

July 10, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jim Idleman
12121 Wilshire Blvd. #322
Los Angeles, CA 90025

RE: CONDITIONAL USE PERMIT CASE NO. 01-085-(5)
A request to allow establishment of a commercial retail development with attached auto, R.V. and truck wash and polish/lube facilities.

Dear Applicant:

PLEASE NOTE: This document contains the Regional Planning Commission's findings relating to **APPROVAL** of the above referenced case.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be post marked or delivered in person within fifteen days after this notice is received by the applicant.

If no appeal is made during this fifteen-day period, the Regional Planning Commission action is final. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

Department of Regional Planning
James E. Hartl, AICP
Director of Planning

Frank Meneses, Section Head
Zoning Permits Section

FM:kj

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion).

c: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement; D'Lynda Fischer, Yasser Tabaa, Marty Scanlon, Karl Reinecker, Linda Benza, The Castaic Area Town Council, Robert Stauffer, Robert Cowan.

**CONDITIONAL USE PERMIT NO. 01-085-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATES: March 20, 2002 and May 15, 2002

REQUEST: The applicant is requesting a Conditional Use Permit to allow establishment of a commercial retail development with attached auto, R.V. and truck wash and polish/lube facilities at 31333 Castaic Road, Castaic.

PROCEEDINGS BEFORE THE COMMISSION:

March 20, 2002 Public Hearing

A duly noticed public hearing was held on February 20, 2002 before the Regional Planning Commission. Commissioners Modugno, Helsley and Bellamy were present. Commissioners Valadez and Rew were absent. Fourteen people testified in support of the request, two of whom, Mr. Jim Idleman and Ms. D'Lynda Fischer, are representatives of the applicant. Six people testified in opposition to the request, three of whom, Mr. Jim Daddario, Mr. Bob Lewis and Mr. John Kunak, are representatives of the Castaic Area Town Council.

Those who testified in support of the project included Castaic residents and business owners as well as truck drivers and recreational visitors. Residents and business owners testified that the facilities are needed and that the project would provide jobs and bring new business to the community. Truck drivers who testified stressed the importance of maintaining clean, well-running vehicles and the necessity of stopping to rest and check the status of the truck before and after crossing "The Grapevine" – a dangerous hill north of Castaic. It was stated by the trucking industry representatives as well as the applicant's representatives that the location of the Castaic community relative to "The Grapevine" would maintain the town's status as a "trucking town."

The opposition presented concerns related to safety of children utilizing the adjacent Castaic Sports Complex and traveling on Castaic Road on bicycles and scooters; undesirable impacts such as noise, pollution and litter; regional rather than local service; incompatibility with proposed plans for Castaic; and signage. It was also stated that the community desire is to locate trucking-related uses along Castaic Road north of Parker Road. Additionally, it was indicated that the project is not inherently undesirable, only that it is in the wrong location; however, the point was also made that a shift away from trucking uses and toward a residential community is anticipated in the future.

The Commission indicated that although nothing prevents establishment of trucking uses south of Parker Road, they did have a number of concerns related to the project. The Commission requested that the case be continued in order to receive the following information:

- Possible utilization of City of Santa Clarita signage standards or the Castaic Area Town Council's signage limitations if the project is approved.

- Discussion of traffic study and impacts.
- Discussion or presentation from the Department of Parks & Recreation regarding current and future plans for the Castaic Sports Complex and whether substantial additional use of the site is anticipated.
- Mitigation measures or improvements suggested by the Town Council if the project were to be approved.
- Additional information regarding adjacent residents (trailer parks to the north) and whether noise would be an issue for these residents.
- Look into opportunities to increase landscaping.
- Rendering of view from freeway.
- Discussion of water recycling, surface water quality, and detergents to be used (wash bay operation).
- Department of Public Works discussion regarding truck turn-around (if developed, truck turn-around will be provided within the site).
- View of larger traffic pattern of the area and major community attractions.
- Feasibility/plans regarding installation of bike path/sidewalks on east side of Castaic Road.

May 15, 2002 Public Hearing

A continued public hearing was held on May 15, 2002 before the Regional Planning Commission. Commissioners Modugno, Bellamy, Valadez and Helsley were present. Eight people testified in support of the project, two of whom, Mr. Jim Idleman and Ms. D'Lynda Fischer, are representatives of the applicant. Two people testified in opposition to the request, Mr. John Kunak and Mr. Bob Lewis, both from the Castaic Area Town Council.

Staff of the Department of Parks and Recreation presented information related to the future plans for the Castaic Sports Complex and indicated their opposition to the request.

Representatives of the applicant addressed several of the issues raised by the Commission at the previous hearing including detailed information regarding anticipated truck traffic to be generated by the project, traffic patterns in the Castaic area, truck turn-around, noise, additional landscaping, signage and water recycling.

Support testimony from Castaic residents, truck drivers and recreational users was heard. Those in support of the project stated that the additional roadway improvements would alleviate any safety concerns, that the safety and appearance of trucks approaching and leaving "The Grapevine" (identified in testimony as the third most dangerous hill in America) necessitate such a facility in Castaic, and that users of the Castaic Lake Recreation Area

need this facility to wash boats, jet skis and RV's and to dump RV waste after leaving the recreation area.

The opposition reiterated their concerns related to safety and indicated that the proposed Castaic Community Standards District will most likely include policies to exclude trucking uses from this particular area.

The Commission expressed concern with existing utility poles and the current state of Castaic Road and asked the applicant to consider striping Castaic Road north of the project and installing a traffic light at the intersection of Parker Road and Castaic Road. The applicant indicated that they would be undergrounding the utilities along the site and that they would be willing to install improvements on Castaic Road north of the project site.

Commissioner Modugno indicated his desire to follow staff's recommendation for denial of the project and made a motion for denial that failed for lack of a second.

Commissioner Helsley then indicated his support of the project for the following reasons: the Sports Complex's isolation from the project site, most people arrive by vehicle rather than on foot or bicycle, the proposed use would be the most effective use of the property since it is not suitable for apartments or heavy industrial use, and the proponent's willingness to mitigate traffic and safety impacts.

Commissioner Bellamy indicated his concurrence with Commissioner Helsley's view and stated that the project was necessary for the economy of the area.

Commissioner Valadez indicated her concurrence with Commissioner Helsley's view and stated that Castaic will continue to accommodate trucking uses and that the secondary highway designation of Castaic Road indicates heavy future use in the area.

There being no further testimony, the Regional Planning Commission closed the public hearing, indicated its intent to approve the conditional use permit, and directed staff to prepare the final environmental documentation and findings and conditions for approval, including changes to the conditions as discussed and as agreed to by the applicant which include widening and striping of four traffic lanes and two bike lanes on Castaic Road from Parker Road to the southernmost point of the subject property; striping of a center turn lane for the Castaic Sports Complex; construction of sidewalk, curb and gutters on the west side of Castaic Road along the frontage of the subject property; installation of traffic signal lights at the intersection of Parker Road and Castaic Road; removal of on-street parking on the east side of Castaic Road; and installation of a basketball hoop on the subject property. Commissioner Valadez abstained from voting due to her absence at the March 20, 2002 hearing.

Findings

1. The applicant is requesting a Conditional Use Permit to establish a commercial retail development with attached auto, R.V. and truck wash and polish/lube facilities pursuant to Section 22.40.040 of the Los Angeles County Code. The site consists of two parcels located at 31333 Castaic Road, Castaic, in the Castaic Canyon Zoned District.

2. Zoning on the site is M-2-DP (northern parcel) & C-2-DP (southern parcel). The proposed project is consistent with the M-2 & C-2 zoning classifications in that a car wash and retail commercial uses as proposed for the northern parcel are permitted uses in the M-2 zone pursuant to Section 22.32.160 of the County Code and a parking lot, proposed for the southern parcel, is a permitted use in the C-2 zone pursuant to Section 22.28.130 of the County Code. The –DP addendum requires approval of a Conditional Use Permit for any development program proposed on the property other than that which was previously authorized when the zoning on the property was changed.

3. The surrounding properties are zoned as follows:
 - North: C-3 (Unlimited Commercial),
 - South: Golden State Freeway adjacent to the south
 A-2-2 (Heavy Agriculture, 2-acre minimum lot size), to the southwest and southeast
 M-1-DP (Light Manufacturing, Development Program) to the southwest
 - East: A-2-2 (Heavy Agriculture, 2-acre minimum lot size)
 - West: Golden State Freeway adjacent to the west
 CPD (Commercial Planned Development),
 A-1-20,000 (Light Agriculture, 20,000 square foot minimum lot size)
 RPD-9000-6.5U (Residential Planned Development, 9,000 square foot minimum lot size, 6.5 units per acre)

4. The subject property is currently vacant. The site was used as a rest stop in the past.

5. Surrounding land uses consist of the following:
 - North: Boat repair, trailer park, gas station with automatic car wash, motel, café, auto repair
 - South: Golden State Freeway, vacant land
 - East: Castaic Sports Complex, motel to the northeast
 - West: Golden State Freeway, residential subdivisions west of freeway

6. A land division, Plan Amendment and Zone Change were adopted and a Conditional Use Permit granted in 1983 to allow establishment of a truck stop and motel on the property. The permit expired due to nonuse and a new Conditional Use Permit was requested in 1987 to allow development of a truck stop. This permit was denied by the Regional Planning Commission and subsequently appealed to the Board of Supervisors and changed to a request to develop a commercial center. The commercial center was approved by the Board of Supervisors in 1989 but also expired due to nonuse.

7. The subject property is designated “Commercial” in the Santa Clarita Valley Area Plan. This designation allows community, highway oriented, and regional commercial developments. The project complies with the applicable general plan policies, as follows:

Land Use Element

“Encourage relocation of trucking-related activities away from the Castaic town center.” The proposed use will be located approximately ½ mile south of the Castaic town center.

- 1.4 “Promote a balanced, autonomous community with a full range of public and commercial services and a wide variety of housing and employment opportunities to minimize the dependency upon southern Los Angeles County and to reduce long distance commuting and its impacts upon gasoline consumption and air pollution.” The project will provide a wide range of commercial services not currently existing in Castaic. Additionally, over 100 jobs will be created with the addition of the project.
- 2.1 “Accommodate population and land use growth in a concentrated, rather than dispersed, pattern, providing for a broad range of densities and types of uses.” The proposed use will be located in an established commercial area and on a site designated for industrial and commercial uses, contributing to the concentration of growth. The development will contribute to increasing the variety of uses in the area since retail, service and restaurant uses are currently limited.
- 2.2 “Determine future land use growth in the Santa Clarita Valley by considering the following criteria:
 - a. Sensitivities of natural environmental systems;” The project site does not contain sensitive environmental systems. The applicant has indicated that a water recycling/recovery system will be utilized in the wash bays to reduce usage of water resources and discharge to sewers.
 - b. “Hazards or constraints of natural environmental systems of land use;” There are no hazards or constraints present on the project site.
 - c. “Infrastructure and service capacities;” Sufficient infrastructure exists at the project site to accommodate the proposed development. The Department of Public Works recommends that the applicant contribute to installation of a traffic signal at the intersection of Castaic Road and Parker Road and construct safety improvements to Castaic Road as indicated in the conditions of approval including widening of the roadway; installation of curbs, gutters and sidewalks; striping of turn lanes and bike lanes; and undergrounding of utilities. Improvements to Castaic Road north of the project site and terminating at Parker Road are also required.
 - d. “Need for project.” The project is needed to serve the residents of the community, recreational visitors to the community; and the extensive trucking industry presence on the Golden State Freeway and in Castaic. Retail and service uses and vehicle washing and lubing facilities will be provided to serve all of these groups.
- 2.3 “Concentrate land use growth in and adjacent to existing urban, suburban, and rural communities. Within these areas, encourage development of bypassed lands designated and appropriate for development.” The proposed development would be located in an area currently experiencing suburban growth. The site is appropriate for this type of development due to the fact that it is virtually

surrounded by roadways, including a major freeway and a secondary highway, providing access to the site and that it is adjacent to established commercial uses. Commercial development south of the project site would not be permitted at this time based on current land use and zoning designations.

- 3.2 “Require that new development fund the entire cost of all of the infrastructure demand created by the project.” The applicant will be required to contribute to the signalization of the intersection of Castaic Road and Parker Road, to dedicate right-of-way and construct street improvements, and to install signage to improve safety and restrict truck traffic from Castaic Road south of the property.
- 6.1 “Encourage the appropriate mix of land use types to prevent disharmony and degradation. Residential, commercial, employment, recreational, and cultural uses should be integrated using appropriate buffering techniques to create a cohesive community.” The proposed project will be located in an existing commercial area near several residential subdivisions and would contribute to the mix of land use types in the area. A 13’ landscape buffer is shown on the site plan along Castaic Road for the length of the staging area with additional landscaping and treatments located in front of the retail building and on the southern portion of the site.
- 6.2 “Pursue, in airport, freeway, railroad, and outdoor entertainment noise zones, the implementation of noise abatement techniques for protection of existing noise-sensitive uses.” The conditions of approval for this grant will sufficiently mitigate potential noise impacts of the project.
- 8.2 “Promote maintenance and rehabilitation to prevent community deterioration.” The development will be required to be maintained in accordance with this policy.
- 9.1 “Minimize travel time by concentrating community facilities, intensifying land use densities, and establishing central shopping and industrial facilities.” The project would contribute to the centralization of shopping and industrial areas to service the local community. These uses will also serve the existing hotels nearby and will be located in an area designated by the Santa Clarita Valley Area Plan to be developed with commercial and industrial uses. The project will provide a community service (retail, restaurant, services, personal vehicle wash and lube) while also catering to the trucking industry and the recreational uses present in Castaic.

Community Design Element

- 1.1 “Mitigate where possible undesirable impacts of development on adjacent land uses through utilization of appropriate buffers, building codes and standards.” A 10’ landscape buffer is provided between the truck staging area and Castaic Road. Castaic Road will be widened to approximately 100’ in width with four travel lanes, two bike lanes, an 8’ sidewalk and a center turn lane into the Castaic Sports Complex in order to mitigate any potential safety hazards related to the adjacent Sports Complex. An 8’ sound barrier wall will also be constructed along the

northern property line to mitigate noise impacts. The development will be required to adhere to all applicable building codes and standards.

Economic Development Element

- 1.1 "Promote a strong and diversified economy and the growth of job opportunities in the Santa Clarita Valley." The project will result in the creation of approximately 100 jobs, most of which will be service-oriented but also including 6 - 8 management positions and a few higher-paying jobs related to the proposed chiropractic office. The diversity of the economy will be increased due to the current lack of retail establishments, personal services, self-service vehicle washing facilities and vehicle polish and lube services in the immediate area.
- 1.2 "Encourage development of clean industries, a broad range of retail and service commercial uses, medical, and entertainment facilities in appropriate locations." The proposed project will provide one retail use, one medical use (chiropractor) and several service commercial uses (salon, car wash bay, polish/lube facility, restaurant) to the area.

Environmental Resources Management Element

- 1.7 "Require archaeological surface reconnaissance and impact assessment by a qualified archaeologist for any significant development proposed on, or adjacent to, known archaeological sites." A Phase I Archaeological Survey was completed for the project site. The survey determined that there would not be any potential impacts on archaeological resources; however, an archaeologist is to be retained for site monitoring during ground-disturbing activities.
8. On the northern parcel, the site plan depicts the two-story building consisting of a 4,000 square foot retail/deli/coffee shop, a 325 square foot laundry facility a 1,200 square foot manager's office and two tenant spaces currently dedicated for a salon (800 square feet) and a chiropractor (1,500 square feet). A total of 4,031 square feet of building space (38%) is shown to house mechanical equipment as well as showers and a waiting area for drivers to utilize while their vehicles are being washed.

The area between the building and Castaic Road contains landscaping, pathways and fountains as well as an outside dining area in front of the retail/deli/coffee shop establishment. A 40' high monument sign is shown adjacent to Castaic Road near the entrance. The six truck/RV wash bays and the car wash bay are located west of the building, each with a vacuum at the entrance. A thru-lane is provided along the western edge of the property. Directly north of the seven wash bays is an open drying area. The northernmost portion of the property is reserved for landscaping and parking with three polish/lube bays and an adjacent 640 square foot mechanical building provided at the northeast corner of the property. An 8' sound barrier wall is proposed along the northern property line.

The southern parcel is shown containing parking, extensive landscaping, a two-bay manual wash for motorcycles and boats or other personal vehicles, an RV waste disposal area and a vacant vehicle staging area for the wash bays. A 13' landscape buffer is provided on the eastern side of the property as well as an 8' sidewalk adjacent

to Castaic Road. One access point is shown on the southern parcel as well as a freeway-oriented sign on the western side of the property.

9. Section 22.32.080 of the Los Angeles County Code requires that developments in the M-2 zone adhere to the following standards:

- a. "Any property used for the outside storage or display of raw materials, equipment or finished products shall comply with the requirements of Part 7 of Chapter 22.52." Neither outdoor storage nor outdoor display are proposed on the parcel zoned M-2.
- b. "Vehicle storage shall be provided as required by Part 11 of Chapter 22.52." Pursuant to Section 22.52.1100 of the Code, the salon, chiropractor's office, and laundry would require provision of one parking space per 250 square feet of floor area. Based on the total 2,290 square footage for these uses, 12 parking spaces are required. Also pursuant to Section 22.52.1100 of the Code, the 1,200 square foot manager's office would require one parking space per 400 square feet of floor area for a total of 3 spaces.

Parking for the retail/deli/coffee shop establishment would follow a number of different guidelines. The deli/coffee shop, generally considered an assembly use, would not have seating provided in the building but rather in an outside dining area. To accommodate employees and patrons, parking for the deli/coffee shop portion of the building must comply with Part 2B of Section 22.52.1110 which states that an assembly establishment not described in Part 1 of that section shall provide a minimum of 10 parking spaces. Pursuant to Section 22.52.1110, Part 1b of the Code, the outdoor dining area would require one space for every 3 persons based on the occupancy load of 30 persons as determined by the county engineer, for a total of 10 spaces. The 3,155 square foot retail portion of the building would require provision of one space per 250 square feet of floor area, or 13 spaces.

Parking must also be provided to accommodate employees of the truck wash and lube bays. These uses are not specified by the code as they are not traditional commercial uses but rather drive-through uses whose patrons do not require parking. Section 22.52.1220 states that uses not specified in the code should be based on a comparable specified use. Section 22.52.1140 of the code applies to these areas. This would require provision of one space for every two employees on the shift having the largest number of employees. The applicant has indicated that each bay would have a maximum of three employees per shift for a total of 30 employees and, therefore, would require 15 parking spaces.

Based on the above information, a total of sixty-three (63) parking spaces are required. The site plan depicts provision of 68 spaces as well as two (2) semi truck parking spaces each with a two hour time limit.

- c. "Signs shall comply with the requirements of Part 10 of Chapter 22.52." Signage plans were submitted that depict the locations and specifications of the two signs on the property, one of which is located on the parcel zoned M-2 (sign "B"). Sign "A" is a freeway-oriented sign located within the landscaped area on the south west

portion of the property. This sign is depicted at 38' in height and containing a total sign area of approximately 263 square feet. Sign "B" is a monument sign located directly south of the vehicular exit and east of the outdoor dining area. This sign is depicted at 6' in height and containing a total sign area of approximately 21 square feet. These signs do not exceed the requirements outlined in Chapter 22.52, Part 10 of the County Code.

10. The southern parcel on which the parking lot is proposed complies with the requirements set forth in Section 22.28.170 related to the C-2 zone:
 - a. "That not to exceed 90 percent of the net area be occupied by buildings with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area." There are no buildings proposed on the southern property and sufficient landscaping is proposed to comply with this requirement.
 - b. "That there be parking facilities as required by Part 11 of Chapter 22.52." Adequate parking is provided to accommodate the proposed development as indicated in finding 9b.
 - c. "A building or structure shall not exceed a height of 35 feet above grade, excluding signs which are permitted by Part 10 of Chapter 22.52, chimneys, and rooftop antennas." There are no buildings proposed on the southern parcel.
 - d. "Outside Display. Except for the following uses, all display in Zone C-2 shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit:
 - Automobile sales, limited to automobiles and trucks under two tons held for sale only.
 - Automobile service stations, limited to automobile accessories and facilities necessary to dispensing petroleum products only.
 - Carnivals, temporary.
 - Christmas trees and wreaths, the sale of.
 - Crops -- field, tree, bush, berry and row, including nursery stock.
 - Electric distribution substations.
 - Gas metering and control stations, public utility.
 - Parking lots.
 - Restaurants and other eating establishments including food take-out, subject to the standards specified by subsection G of Section 22.28.070.
 - Signs, outdoor advertising."
 Outdoor display other than parking, landscaping and signage are not proposed on the southern parcel.
 - e. "Outside Storage. No outside storage shall be permitted in Zone C-2." Outside storage is not proposed on the southern parcel.

11. The applicant will be required to submit a development program, consisting of a plot plan and a progress schedule, as required by Section 22.40.050 of the County Code.
12. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study identified potentially significant effects of the project, but prior to the release of the proposed mitigated negative declaration and initial study for public review, the applicant made or agreed to revisions in the project which would avoid or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions show that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. A Mitigation Monitoring Program has been drafted to ensure that the applicant performs the required mitigation measures.
13. The Commission finds that the project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from State Department of Fish and Game fees pursuant to Section 711.2 of the California Fish and Game Code.
14. Staff has received 22 letters in opposition to the project from local residents and members of the Castaic Area Town Council, and one from California Assembly member Keith S. Richman, M.D. (38th District), indicating that the project would not be compatible with the surrounding area. In addition, a petition in opposition to the project containing 401 signatures was submitted.
15. The Castaic Area Town Council voted to oppose the project. Its opposition is based on two policies of the Castaic Corridor Plan (not an approved planning document) which state:
 - a. "Accommodate trucking-related uses along Castaic Road north of Parker Road, while encouraging a transition away from trucking-related uses to allow the emergence of a general commercial area."
 - b. "Discourage the introduction of new trucking-related commercial uses in Castaic."The Castaic Corridor Plan was used in preparing the Santa Clarita Valley Area Plan; the project complies with this plan.
16. Additionally, the Town Council expressed concern related to the proximity of the proposed large vehicle use to the Castaic Sports Complex with respect to safety of park users, especially children. The conditions of approval of this grant require improvements to Castaic Road to address these issues.
17. Staff has received 23 letters in support of the project from local businesses, residents and trucking companies and one from the Castaic Area Chamber of Commerce as well as petitions in support of the project containing 323 signatures.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;
- C. The proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said uses 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; and
- E. The development program submitted provides necessary safeguards to insure completion of the proposed development by the applicant, forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.40.060 and 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission has considered the Mitigated Negative Declaration together with all comments received during the public review process, finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program for this project.
- 2. In view of the findings of fact presented above, Conditional Use Permit Case No. 01-085-(5) is **APPROVED** subject to the attached conditions.

VOTE **2-1**

Concurring: **Helsley, Bellamy**

Dissenting: **Modugno**

Abstaining: **Rew**

Absent: Valadez

Action Date: 7/10/02

1. This grant authorizes the use of the subject property for establishment of a commercial retail development with attached auto, R.V., truck and other vehicle wash and polish/lube facilities, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required deposit has been made pursuant to Condition No. 9.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

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

- a. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
 - b. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing before the expiration date.
 7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

8. This grant will terminate ten (10) years after its effective date. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of \$1,500.00. The monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 10 annual inspections.

If any inspection discloses that the subject property is being used in violation of any conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
11. The permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.

15. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
16. Within sixty (60) days of the approval of this grant, the permittee shall submit to the director for review and approval three copies of revised plans, similar to Exhibit "A" as presented at the public hearing, that depict, in compliance with Section 22.40.050.A of the County Code, the location of all proposed structures and development features including grading, yards, walls, walks, landscaping, height, bulk and arrangement of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area, and showing all changes required in the conditions of approval. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.
17. The following development program conditions shall apply:
 - a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property.
 - b. All improvements shall be completed prior to the occupancy of any structures.
 - e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
18. The construction and operation of the proposed use shall be further subject to all of the following conditions:
 - a. The waiting room area shall be used only by patrons of the site and shall not be used for group gatherings or meetings of any kind.
 - b. The permittee shall submit a revised Exhibit "A" to the Department of Regional Planning upon any proposed tenant changes on the site. If the proposed use is subject to a Conditional Use Permit, the permittee shall be required to file a Conditional Use Permit for the proposed use. If additional parking or other facilities are required to support the proposed use, the permittee will be required to provide the improvements.
 - c. The permittee shall comply with all conditions listed in the attached letter from the Department of Public Works dated March 7, 2002 and referenced documents

therein. The referenced Traffic and Lighting letter shall be amended to require the applicant to contribute its share of the cost for the installation of traffic signals at the intersection of Parker Road and Castaic Road rather than at the intersection of the Golden State (I-5) Freeway southbound on-ramp and Parker Road.

Widening and striping of Castaic Road adjacent to the subject property shall be accomplished to provide, at a minimum, two northbound vehicle traffic lanes, two southbound vehicle traffic lanes, one northbound bicycle lane without provision for vehicular parking, one southbound bicycle lane with provision for vehicular parking, and a center turn lane and approach at the entrance to the Castaic Sports Complex. Bicycle lanes shall be provided to the satisfaction of the Department of Public Works and the Department of Parks and Recreation.

- d. Subject to confirmation and design specifications from the Department of Public Works, the permittee shall install safety improvements on Castaic Road between the northern property line of the subject property and Parker Road including pavement widening and striping. Said widening and striping shall provide similar facilities as required adjacent to the subject property as indicated in condition 18c, above where sufficient right-of-way to perform said improvements exists.
- e. The permittee shall comply with all conditions listed in the attached letter from the Fire Department dated December 31, 2001.
- f. The permittee shall utilize a water recycling or recovery system in the seven hand wash bays to reduce demands on local water supplies and discharge to sewers. Evidence of the installation of said system shall be provided to the Department of Regional Planning upon installation.
- g. The permittee shall prevent parking along the east side of Castaic Road by painting the curb red along Castaic Road for the entire length of the property.
- h. Employment related to the seven (7) wash bays and three (3) polish/lube bays shall be limited to a maximum of three (3) employees per shift per bay. Parking shall be provided for the wash and lube bays at a ratio of one space per two employees on the shift having the largest number of employees. Any additional employees hired for the wash/lube bays shall require additional parking at the ratio stated above.
- i. The permittee shall maintain the subject property in a neat and orderly fashion and shall ensure that all areas of the premises over which the permittee has control are maintained free of litter at all times.

The property shall be regularly maintained and may be required to undergo rehabilitation to prevent community deterioration if, upon inspection, the operation is found to be contributing to the deterioration of the community.

- j. Within sixty (60) days of the approval of this grant, the permittee shall submit to the Director for review and approval a development progress schedule which shall

include all phases of development and indicate the sequence and time period within which the improvements described will be made, as required by Section 22.40.050B of the Los Angeles County Code.

- k. A minimum of 63 parking spaces, and adequate access thereto, shall be provided on site, developed to the specifications listed in the County Code. Four of the 63 required spaces shall be developed to be handicapped accessible and one of these shall be van accessible.
- l. Landscaping shall be provided consistent with that which is represented on the Exhibit "A" dated May 9, 2002. Revisions to the required landscaping shall not be permitted.
- m. The permittee shall install a single basketball hoop on the subject property for use by wash patrons of the site. Appropriate measures such as fencing and locks or routine surveillance by site manager shall be implemented to ensure that the basketball hoop is utilized by wash patrons only.
- n. A manager/security officer shall be present at all times on the site to ensure proper operation of the facility.
- o. Truck parking on the site or along Castaic Road shall be limited to 2 hours. Appropriate signage to reflect this limitation shall be installed.
- p. Indoor dining shall not be permitted with the exception of bar stools unless appropriate additional parking is provided.
- q. An uncovered thru-lane shall be provided on the subject property to allow vehicles to pass without utilizing the wash bays.
- r. Signage shall be permitted of the size, type and location depicted on the submitted signage plans dated May 9, 2002. Additional signage will require revised Exhibit "A" approval.
- s. The permittee shall comply with all conditions listed in the attached Project Changes/Conditions due to Environmental Evaluation and Mitigation Monitoring Program.

FM:kj