INCLUDING FOOD TAKE-OUT~~
SHOE REPAIR SHOPS
TAILOR SHOPS
TOOL RENTAL, INCLUDING ROTOTILLERS, POWER MOWER,
SANDER AND SAWS, CEMENT MIXERS AND OTHER EQUIPMENT,
BUT EXCLUDING HEAVY MACHINERY OR TRUCKS EXCEEDING
TWO TONS' CAPACITY
VETERINARY CLINICS, SMALL ANIMALS
WATCH REPAIR SHOPS
SILVER SHOPS
SPORTING GOOD STORES
STATIONARY STORES
TOY STORES
YARN AND YARDAGE STORES

From: [Julie Yom](#)
To: [Thuy Hua](#); [Olga Ruano](#)
Subject: RE: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14
Date: Monday, August 18, 2014 9:28:47 AM

We are okay with this. Thanks!

Julie Yom
County of Los Angeles
Department of Parks and Recreation | Planning Division
510 South Vermont Avenue
Los Angeles, CA 90020
Tel. 213) 351-5127 | Fax 213) 639-3959
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Thuy Hua
Sent: Monday, August 18, 2014 9:26 AM
To: Julie Yom; Olga Ruano
Subject: RE: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14

Hi Julie,

As long as your department is okay with this format should any questions come up in the future, I am fine with it as well.

Thank you,
Thuy

From: Julie Yom
Sent: Monday, August 18, 2014 9:24 AM
To: Thuy Hua; Olga Ruano
Subject: RE: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14

Hi Thuy,

Besides the hitching post comment for trails, our Department does not have any further comments. Would you prefer a formal no comment response/memo on letter head or would this suffice?

Thanks,

Julie Yom
County of Los Angeles
Department of Parks and Recreation | Planning Division
510 South Vermont Avenue
Los Angeles, CA 90020
Tel. 213) 351-5127 | Fax 213) 639-3959

jyom@parks.lacounty.gov

Please note that our offices are closed on Fridays.

From: Thuy Hua
Sent: Monday, August 18, 2014 9:21 AM
To: Olga Ruano
Cc: Julie Yom
Subject: RE: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14

Thank you, Olga. I am in receipt of your recommendation and will relay this to the applicant.

From: Olga Ruano
Sent: Monday, August 18, 2014 9:09 AM
To: Thuy Hua
Cc: Julie Yom
Subject: FW: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14

Hello Thuy,

We don't have trail requirements for the subject project (Acton Feed Store and Primo Restaurant). However, we would like to suggest that the applicant consider incorporating a hitching post for "horse parking" into the project design.

Thanks,
Olga

Olga Ruano | County of Los Angeles – Department of Parks and Recreation | Planning & Development Agency
(213) 738-2014 | oruano@parks.lacounty.gov
M-Th 7:00 am – 5:30 pm

From: Lorrie Bradley
Sent: Monday, August 18, 2014 8:53 AM
To: Olga Ruano
Cc: Frank Moreno; Robert Ettleman
Subject: RE: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14 to Environmental Section

Olga,

This project came up at the last Acton Town Council meeting. They are having some trouble getting through the town council because of the drive thru aspect of the project. Although we aren't requiring a trail, we may want to recommend a horse tie be incorporated into the project design,

but we have no nexus to require it.

Lorrie

Lorrie Bradley, Park Planner

County of Los Angeles
Department of Parks and Recreation
Planning Division - Trails and Research
510 S. Vermont Ave.
Los Angeles, CA 90020
Direct Line (213) 738-2812
Fax (213) 639-3959
lbradley@parks.lacounty.gov

Please note that our office is closed on Fridays.



From: Olga Ruano
Sent: Monday, August 18, 2014 8:28 AM
To: Lorrie Bradley
Cc: Frank Moreno; Robert Ettleman
Subject: RE: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14 to Environmental Section

Lorrie,

We have determined that there will be no trail requirements for the subject project. However, Robert and I were discussing last week and were thinking that perhaps we can suggest the applicant consider installing a horse tie. Did the Acton group mention a need for a horse tie or any other trail related amenities?

Thank you,

Olga

Olga Ruano | County of Los Angeles – Department of Parks and Recreation | Planning & Development Agency
(213) 738-2014 | oruano@parks.lacounty.gov
M-Th 7:00 am – 5:30 pm

From: Robert Ettleman
Sent: Tuesday, August 12, 2014 12:58 PM
To: Olga Ruano; Lorrie Bradley
Cc: Frank Moreno

Subject: RE: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14 to Environmental Section

Acton Town Council: What exactly did the Acton Trail Group mention, that there was a proposal for a new development, and/or a verbal request for either a trail and/or horse tie?

Rob

From: Olga Ruano

Sent: Tuesday, August 12, 2014 11:37 AM

To: Robert Ettleman

Cc: Lorrie Bradley; Frank Moreno

Subject: FW: Project No. R2014-00881: Permit Consultation - **DUE 8/21/14 to Environmental Section

Robert,

This is the project I had just began to review this morning (please see project link in the email below from Regional Planning and refer to the G drive for application materials). If you could review/crosscheck and **send a response to Julie by Aug 21st** that would be great.

Lorrie, I believe this is the project application the Acton trails group mentioned to you a couple of weeks ago re: a drive-thru restaurant.

Based on a desktop review and review of the application, I would recommend that we not condition this project for trail requirements based on the following:

- The proposed trail would be more suitable on the north side of Sierra Hwy due to less development (more vacant lots that will likely be developed in the future, thus opportunities to acquire more easement length versus the approximately 330-ft we would acquire if we were to condition this project).
- The project site is located on the south side of Sierra Hwy, which is improved with curb, gutters, sidewalks, and street lighting.
- The project description includes a retail store and a drive-thru restaurant; drive-thru and recreational trail are not the most compatible uses (not to mention the oversized driveways and the 66 parking spaces) from a vehicle/pedestrian safety standpoint. There will have to be some creative design work to make these two work together.
- I followed the entirety of the proposed (SCVTAC) trail heading west until the proposed trail connects with the proposed Darrell Readmond Trail (at Red Rover Mine Rd intersection), and once again, confirmed that there is less development on the north side of the highway. The trail location would be more suitable on the north side—perhaps this explains why SCVTAC GPS'ed the trail on the north side of the Sierra Hwy as well.

If we were to condition the project for a trail easement and construction, the GIS trails database will need to be updated to note that this proposed trail segment should be shifted to the south side of

Sierra Hwy for future project reviews.

Here's a screenshot. The project site highlighted in turquoise.



From: Zachary T. Likins

Sent: Wednesday, July 30, 2014 3:05 PM

To: Lorrie Bradley; Olga Ruano

Subject: RE: Project No. R2014-00881: Permit Consultation - **DUE 8/29/14**

Logged and mapped.

Olga, this is one you'll need to take a look at. I'll put it up on the board in a minute.

From: Lorrie Bradley

Sent: Wednesday, July 30, 2014 12:12 PM

To: Olga Ruano; Zachary T. Likins

Subject: FW: Project No. R2014-00881: Permit Consultation - **DUE 8/29/14**

Lorrie Bradley, Park Planner

County of Los Angeles
 Department of Parks and Recreation
 Planning Division – Trails and Research
 510 S. Vermont Ave.
 Los Angeles, CA 90020
 Direct Line (213) 738-2812
 Fax (213) 639-3959
lbradley@parks.lacounty.gov

Please note that our office is closed on Fridays.



From: Thuy Hua
Sent: Wednesday, July 30, 2014 11:28 AM
To: Matthew Dubiel; 'Padilla, Juan'; 'tle@fire.lacounty.gov'; Joan Rupert; Lorrie Bradley; Clement Lau; Michelle Tsiebos
Cc: 'Collins, Wally'; Amir Ibrahim; Ruben Cruz; Robert Vasquez; Evenor Masis; Julie Yom; Juan Sarda
Subject: Project No. R2014-00881: Permit Consultation - **DUE 8/29/14**

CUP Coordinator,

The consultation package for this project is available at the website below. Please review and provide comments by the date specified above.
 Employee ID & unique password are required to enter the site. If you have any technical issues please contact webadmin@planning.lacounty.gov.

Project link: <http://10.2.8.130/content/r2014-00881-cup-201400037-acton-feed-store-and-primo-restaurant>

Referral fees collected to date:

	Fees	Required?	Paid?	Receipt Date
Fire				
Initial Review	\$263	Y	Y	06/05/14
2 nd Review	\$143			
3 rd Review	\$143			
Parks & Recreation				
Initial Review	\$498	Y	Y	06/05/14
2 nd Review	\$282			
3 rd Review	\$282			
Public Health				
Public water / sewer available	\$175			

Private water / sewer proposed	\$593	Y	Y	06/05/14
Noise review	\$969			

Fees Effective March 1 2014

Thank you.

Thuy Hua, AICP
Senior Regional Planner
Zoning Permits North Section
Department of Regional Planning
320 W Temple St
Los Angeles CA 90012
<http://planning.lacounty.gov>
213-974-6443

Kristina Kulczycki

From: Jacki Ayer [airspecial@aol.com]
Sent: Monday, February 29, 2016 2:55 PM
To: Emiko Thompson; Robert Glaser; Kristina Kulczycki
Cc: atc@actontowncouncil.org
Subject: Traffic study done for the Primo Burger project in Acton

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ms. Thompson;

I have reviewed portions of the traffic study conducted for the proposed Primo Burger drive thru project in Acton, and have some concerns. First, I noted that the traffic consultant uses a "Specialty Retail" trip generation factor even though the project application does not reflect any "specialty retail" uses. The "Specialty Retail" trip generation factor results in a daily trip projection of only 266, while the standard "Retail" trip generation factor results in a daily trip projection of nearly 1,100. This assumption substantially underpredicts the traffic profile and provides an inaccurate traffic impact assessment. As I understand it, DRP does not intend to condition the project for any "Special Retail" uses, therefore DPW cannot approve a traffic study that assumes a "Specialty Retail" trip generation factor. I spoke with the planner (Ms. Kulczycki) regarding this issue in early February; she was under the impression that the applicant planned to open a feed store. However, I pointed out that (while the original 2006 application was for a feed store) the current application now pending before the county does not include any specific retail businesses at all.

I am also concerned that the traffic study ignores the recorded tract map creating 120+ residential lots on Crown Valley just down the street from the Primo Burger project. I mentioned this to Ms. Kulczycki in early February as well, but do not know if she has raised this issue with you yet.

It also appears that the consultant simply "assumed" that peak AM traffic occurs between 7-9 and peak PM occurs between 4-6 and did not collect any data to confirm this assumption.

Additionally, the applicant made a commitment to the ATC in 2014 that the traffic study prepared for the proposed Primo Burger project would consider the intersection of Antelope Woods and Crown Valley (adjacent to the High Desert Middle School). However, the traffic study for the Primo Burger project that was approved by DPW omitted this crucial intersection.

For these reasons, I urge DPW to rescind its approval of the Primo Burger traffic study and direct the consultant to prepare a proper traffic study that relies on 1) accurate trip generation factors which actually represent the unlimited retail project being considered by the RPC; 2) accurate peak AM and PM traffic conditions that are confirmed by a complete dataset collected over a 24 hour period; 3) a cumulative traffic impact analysis of the 120+ residential lots created by the recorded Casden Tract Map; and 4) properly considers that Antelope Woods/Crown Valley intersection.

Thank you

Jacqueline Ayer
Acton resident

Thuy Hua

From: Richard Claghorn
Sent: Monday, July 13, 2015 6:49 AM
To: Robert Glaser; Thuy Hua
Subject: FW: Taco Bell & Primo Burger in Acton, CA

FYI

From: Teresa Spencer [mailto:californiahorsebarns@gmail.com]
Sent: Sunday, July 12, 2015 4:19 PM
To: Richard Claghorn; Rosie Ruiz
Subject: Taco Bell & Primo Burger in Acton, CA

It has come to my attention that "THE COUNTY REGIONAL PLANNING DEPARTMENT" does not consider Sierra Highway (Route 6) corridor at Crown Valley as part of Acton.

Well, Regional planning is in DIRECT conflict with the citizens of Acton. The citizens of Acton that I am aware of consider the Entire Corridor of Sierra Highway from Ward Road to Angeles Forest "PART OF ACTON".

The approval of these projects and others in accordance with the CURRENT - Acton Community Standards is in direct conflict with "Community Serving" businesses. Both of these project are looking to derive business from "passors by" off the 14 Fwy. These businesses will ALSO conflict with the "Country Lifestyle" of Acton and it's ability to remain rural without "Stop lights".

In the last business proposal of a "Drive thru" in this area, Regional planning proposed 4 stop lights in less than 300' (on/off ramps - both north & south bound, Sierra Hwy and Crown Valley AND Antelope Woods and Crown Valley). The congestion that this would cause local residents, the Middle School traffic and "passors by" on the 14 fwy is insurmountable.

How the County Regional planners can even consider the Sierra Hwy corridor as "Not part of Action" seems ludicrous to me. IF you are considering "Acton" as the area where the Store/ post office etc. exists currently on Crown Valley and Smith, then I surmise that this area be called "OleTowne Acton"

Because if you consider Acton as only this small part of the area, then you can ONLY consider Lancaster as Lancaster Blvd. the remaining area then is not Lancaster. This is how I would equate your ludicrous statement.

As a resident of Acton for over 10 years, I am not adverse to business, business growth, however when Government steps in an strong arms a small community, that's when we stand up and fight. Just because the "whole" of Los Angeles county is "overrun" with Chain store businesses does not mean that Regional planning can force these types of businesses on areas that DO NOT want them, just as a whim.

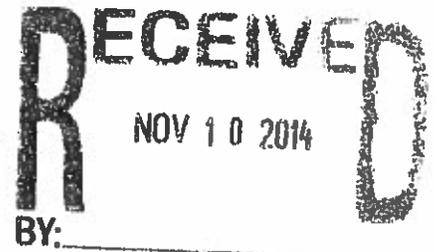
IF anyone in Regional planning understood our "Lifestyle" and bothered to even consider communicating with the Town Council, they would in fact see that when forced, this little community will voice it's opinion and very loudly.

DO NOT CONSIDER THE PRIMO BURGER "OR" TACO BELL PROJECT FOR OUR TOWN ! WE WILL USE OUR VOICES as has been done in the past.

Teresa Spencer
Very Concerned Citizen !
661-269-1375

November 6, 2014

Los Angeles City Dept. of Regional Planning
320 West Temple St.
Los Angeles, CA 90012



Re: Country Feed Store Project in Acton, CA and
the newly elected Acton Town Council

I am a 10 year resident of Acton, CA. I work full time and keep to myself, not getting very involved in local issues.

There is one issue I am steaming mad about. The Country Feed Store/Primo Burger drive-thru project is being voted down by some of the Acton Town Council members, due to some "for me" unknown vendetta. Two members of community take over the council meetings, Pam Wolter and Jackie Ayer. They are so against this project, they mock resident that are for the project and actually yell at people when the meetings are over. They want Acton to remain rural and they want nothing built. Well, a lot of us here in Acton don't mind having some more restaurants or drive-thrus.

The election for Acton Town Council was held there are five (5) candidates that banded together (Pam Wolter, Jackie Ayer, Tom Costan, Chris Croisdale and Katherine Sky-Tucker) for the five (5) open seats. They got in. So now it will be their voice running the Acton Town Council, and not the majority of Acton resident's voices.

Please listen to all of Acton's wishes and not the few who are loud and overbearing and now in control.

Please allow Country Feed to proceed with their project and have Primo Burgers with a drive-thru ASAP.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Bellenfant".

Kathy Bellenfant
5120 Clayvale Rd.
Acton, CA 93510
(310) 717-8876

Cc: Norm Hickling, LA County Supervisor Michael Antonovich's Office

L A City Dept of Regional Planning
320 W Temple Street
Los Angeles, CA 90012

October 28, 2014

RE:

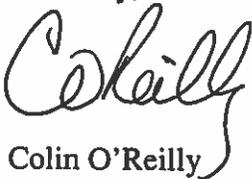
Doug and Joanna Gaudi
Project R2014-00881-(5)
CUP No. 201400037
APN Vacant (3217-021-022)

Dear DRP,

I wish to advise you of my support for the Primo Burger/Country Club Feed project pending in Acton California.

Despite some negative feedback from select members of the community, I believe the majority of the community supports the project as voted on and recently approved by the Acton Town Council. I fully support the drive through as well.

Sincerely,



Colin O'Reilly

32210 Angeles Forest Hwy
Palmdale (Acton) CA, 93510
(818) 929-7848
cc Norm Hickling

RECEIVED
NOV 03 2014
BY: _____

L A City Dept of Regional Planning
320 W Temple Street
Los Angeles, CA 90012

October 28, 2014

RE:

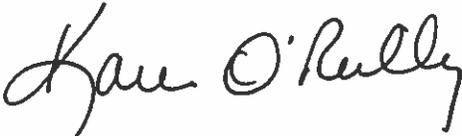
Doug and Joanna Gaudi
Project R2014-00881-(5)
CUP No. 201400037
APN Vacant (3217-021-022)

Dear DRP,

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Despite some negative feedback from select members of the community, I believe the majority of the community supports the project as voted on and recently approved by the Acton Town Council. I fully support the drive through as well.

Sincerely,



Karen O'Reilly

3807 W Sierra Highway

Acton, CA 93510

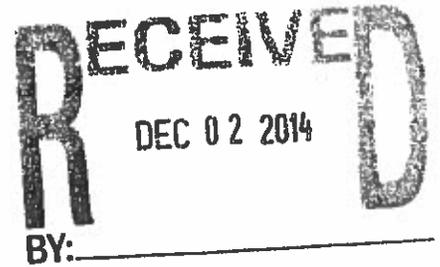
661-236-5967

cc Norm Hickling

RECEIVED
NOV 03 2014
BY: _____

October 24, 2014

Los Angeles City Dept. of Regional Planning
320 West Temple St.
Los Angeles, CA 90012



Re: Country Feed Store Project in Acton, CA

I am a 10 year resident of Acton and I fully support the Country Feed/Primo Burger Restaurant project on Sierra Hwy.

I spend a lot of time driving my handicapped son around and when it gets late, I need to feed him. Currently my choices to eat are McDonalds and Jack-in-the-Box. The food is horrible.

Having another restaurant in Acton with a drive thru would be a god send. It is hard for my child to get out of the car and go into a restaurant. I cannot leave him in the car unattended. I would love a Primo Burger Restaurant. They offer a wholesome variety of good food to eat.

I recently attended an Acton Town Council meeting and I was going to speak about this. A woman got up before me and she also was in the same situation. She has three foster children that are handicapped and she cannot take them into a restaurant. And she cannot leave them in her car. She wanted a drive thru.

Certain members in the audience, Pam Wolter and Jackie Ayers to be specific, started speaking up and down right bullied her. I felt so intimidated, I did not get up and speak. I talk to other mothers and to people around town, and they feel the way I do.

Do not let the voice of the Acton Town Council stop this project. They only speak for a few of the resident, not the majority, who remain silent out of fear and ridicule.

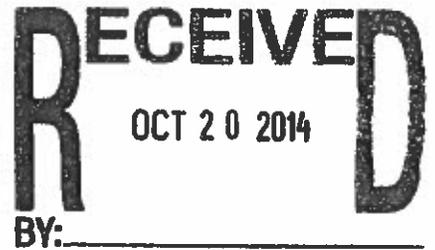
Sincerely,

A handwritten signature in black ink that reads "Kathy Bellenfant". The signature is written in a cursive style with a long, sweeping underline.

Kathy Bellenfant
5120 Clayvale Rd.
Acton, CA 93510
(310) 717-8876

Cc: Norm Hickling, LA County Supervisor Michael Antonovich's Office

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



October 16, 2014

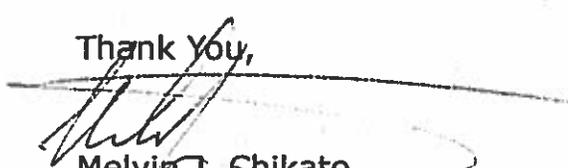
Regarding Doug and Joanna Gaudi's Project #R2014-00881-(5)
CUP 201400037 APN Vacant 3217-021-022

To Whom it may concern:

I want the County of Los Angeles to know that **I and many others** who choose to remain silent **would like the Gaudi's project to be approved** as they request with a drive thru for the restaurant and the necessary signage to properly advertise their enterprise. I support new business ventures such as the Gaudi's because it serves the residents of Acton and brings jobs to our community. The property they own is zoned C-3 (Unlimited Commercial), surrounded by other businesses, and is adjacent to the 14 Freeway. I do not believe these requests would be detrimental to Acton's rural atmosphere in any way, nor would it set an imaginary precedent for more future development. There already exists a McDonald's and a Jack in the Box, both of which have Drive Thrus and our community shows no obvious signs of harm!

The following is a letter I wrote to our community newspaper last month in regard to the constant road blocks our Town Council continues to put up to block new restaurants from opening. It appears these efforts are directed by mainly one person who is no longer a Council Member, but is very vocal and determined on this matter. Please don't block reasonable projects because of the loud objections of a handful of residents.

Thank You,



Melvin J. Ghikato
Acton Resident

My letter to the Country Journal:

As I read the Country Journal each week, I have been very interested in the new businesses that are attempting to open in our fine little town. Of particular interest is the plight of the several restaurants that are seeking the blessings of the Town Council. I appreciate the hard work and dedication of the council members who seek to protect the rural atmosphere of our unique community. However, it is my opinion that the council is too anti-business-especially towards restaurants.

Since I moved here in 2007, I have followed the struggle of the Panda restaurant that wanted to open in town. Today, no Panda. They must have given up. I welcome them as I do the proposed Primo Burger and Taco Bell. I believe any or all of these would be a great addition to our town-benefiting residents and freeway travelers alike. More local jobs and restaurant choices are just two benefits I see. Especially since Don Cucco has closed it's doors. I personally don't care if these establishments attract freeway traffic in order to be sustainable. I expect that they must. I also expect that the Town Council will require their buildings to look western and not contribute to light pollution-all of which I agree with.

Those of us who have ever ran a business or built something in Los Angeles County know that this is one of the most anti-business and restrictive places in the country. The Acton Town Council should not contribute to this and allow these restaurants to open and enhance our community.

Melvin J. Chikato

Acton

ACTON TOWN COUNCIL

P.O. Box 810 Acton, California 93510

October 22, 2014

**Doug & Joanna Gaudi
Country Club Feed
3771 West Sierra Hwy.
Acton, CA 93510**

**Michael R. Hughes
President**

**R.J. Acosta
Vice President**

**Thor Merich
Treasurer**

**Katherine Tucker
Recording Secretary**

Members

Ray Billet

Mike Hainline

Tami Lambe

Fred Miller

Darvin White

RE: Country Club Feed Store Project

Dear Doug & Joann:

During the Acton Town Council meeting of October 20, 2014, the Council voted to amend its previously recommended approval of your project. The Council voted to remove the project's recommended approval "with a drive-thru" at the proposed Primo Restaurant. The Council's recommended approval now states "without a drive-thru" at the proposed Primo Restaurant. All other stipulations noted in the letter of October 6, 2014 remain unchanged.

If I can offer further clarification regarding the Council's position on your project please let me know.

Sincerely,



Michael R. Hughes

President

Cc: Robert Friedman

LA County Regional Planning

Norm Hickling

ACTON TOWN COUNCIL

P.O. Box 810 Acton, California 93510

October 6, 2014

**Doug & Joann Gaudi
Country Club Feed
3771 West Sierra Hwy.
Acton, CA 93510**

RE: Country Club Feed Store Project

Dear Doug & Joann:

The Acton Town Council has worked with you and Mr. Friedman for the last several months on your project to assure that it meets the requirements of the Acton CSD. During the Acton Town Council meeting of August 4, 2014, the Council voted to approve your proposed project contingent on the several stipulations made by you and your representative Robert Friedman.

The stipulations are as follows:

- **A traffic study will be performed by the developer to determine the impact on the area immediately adjacent to and areas near to the project. The adjacent area is to include the intersection of Crown Valley Road and Sierra Hwy, adjacent off and on ramps for the 14 Freeway and the intersection of Crown Valley Road and Antelope Woods Road. If the Traffic Study shows that there will be a negative impact on or impediment to vehicular, pedestrian or equestrian traffic, then the Acton Town Council reserves the right to rescind their approval of a drive thru for the restaurant.**

**Michael R. Hughes
President**

**R.J. Acosta
Vice President**

**Thor Merich
Treasurer**

**Katherine Tucker
Recording Secretary**

Members

Ray Billet

Mike Hainline

Tami Lambe

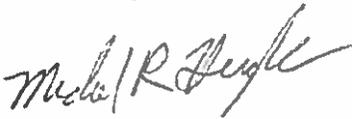
Fred Miller

Darvin White

- **There will be No Freeway Sign or any signs on the freeway facing side of the buildings.**
- **The outdoor seating will be removed.**
- **At no time, now or in the future, will any business on the property apply for or be granted an ABC License.**
- **You will provide the name(s) and contact information of the owners of the Primo Restaurant to the ATC.**
- **The developer will place a Hitching Post and designated area for horses to stand at the Primo Restaurant.**

If you have any questions regarding the above, please feel free to contact me.

Sincerely,



Michael R. Hughes

President

Cc: Robert Friedman

LA County Regional Planning

Norm Hickling

9/8/14

To whom it concerns,

This affects us here in Acton. So I am writing you to let you know of our thoughts & perspective on the drive-thru. There are already 2 drive thru's at Crown Valley exit. 3 gas stations & truck stop. One more drive thru restaurant will have minimal impact on the traffic count. The only thing I see another drive thru restaurant bringing to Acton is a much needed variety. It should seem no problem for the fast food restaurant regarding impact compared to when a smaller local business attempts the same it is task of fixing the burden of its much larger competitor. Regardless if you allow drive thru or not the traffic pattern between Sierra Hwy & Antelope Woods on Crown Valley Rd need to be changed before someone is killed.

Sincerely,

Acton Residence
Will & Susan Moore
Tel-810-0700

RECEIVED

SEP 16 2014

BY: _____

Site Visit Photos (1-21-16)







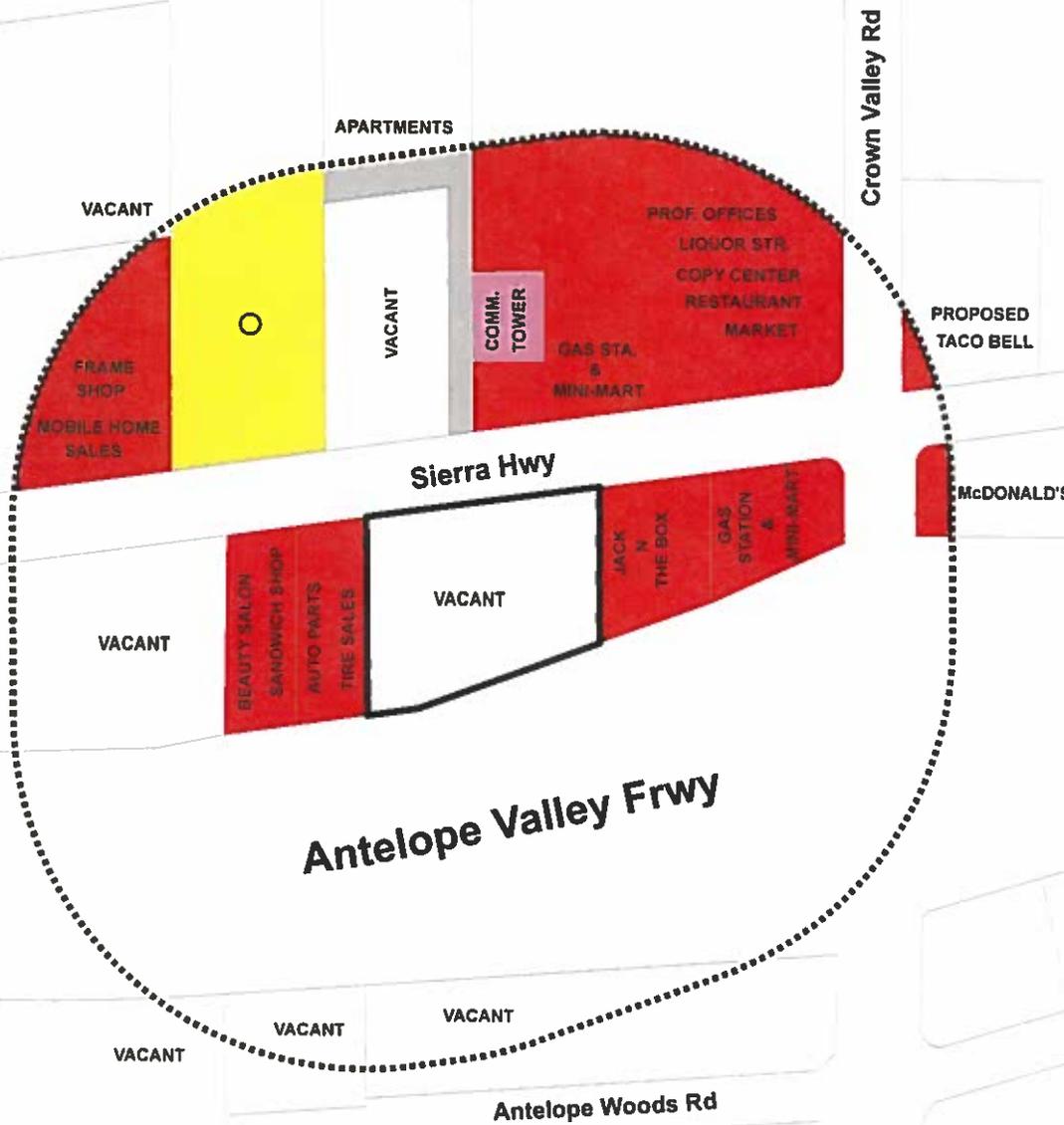
LAND USE

LAND USE 500 FOOT RADIUS MAP

Proj. R2014-00881 (5)
RCUP 2014-00037

Legend

- SINGLE-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- MULTI-FAMILY RESIDENCE
- COMMERCIAL
- PUBLIC UTILITY
- VACANT



VICINITY MAP



0 40 80 160 240 320 Feet



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012