

REPORT TO THE HEARING OFFICER

DATE ISSUED: September 10, 2024

HEARING DATE: September 24, 2024 AGENDA ITEM: #6

PROJECT NUMBER: PRJ2024-000901-(5)

PERMIT NUMBER(S): Conditional Use Permit No. RPPL2024001313

SUPERVISORIAL DISTRICT: 5

PROJECT LOCATION: 15488 Spunky Canyon Road

OWNER: TR ELIAS, INC.

APPLICANT: Green Valley SmokeHouse

PUBLIC MEETINGS HELD: N/A (Project is not subject to IHO)

CASE PLANNER: Christopher Keating, Regional Planner
CKeating@planning.lacounty.gov

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:

LA County Planning staff (“Staff”) recommends **APPROVAL** of Project Number PRJ2024-000901-(5), Conditional Use Permit (“CUP”) No. RPPL2024001313, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motion:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NO. RPPL2024001313 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement(s) Requested

- CUP to authorize the sale of beer and wine for on-site consumption (Type 41) at an existing restaurant named Green Valley SmokeHouse located on a property in the C-RU (Rural Commercial) Zone within the Green Valley Community Standards District (“CSD”) pursuant to County Code Sections 22.24.030.C (Land Use Regulations for Rural Zones, Use Regulations), 22.140.030 (Alcohol Beverage Sales), and 22.354.070 (Green Valley CSD, Zone-Specific Development Standards).

B. Project

Green Valley SmokeHouse (“applicant”) requests a CUP to authorize the sale of beer and wine for on-site consumption (Type 41) at an existing restaurant named Green Valley SmokeHouse (“Project”), located at 15488 Spunky Canyon Road (“Project Site”) within the C-RU Zone in the Bouquet Canyon Zoned District and Green Valley CSD. The requested hours of alcohol beverage sales are from 10:00 a.m. to 8:30 p.m. Mondays through Sundays, same as the existing hours of operation as the restaurant.

The Project Site is comprised of one (1) parcel: Assessor’s Parcel Number (“APN”) 3228-006-005. The subject property is a 0.91-acre triangular shaped parcel. The Project Site contains the existing restaurant, Green Valley SmokeHouse, an existing market/liquor store/automobile service station, a single-family home, and an office. The Project Site is accessible via Spunky Canyon Road, a Limited Secondary Highway on the County Master Plan of Highways with a 65-foot-wide right-of-way (“ROW”). Spunky Canyon Road is currently improved with 24 feet of paving. Spunky Canyon Road is a designated Priority Scenic Drive in the Antelope Valley Area Plan (“Area Plan”), a component of the General Plan.

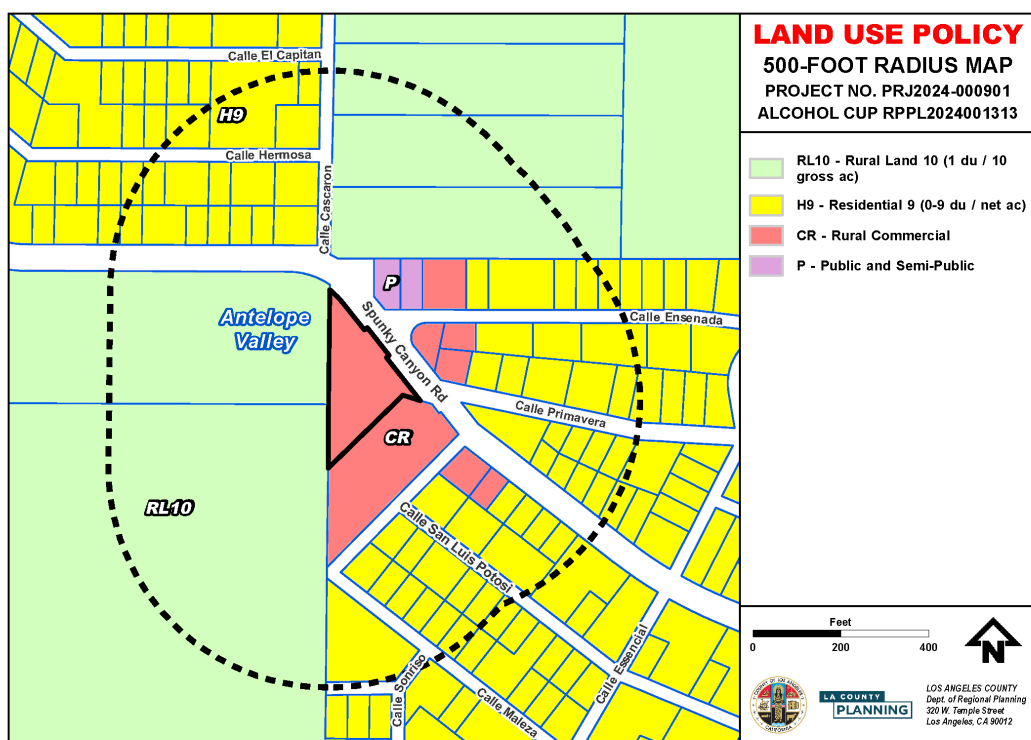
The site plan depicts the floor plan of the subject restaurant, showing the interior dining room, counter area, kitchen, restrooms, and outdoor dining patio. Additionally, the site plan shows an existing market/liquor store/automobile service station, single-family home, office, carport, and 21 parking spaces on the subject parcel.

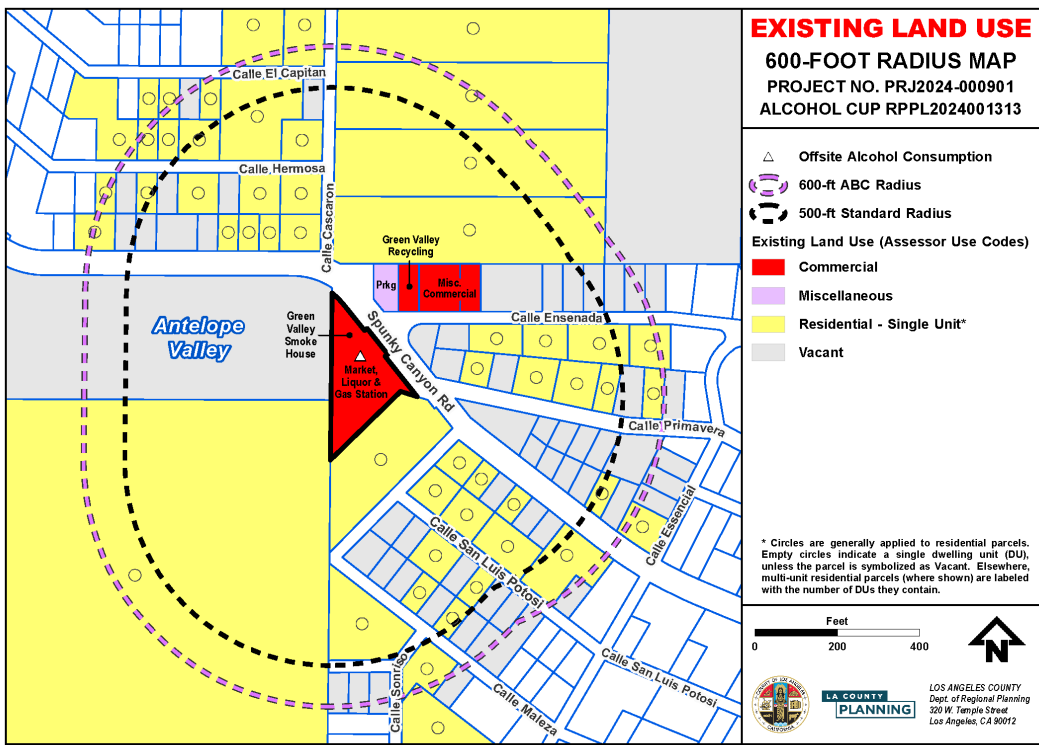
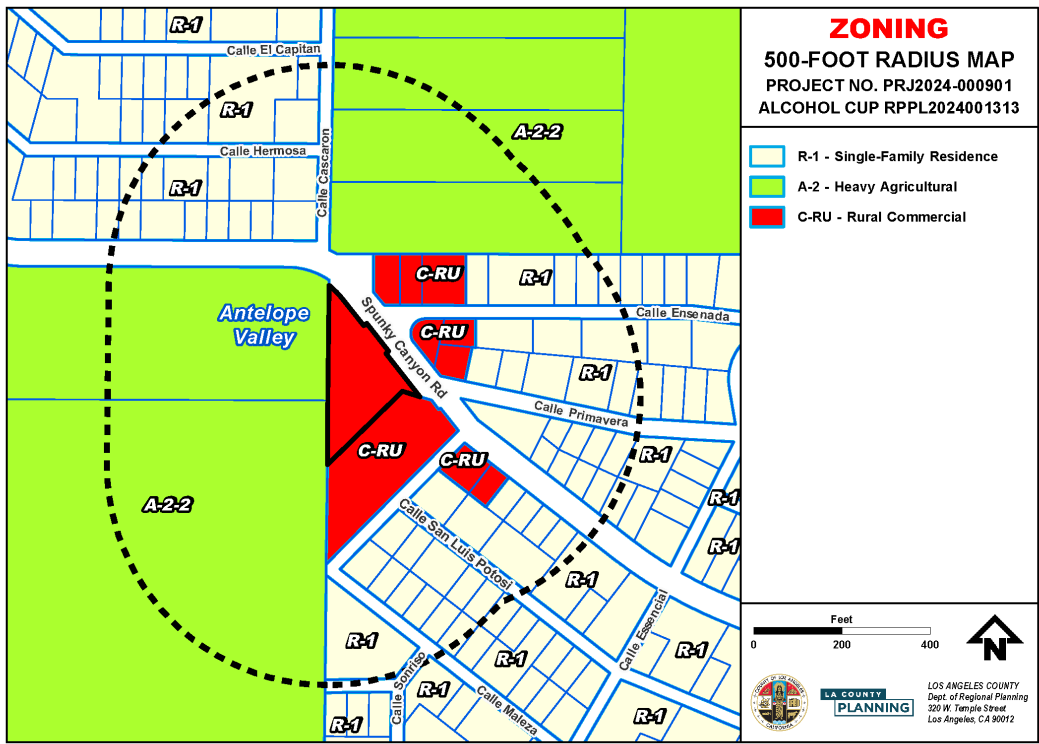
SUBJECT PROPERTY AND SURROUNDINGS

The following chart provides property data within a 500-foot radius:

LOCATION	AREA PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	CR (Rural Commercial)	C-RU	Restaurant and Market/Liquor Store/Automobile Service Station
NORTH	RL10 (Rural Land 10 – One Dwelling	A-2-2 (Heavy Agricultural – Two	Single Family Residences

	Unit per Ten Acres), H9 (Residential 9 – Nine Dwelling Units per One Acre), and P (Public and Semi-Public)	Acre Minimum Required Lot Area) and R-1 (Single-Family Residence)	(“SFRs”), vacant land
EAST	CR and H9	C-RU and R-1	SFRs, vacant land
SOUTH	CR and H9	C-RU and R-1	Storage, SFRs, vacant land
WEST	RL10	A-2-2	SFRs, vacant land





PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
7361	C-3 (General Commercial)	July 1, 1958
20150021z	C-RU	June 16, 2015

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
PP19349	Plot Plan to authorize the construction of a restaurant and general store with an existing SFR and office	Approved on 1/13/1971
ZEC 9662	Zoning Exception Case (“ZEC”) to authorize less than required parking for the restaurant and general store	Approved on 2/16/1971; Expired on 2/16/1996
CUP87-450	CUP to authorize live entertainment in connection with the existing restaurant and bar	Denied on 2/01/1988
RCUP-CP04-116 ROAK-OT04-015	CUP and Oak Tree Permit (“OTP”) to authorize the sale of beer, wine, and liquor for on-site consumption at a restaurant and legalize the removal of three oak trees and encroachment into the protected zone of five oak trees	Approved on 11/08/2005; CUP04-116 Expired on 10/20/2015
RBUS-201100222	Business License Referral for restaurant	Completed on 7/06/2011
RBUS-201500501	Business License Referral for restaurant	Completed on 10/01/2015
RPPL2022007817	Business License Referral for new restaurant, Green Valley Smokehouse	Completed on 7/11/2022
RPPL2022001993	New wall sign for market/liquor store	Approved on 8/31/2022

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
None	NA	NA

ANALYSIS

A. Land Use Compatibility

The Project Site is surrounded by SFRs in the immediate vicinity. The subject parcel is a 0.91-acre triangular shaped parcel, adjacent to Spunky Canyon Road, a Limited Secondary Highway on the County Master Plan of Highways with a 65-foot-wide ROW. The proposed alcohol sales for on-site consumption at the existing restaurant are compatible with the surrounding land uses. The Project Site has been used in the past for a restaurant with alcoholic beverage sales for on-site consumption. There is an existing market/liquor store/automobile service station, known as Backroad Market & Liquor, on the Project Site which sells a full line of alcoholic beverages for off-site consumption. Because Backroad Market & Liquor sells a full line of alcoholic beverages without a CUP in addition to fuel sales the land use is deemed-approved pursuant to County Code Section 22.140.030.H(Alcoholic Beverage Sales, Deemed-Approved Uses). In addition, the Project Site has an existing SFR and office. The approval to allow the sale of beer and wine for an existing restaurant as this location would not be in conflict with these existing and surrounding uses.

B. Neighborhood Impact (Need/Convenience Assessment)

The sale of alcoholic beverages (beer and wine) for on-site consumption at the restaurant at the Project Site is appropriate and will not likely result in a nuisance situation. The sale of alcohol will allow the restaurant to offer a full-service dining experience for both the local residents of Green Valley and travelers on Spunky Canyon Road. There is one (1) alcohol license within a 600-foot radius of the Project Site, the adjacent liquor store on the Project Site (Backroad Market & Liquor) for off-site consumption sales of a full line of alcoholic beverages. There are no churches, parks, playgrounds, schools, or other sensitive uses within the 600-foot radius. Alcoholic beverages will only be consumed within the restaurant's premises of the interior dining room and outside patio. The sale of alcoholic beverages at the restaurant is not likely to adversely impact the neighborhood.

C. Design Compatibility

The building for the restaurant was built in 1971 as authorized by Plot Plan No. 19349. CUP No. 04-116 was approved on November 8, 2005 to authorize the sale of beer and wine for on-site consumption for a previous restaurant occupying the building, which expired in October 2015. Business License Referral No. RPPL2022007817 on July 11, 2022, authorized the existing restaurant. The Project involves the sale of alcoholic beverages in an existing restaurant without any modifications to the building interior or exterior.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan and Area Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Sections 22.158.050.B (Conditional Use Permits, Findings and Decision – Findings) and 22.140.030.F (Alcohol Beverage Sales, Findings) of the County Code. The Burden of Proof form with applicant’s responses is attached (Exhibit E – Applicant’s Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof required findings.

ENVIRONMENTAL ANALYSIS

Staff recommends that this Project qualifies for a Categorical Exemption (Class 1, Existing Facilities) under the California Environmental Quality Act (“CEQA”) section 15301 and the County environmental guidelines. The Project involves the accessory sale of alcoholic beverages for on-site consumption within an existing restaurant without any modifications to the building. The Project is near a Scenic Drive, Spunky Canyon Road; however, this is not an exception to the exemption because the restaurant building was approved and constructed prior to designation of Scenic Drives in the Area Plan adopted in 2015 and the Project does not propose any modification to the exterior building. The Project does not result in cumulative impacts, is not included on a list of hazardous waste sites, does not impact historic resources, and does not result in other significant effects on the environment. Therefore, no exceptions to the exemptions are applicable and staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the Project.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

County Sheriff’s Department (“Sheriff”), in a letter dated May 16, 2024, recommended approval of this CUP. The letter was accompanied by a report of calls received by the Sheriff for the address during the past five years. All calls for service are considered routine in nature. Sheriff recommended the CUP for approval without comment. A copy of the letter is attached for reference (Exhibit I).

B. Other Agency Comments and Recommendations

The California Department of Alcoholic Beverage Control (“ABC”), in a letter dated May 2, 2024, indicated that there are zero on-site alcohol licenses in this census tract (9200.12), while up to one such license is allowed. Therefore, there is not an over-concentration of alcoholic beverage sales for on-site consumption in the area as determined by ABC. The letter also indicates that the Project Site is not located within a High Crime Reporting

District, as defined and determined by ABC. A copy of the letter is attached for reference (Exhibit J).

C. Public Comments

The applicant indicated to staff that the applicant presented the proposed Project at the March 13, 2024 Green Valley Town Council meeting. There were no comments nor any opposition to the proposed Project. The Green Valley Town Council stated their appreciation for the applicant presenting the Project to the community for public input but has yet to submit any comment to staff at the time of this report.

Report

Reviewed By:



Samuel Dea, Supervising Regional Planner

Report

Approved By:



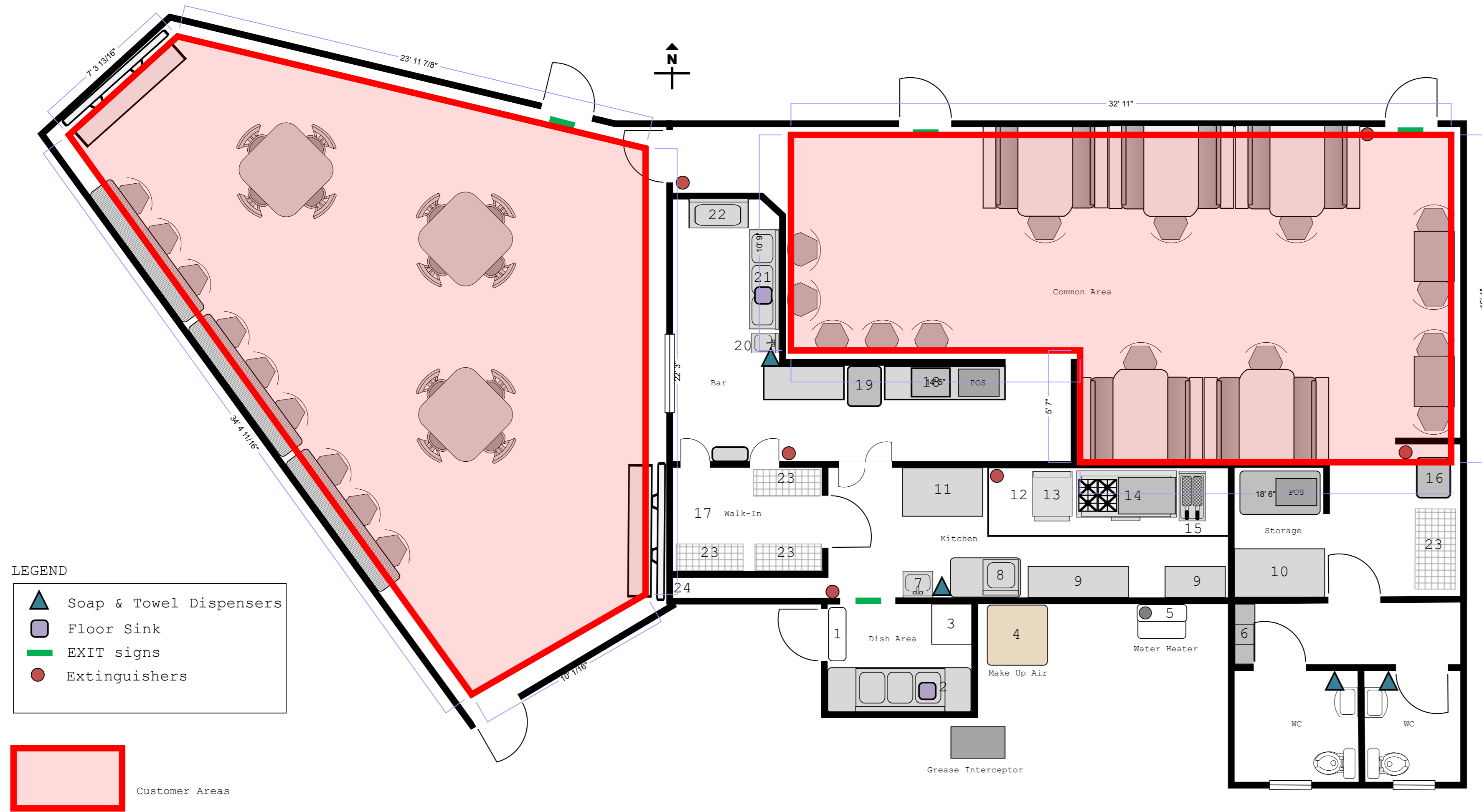
for Susan Tae

Susan Tae, AICP, Assistant Deputy Director

LIST OF ATTACHED EXHIBITS

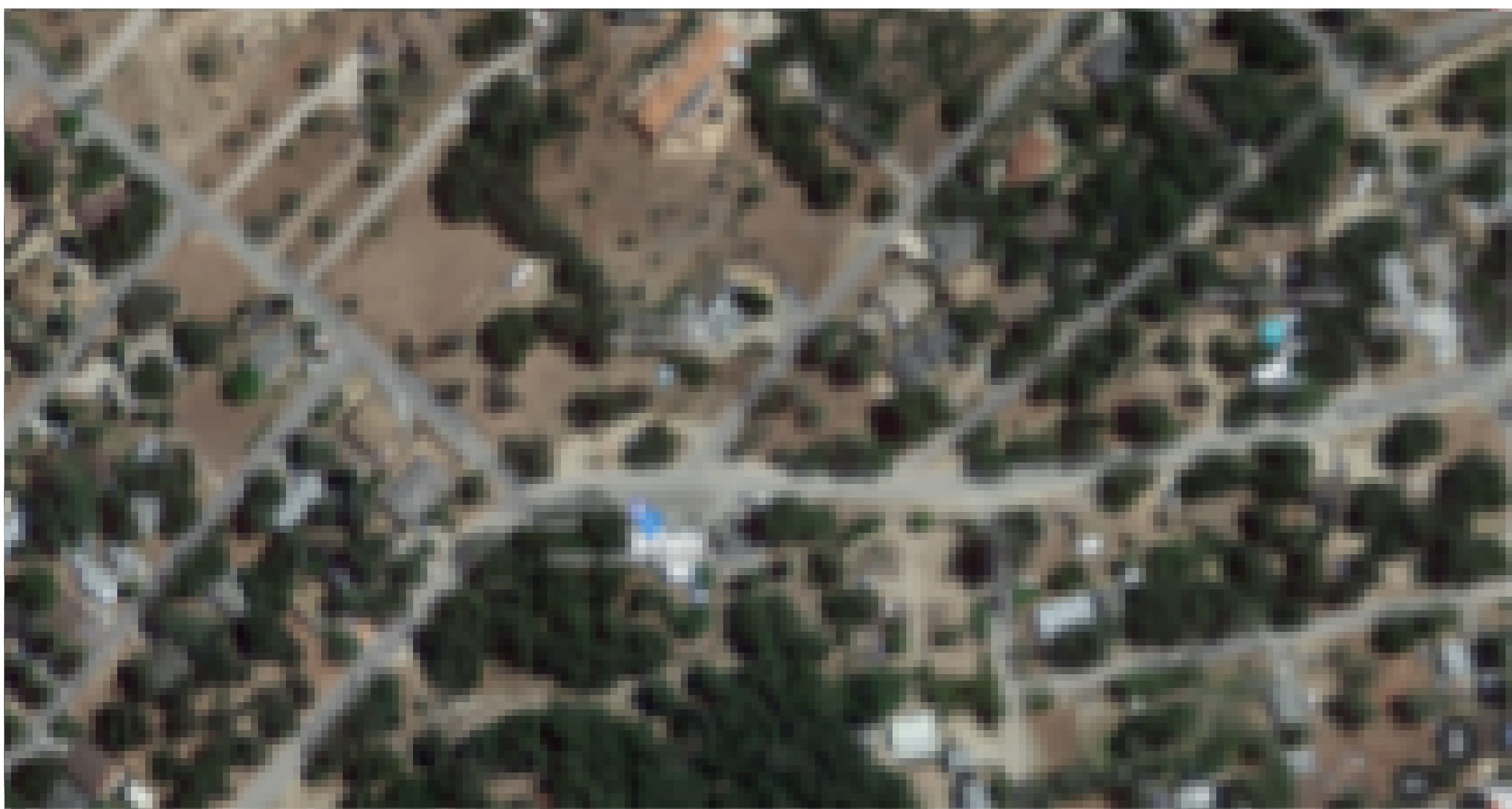
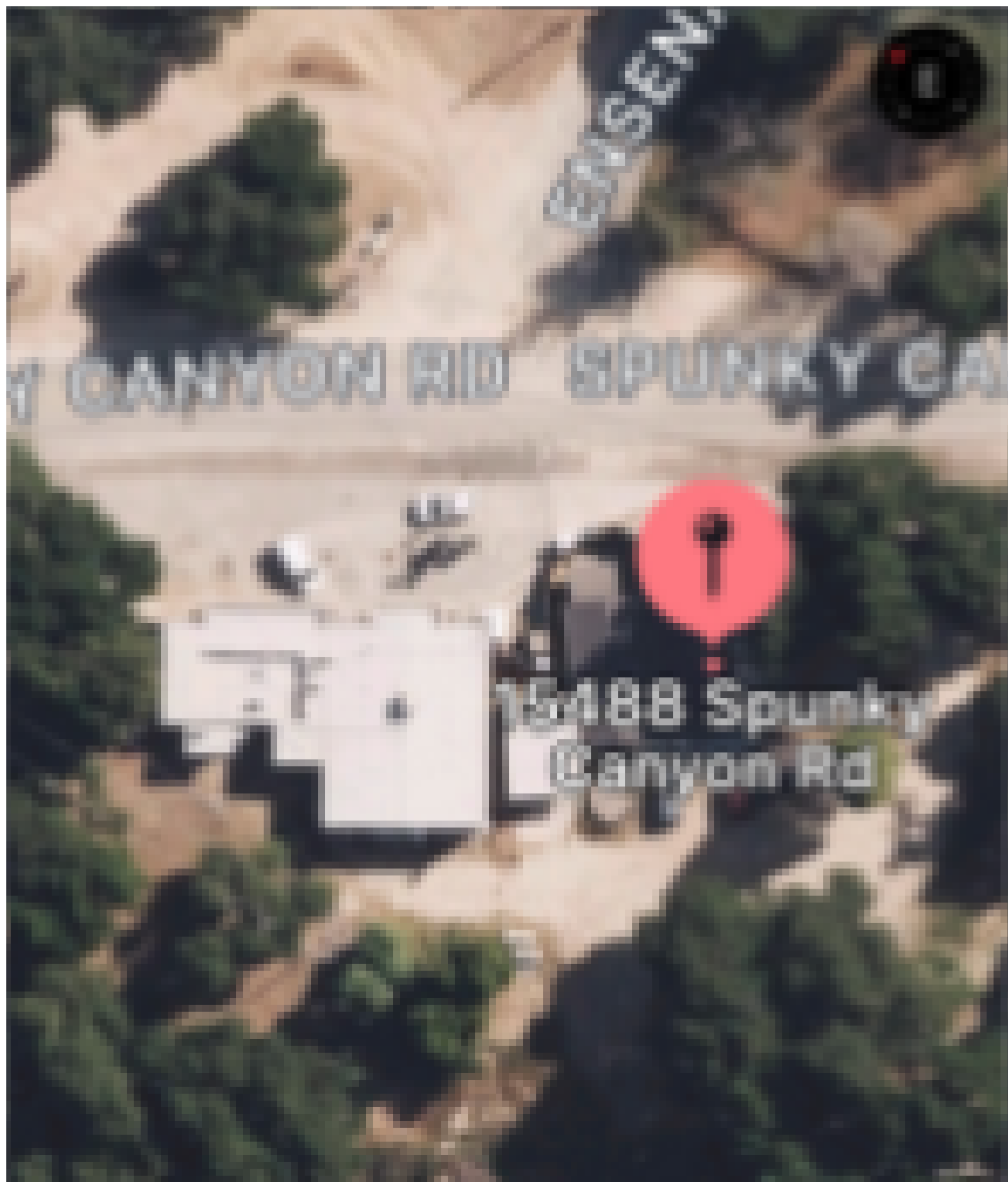
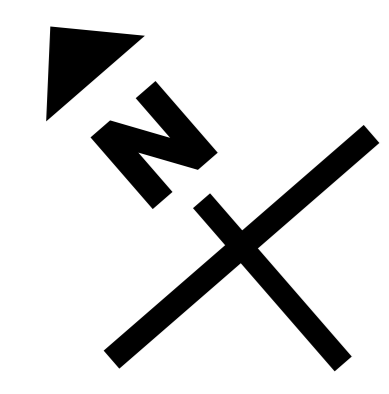
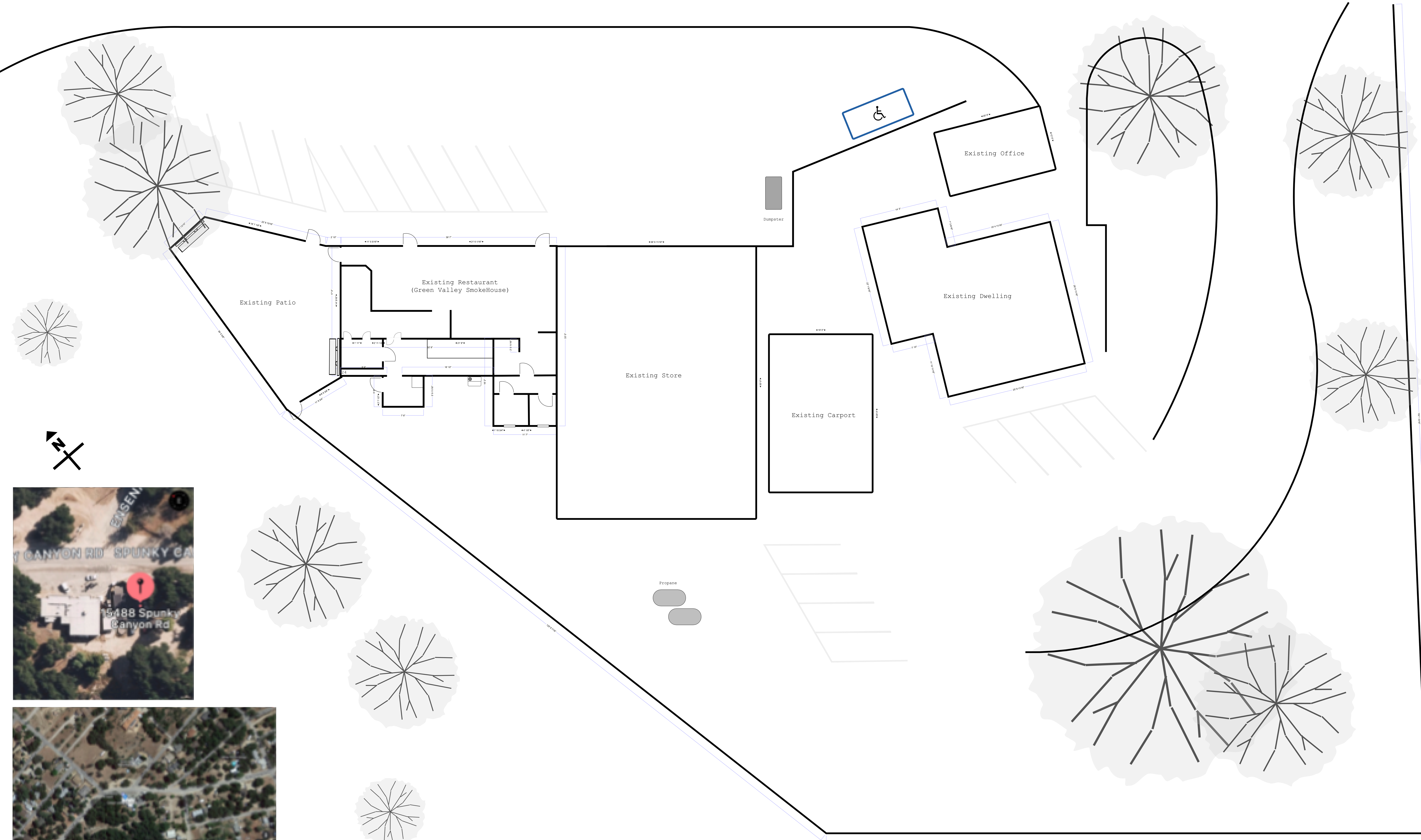
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Draft Findings
EXHIBIT D	Draft Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Sheriff Letter
EXHIBIT J	ABC Report
EXHIBIT K	Reference Documents

1. **“Effectiveness of Policies Restricting Hours of Alcohol Sales in Preventing Excessive Alcohol Consumption and Related Harms”**. US National Library of Medicine National Institutes of Health. 2010.
<https://www.ncbi.nlm.nih.gov/pubmed/21084080>
2. **“International alcohol control study: pricing data and hours of purchase predict heavier drinking”**. US National Library of Medicine National Institutes of Health.
<https://www.ncbi.nlm.nih.gov/pubmed/24588859>
3. **“How To Use Local and Land Use Powers to Prevent Underage Drinking”**. Pacific Institute for Research and Evaluation, August 2013
(<https://www.ojp.gov/ncjrs/virtual-library/abstracts/how-use-local-regulatory-and-land-use-powers-prevent-underage>)



#	Equipment	Model #	NSF ETL	HW	CW	DIR	FS	GAS	Comment
1	Door Activated Air Curtain (N)	687Em3509iy							270 - 300 Watts, 13 - 16 FPM
2	3 Compartment Sink (E)	600s3162018g (Existing)	X	X	X		X		2 Drainboards, 16" x 20" x 12" Bowls 24" wall mount sprayer **(Existing Location)**
3	Mop Sink (E)	(Existing)	X	X	X	X			Cast Fiberglass 24"x24", 8" faucet with air gap **(Existing Location)**
4	Make Up Air (E)	Fs350A (Existing)	X		X				UL Classified **(Existing Location)**
5	Commercial Tankless Water Heater (E)	Takagi TK-310U-E-P	X	X	X			PRO	UL Classified 190,000 BTU **(Existing Location)**
6	Lockers (N)	Anxxsu 5 door							
7	Hand Sink (E)	(Existing)	X	X	X	X			w/ splash guard 8" faucet **(Existing Location)**
8	Prep Sink (E)	(Existing)	X	X	X		X		w/ splash guard - Drainboard 12" faucet **(Existing Location)**
9	Prep Tables (N)	Stainless steel	X						36" and 60"
10	Worktop Freezer (N)	AWT-48F-HC, 178AW48FHC	X						48" with 3 1/2" Backsplash 1.91 amps **(Existing Location)**
11	Worktop Refrigerator (N)	AWT-48R-HC, 178aw48rhc	X						48" with 3 1/2" Backsplash 1.33 amps **(Existing Location)**
12	Type 1 Hood (E)	4HX92A (Existing)							UL Classified **(Existing Location)** See Hood Calculation Form
13	Indoor Smokehouse (N)	SM-24-L-STD 885SM24LSTD	X					PRO	45,000 BTU **(Existing Location)**
14	Range (N)	S60-G36-L, 351s60g36l	X					PRO	60" Range -4 Burner, 36" Griddle, 2 Standard Ovens - 240,000 BTU **(Existing Location)**
15	Deep Fryer (N)	541ff401	X					PRO	40 lb. 90,000 BTU **(Existing Location)**
16	Pepsi Display Fridge (N)	Retro	X						
17	Walk in cooler (E)	LSC052AK (Existing)	X						UL Classified **(Existing Location)**
18	Soda Fountain (N)	631100014	X		X		X		** (Existing Location)**
19	Ice Machine (N)	UC-F-120-A 194ucf120a	X		X		X		129 lb. **(Existing Location)**
20	Hand Sink (E)	600hs12sp (Existing)	X	X	X		X		w/ splash guard **(Existing Location)**
21	3 Bowl Underbar Sink (E)	600b31014213 (Existing)	X	X	X		X		60" **(Existing Location)**
22	Underbar Ice Bin with Cold Plate (E)	001B1836CP (Existing)	X				X		79 lbs **(Existing Location)**
23	Metro Wire Racks (N)		X						5 tier storage (3) 16"x32" (2) 18"x48"
24	Water Filtration (N)	PF-7S, 932471	X		X				Everpure Insurice Single Water Filtration System with Pre-Filter - .5 Micron and 3.5 GPM

Spunky Canyon Rd.



**PROJECT NUMBER**

PRJ2024-000901-(5)

HEARING DATE

September 24, 2024

REQUESTED ENTITLEMENT(S)

Conditional Use Permit ("CUP") No. RPPL2024001313

PROJECT SUMMARY

OWNER / APPLICANT

TR ELIAS, INC. / Green Valley SmokeHouse

MAP/EXHIBIT DATE

March 6, 2024

PROJECT OVERVIEW

Green Valley SmokeHouse requests a CUP to authorize the sale of beer and wine for on-site consumption (Type 41) at an existing restaurant named Green Valley SmokeHouse within the C-RU (Rural Commercial) Zone. The requested hours of alcohol beverage sales are from 10:00 a.m. to 8:30 p.m. Mondays through Sundays, same as the existing hours of operation for the restaurant.

LOCATION

15488 Spunky Canyon Road

ACCESS

Spunky Canyon Road

ASSESSORS PARCEL NUMBER(S)

3228-006-005

SITE AREA

0.91 Acre

AREA PLAN

Antelope Valley

ZONED DISTRICT

Bouquet Canyon

PLANNING AREA

Antelope Valley

LAND USE DESIGNATION

CR (Rural Commercial)

ZONE

C-RU

PROPOSED UNITS

NA

MAX DENSITY/UNITS

NA

COMMUNITY STANDARDS DISTRICT

Green Valley

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1, Existing Facilities

KEY ISSUES

- Consistency with the General Plan and Antelope Valley Area Plan
- Satisfaction of the following portions of Title 22 of the Los Angeles County Code:
 - 22.24.040 (Development Standards for Rural Zones)
 - 22.158.050.B (CUP Findings and Decision, Findings)
 - 22.140.030 (Alcoholic Beverage Sales)
 - 22.354.070 (Green Valley CSD, Zone-Specific Development Standards)

CASE PLANNER:Christopher Keating
Regional Planner**PHONE NUMBER:**

(213) 647 - 2467

E-MAIL ADDRESS:

CKeating@planning.lacounty.gov

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2024-000901-(5)
CONDITIONAL USE PERMIT NO. RPPL2024001313

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing in the matter of Conditional Use Permit (“CUP”) No. RPPL2024001313 on September 24, 2024.
2. **HEARING PROCEEDINGS.** *To be updated after the hearing.*
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Green Valley SmokeHouse (“permittee”), requests the CUP to authorize the sale of beer and wine for on-site consumption (Type 41) at an existing restaurant named Green Valley SmokeHouse (“Project”) on a property located at 15488 Spunky Canyon Road in the unincorporated community of Green Valley (“Project Site”) in the C-RU (Rural Commercial) Zone pursuant to Los Angeles County Code (“County Code”) Sections 22.24.030.C (Land Use Regulations for Rural Zones, Use Regulations), 22.140.030 (Alcoholic Beverage Sales), and 22.354.070 (Green Valley CSD, Zone-Specific Development Standards). The requested hours of alcohol beverage sales are from 10:00 a.m. to 8:30 p.m. Mondays through Sundays, same as the existing hours of operation as the restaurant.
4. **LOCATION.** The Project is located at 15488 Spunky Canyon Road within the Bouquet Canyon Zoned District and Antelope Valley Planning Area.
5. **PREVIOUS ENTITLEMENT(S).** The Project Site is developed with two commercial buildings, the subject restaurant and a liquor store. Plot Plan No. 19349 approved on January 13, 1971 authorized the construction of a restaurant and general store adjacent to the existing single-family home and office. Zoning Exception Case (“ZEC”) approved on January 16, 1971 authorized less than required parking for the restaurant and general store. CUP No. 04-116 approved on November 8, 2005 to authorized the subject building for the sale of beer, wine, and liquor for on-site consumption at a restaurant with the entitlement expiring on October 20, 2015. Furthermore, Oak Tree Permit (“OTP”) No. 04-0115 was approved on November 8, 2005, which authorized the removal of three oak trees and the encroachment into the protected zone of five oak trees. A series of business license referrals were approved, with the latest Site Plan Review No. RPPL2022007817 approved on July 11, 2022 authorizing the permittee’s restaurant, Green Valley SmokeHouse.
6. **LAND USE DESIGNATION.** The Project Site is located within the CR (Rural Commercial) land use category of the Antelope Valley Area Plan (“Area Plan”) Land Use Policy Map, a component of the General Plan.

7. **ZONING.** The Project Site is located in the Bouquet Canyon Zoned District and is currently zoned C-RU. Pursuant to County Code Section 22.24.030.C a CUP is required for alcoholic beverage sales for on-site consumption, in compliance with County Code Section 22.140.030.F (Alcoholic Beverage Sales, Findings for Uses Subject to CUP), in the C-RU Zone. Additionally, County Code Section 22.354.070 applies to the Project.

8. SURROUNDING LAND USES AND ZONING

LOCATION	AREA PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	RL10 (Rural Land 10 – One Dwelling Unit per Ten Acres), H9 (Residential 9 – Nine Dwelling Units per One Acre), and P (Public and Semi-Public)	A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and R-1 (Single-Family Residence)	Single Family Residences (“SFRs”), vacant land
EAST	CR and H9	C-RU and R-1	SFRs, vacant land
SOUTH	CR and H9	C-RU and R-1	Storage, SFRs, vacant land
WEST	RL10	A-2-2	SFRs, vacant land

9. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is comprised of one (1) parcel: Assessor’s Parcel Number (“APN”) 3228-006-005. The subject property is a 0.91-acre triangular shaped parcel. The Project Site contains the existing restaurant, Green Valley SmokeHouse, an existing market/liquor store/automobile service station, an SFR, and an office. The Project Site is accessible via Spunky Canyon Road, a designated First Priority Scenic Drive in the Area Plan with a 65-foot-wide right-of-way (“ROW”). Spunky Canyon Road is currently improved with 24 feet of paving.

B. Site Access

The Project Site is accessible via Spunky Canyon Road, a 65-foot-wide ROW designated as a First Priority Scenic Drive, directly to the east of the Project Site. Spunky Canyon Road is currently improved with 24 feet of paving.

C. Site Plan

The site plan depicts the floor plan of the subject restaurant, showing the interior dining room, counter area, kitchen, restrooms, and outdoor dining patio. Additionally, the site plan shows an existing market/liquor store/automobile service station, SFR, office, carport, and 21 parking spaces on the subject parcel.

D. Parking

The Project Site provides 21 parking spaces for the existing restaurant, market/liquor store/automobile service station, SFR, and office. ZEC No. 9662 was approved on February 16, 1971 allowing less than required parking for the restaurant and general store with only seven parking spaces. Green Valley SmokeHouse requires 18 parking spaces based on the approved occupancy load of 55 people. The market/liquor store/automobile service station requires five spaces, the office requires 1 parking space, and the SFR requires two parking spaces. In total, the Project Site requires 26 parking spaces pursuant to County Code Section 22.112.070 (Parking, Required Parking Spaces). The Project is a request for sales of alcoholic beverage for on-site consumption for an existing restaurant, and does not propose any modifications or expansion to the existing use. Although ZEC No. 9662 has expired, the existing restaurant is located within a legal nonconforming structure as associated with Plot Plan No. 19349 with respect to current parking requirements pursuant to County Code Section 22.112.030 (Parking, Exemptions, Nonconforming Due to Parking) since it was developed with only seven spaces for the permitted uses and the permittee is not proposing to alter the existing uses or expand the building.

10. CEQA DETERMINATION. Prior to the Hearing Officer's public hearing on the Project, County Department of Regional Planning ("LA County Planning") staff determined that the Project qualifies for a Categorical Exemption (Class 1, Existing Facilities) under the California Environmental Quality Act ("CEQA") Section 15301 and the County environmental guidelines. The Project involves the sale of alcoholic beverages for on-site consumption in an existing restaurant without any modifications to the building. No development is proposed in a Significant Ecological Area or other designated environmental resource area. The Project is near a Scenic Drive, Spunky Canyon Road; however, this is not an exception to the exemption because the subject restaurant was approved and constructed prior to designation of Scenic Drives in the Area Plan adopted in 2015 and the Project does not propose any modification to the exterior building. The Project does not result in cumulative impacts, is not included on a list of hazardous waste sites, does not impact historic resources, and does not result in other significant effects on the environment. Therefore, no exceptions to the exemptions are applicable and the Project is exempt from CEQA.

11. PUBLIC COMMENTS. The permittee indicated that the permittee presented the proposed Project at the March 13, 2024 Green Valley Town Council meeting. There were no comments nor any opposition to the proposed Project. The permittee indicated that the Green Valley Town Council stated their appreciation for the permittee presenting the Project to the community for public input, but has yet to submit any comment to staff.

12. LEGAL NOTIFICATION. Pursuant to Section 22.222.120 (Public Hearing) of the County Code, the community was properly notified of the public hearing by mail, and newspaper (Antelope Valley Times), and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On August 15, 2024, a total of 136 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 16 notices to those on the courtesy mailing list for the Bouquet Canyon Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

13. LAND USE POLICY. The Hearing Officer finds that the Project is consistent with the goals and policies of the Area Plan because the CR land use designation is intended for limited, low intensity commercial uses that are compatible with rural activities such as retail and restaurants. The proposed project is for the accessory sale of alcoholic beverages for on-site consumption at an existing restaurant, which is consistent with the goals and policies of the Area Plan.

14. GOALS AND POLICIES. The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan applicable to the proposed project:

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

The Project will serve the area beyond the immediate vicinity as a restaurant offering full-service dining with alcoholic beverage options and contributing to the diversity in the available dining options for both local residents and travelers along Spunky Canyon Road. This would encourage a diversity of commercial services to succeed and meet the regional and local needs.

- b. *Area Plan 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 is located at an existing facility currently serving the local rural residents in Green Valley. This CUP would assist the existing restaurant to succeed economically and continue providing commercial services to residents in the nearby area.

ZONING CODE CONSISTENCY FINDINGS

15. PERMITTED USE IN ZONE. The Hearing Officer finds that the Project is consistent with the C-RU zoning classification as the accessory sale of alcohol for on-site consumption at a restaurant is permitted in such zone with a CUP pursuant to County Code Section 22.24.030.C.

16. REQUIRED YARDS. While the Project is a request for alcohol beverage sales for on-site consumption, the Hearing Officer finds that the existing restaurant building is a legal nonconforming structure with respect to current setback requirements pursuant to County Code Section 22.172.020 (Nonconforming Uses, Buildings, and Structures-Regulations Applicable). The Project Site was zoned C-3 (General Commercial) in

1971 when the existing restaurant building was approved and built and at that time there was no yard requirement for the Project Site. However, under the current C-RU Zone for the Project Site, a minimum 20-foot required front yard is required pursuant to County Code Section 22.24.040 (Development Standards for Rural Zones) because the Project Site adjoins a parcel zoned A-2-2 which shares the same street frontage. The existing restaurant building has a front yard setback of approximately 16 feet, which does not meet the current yard requirement. However, since the building was constructed in accordance with zoning regulations in place at that time and under a valid building permit, it may remain as constructed even though it does not comply with current yard requirements and is considered legal non-conforming.

17. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the 35-foot maximum height standard identified in County Code Section 22.24.040 (Development Standards for Rural Zones). While the Project is a request for alcoholic beverage sales for on-site consumption, the structure conforms with development standards.
18. **PARKING.** The Hearing Officer finds that the Project is not consistent with the standard identified in County Code Chapter 22.112 (Parking), but is a legal nonconforming structure with respect to current parking requirements pursuant to County Code Section 22.112.030. The Project Site provides 21 parking spaces for the existing restaurant, market/liquor store/automobile service station, SFR, and office. ZEC No. 9662 was approved on February 16, 1971 allowing less than required parking for the restaurant and general store with only seven parking spaces. Green Valley SmokeHouse requires 18 parking spaces based on the approved occupancy load of 55 people. The market/liquor store/automobile service station requires five (5) spaces, the office requires one (1) parking space, and the single-family home requires two (2) parking spaces. In total, the Project Site requires 26 parking spaces pursuant to County Code Section 22.112.070. The Project is a request for alcoholic beverage sales for an existing restaurant and does not propose any modifications or expansion to the existing use..
19. **SIGNS.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.114.020 (Signs) as the existing wall signs for Green Valley SmokeHouse were approved by Zoning Conformance Review No. RPPL2024003703 on July 30, 2024.
20. **ALCOHOLIC BEVERAGE SALES.** The Hearing Officer finds that the Project is consistent with the findings identified in County Code Section 22.140.030 (Alcoholic Beverage Sales, Additional Findings), which are further discussed below, under “Supplemental Findings – Alcoholic Beverage Sales.”. There are no development standards in this County Code Section for sale of alcoholic beverages for on-site consumption.
21. **RURAL OUTDOOR LIGHTING DISTRICT.** The Hearing Officer finds that the Project Site is located within a Rural Outdoor Lighting District and is subject to the applicable requirements in County Code Chapter 22.80 (Rural Outdoor Lighting District). The Project Site is consistent with the standards outlined by the Rural Outdoor Lighting District. All lighting on the Project Site will be shielded and follow the maximum height

requirements. Any lighting established at this location in the future would also be required to comply with these standards.

CONDITIONAL USE PERMIT FINDINGS

- 22. The Hearing Officer finds that the proposed use with the attached conditions will be consistent with the adopted General Plan.** The proposed sale of alcoholic beverages at the existing restaurant is consistent with the adopted General Plan. Pursuant to County Code Section 22.24.030.C, alcohol sales for on-site consumption are allowed in the C-RU Zone with a CUP. The CR land use designation is intended for commercial businesses, such as restaurants, which serve local residents. The proposed sale of alcohol is consistent with the CR land use designation.
- 23. The Hearing Officer finds that 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.** Alcoholic beverage consumption will only take place within the restaurant and patio area, and will not adversely affect the people and businesses in the surrounding area. There are no places of religious worship, schools, parks, playgrounds, or other sensitive uses within a 600-foot radius of the Project Site. The proposed alcohol sales will not adversely affect the health, peace, comfort, or welfare of residents in the surrounding area.
- 24. The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** While the Project is a request for alcohol sales for on-site consumption, the building containing the subject restaurant was built in 1971 by Plot Plan No. 19349. The exterior appearance of the structure will not change as a result of the CUP and is compatible with other buildings in the area. The building exterior is well maintained and clean.
- 25. The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** The proposed sale of alcoholic beverages for on-site consumption is at an existing restaurant with access provided by Spunky Canyon Road, a 24-foot-wide improved road with two lanes of traffic. Spunky Canyon Road adequately serves the existing restaurant, and the addition of accessory alcohol sales is unlikely to generate significant traffic to the existing restaurant.

SUPPLEMENTAL FINDINGS – ALCOHOL BEVERAGE SALES

26. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius. There are no places of religious worship, schools, parks, playgrounds, or other sensitive uses within a 600-foot radius of the Project Site.**
27. **The Hearing Officer finds that the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area. There is a sufficient buffer in relation to the residential land uses within a 600-foot radius of the Project Site. The existing residences on surrounding parcels are all at least 250 feet from the building containing the subject restaurant.**
28. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community. The tenant space the subject restaurant occupies was previously approved for the sale of alcoholic beverages for on-site consumption for a different restaurant under CUP No. 04-116 in November 2005 and expired in October 2015. The sale of alcoholic beverages may contribute to sustaining the economic activity in the community as the commercial uses in the area attract customers from a wider geographic area. In addition, customers at sit-down restaurants typically expect alcoholic beverages to be offered as a service.**
29. **The Hearing Officer finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood. The requested Project does not propose any changes to the building in this CUP application. The exterior structure was constructed as approved by Plot Plan No. 19349 in 1971. The existing exterior structure is consistent with the design and appearance of other buildings in the immediate area. The building is clean and well maintained.**
30. **The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 10 years.**

ENVIRONMENTAL FINDINGS

31. **The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities). The Project involves the accessory sale of alcoholic beverages for on-site consumption in an existing restaurant without any modifications to the building. No development is proposed in a Significant Ecological Area or other designated environmental resource area. The Project is near a Scenic Drive, Spunky Canyon Road; however, this is not an exception to the exemption because the restaurant was approved and constructed prior to designation of Scenic Drives in the Area Plan**

adopted in 2015 and the Project does not propose any modification to the exterior building. The project does not result in cumulative impacts, is not included on a list of hazardous waste sites, does not impact historic resources, and does not result in other significant effects on the environment. Therefore, no exceptions to the exemptions are applicable and the Project is exempt from CEQA.

ADMINISTRATIVE FINDINGS

32. LOCATION OF DOCUMENTS. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the North County Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER 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.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities); and
2. Approves **CONDITIONAL USE PERMIT NO. RPPL2024001313**, subject to the attached conditions.

ACTION DATE: September 24, 2024

SD:CK

September 10, 2024

c: Zoning Enforcement, Building and Safety

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. PRJ2024-000901-(5)
CONDITIONAL USE PERMIT NO. RPPL2024001313

PROJECT DESCRIPTION

The project is a conditional use permit (“CUP”) to authorize the sale of beer and wine for on-site consumption (Type 41) at an existing restaurant named Green Valley SmokeHouse in the C-RU (Rural Commercial) Zone located at 15488 Spunky Canyon Road, 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 (“LA County 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. 6. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 3, 4, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 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.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten days of the filing make an initial deposit with LA County 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 LA County 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.

5. 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.
6. 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.
7. **This grant shall terminate on September 24, 2034.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, whether or not the Permittee proposes any modifications to the use at that time, the Permittee shall file a new Conditional Use Permit application with LA County Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least twelve months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the Permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one (1) year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, the sale of alcoholic beverages and satisfaction of Condition No. 2 shall be considered use of this grant.
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. No provision of any easement of any other encumbrance on the property shall exempt the Permittee and/or property owner from compliance with these conditions and applicable regulations. 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 **\$2,205.00**, which shall be placed in a performance fund and be used exclusively to reimburse LA

County Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant. The fund provides for five (5) inspections. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

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 LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be **\$441.00** per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

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 ("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 22.238 of the County Code.
11. 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.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. 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 LA County Planning ("Director").
14. 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.
15. 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 LA County 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 48 hours of such

notification, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **one (1) digital copy of a modified Exhibit "A" shall be submitted to LA County Planning by November 23, 2024.**
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit **one (1) digital copy** 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.
18. The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff ("Sheriff"), LA County Planning Zoning Enforcement ("Zoning Enforcement") inspector, or State of California Department of Alcoholic Beverage Control ("ABC") agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations).

PERMIT-SPECIFIC CONDITIONS – CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. This grant authorizes the sale of beer and wine for on-site consumption in association with a restaurant as depicted on the Exhibit "A", from 10:00 a.m. to 8:30 p.m. Mondays through Sundays.
20. Loitering, including loitering by employees of the subject property, shall be prohibited on or within the immediate vicinity of the subject property, including adjacent public and private parking lots, public sidewalks, alleys, and other public rights-of-way. Signage in compliance with County Code Chapter 22.114 (Signs) shall be placed on the exterior of the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary. If loitering occurs on a continuous basis, as determined by the Sheriff, a security guard shall be required during business hours at the discretion of the Director.
21. All employees who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by ABC, or a similar program, such as STAR (Standardized Training for Alcohol Retailers) or another comparable State of California-certified program. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment, such as the lobby, indicated they have participated in this program. Proof of completion of the facility's training program by employees, the licensee, and all managers shall be provided to Zoning Enforcement within 90 days

of the effective date of this Conditional Use Permit, and subsequently within 90 days of the hire date of all new employees and/or managers.

22. The permittee and all managers and employees shall not allow the sale of alcoholic beverages to any intoxicated person, any person appearing to be intoxicated, or any person exhibiting behaviors associated with being intoxicated.
23. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property, including windows, walls, fences or similar structures, or within any portion of the interior of any structure that is visible from the outside.
24. Alcoholic beverages shall only be sold or served to patrons age 21 or older.
25. The permittee shall post the telephone numbers of local law enforcement agencies and shall post the telephone numbers of taxicab companies or a sign promoting ridesharing options, at or near the cashier or within a similar public service area. Such telephone numbers shall be visible by, and available to, the public.
26. The permittee shall provide adequate exterior lighting above all entrances and exits to the premises and in all public and private parking lots and walkways under control of the permittee or required as a condition of this grant. All exterior lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed to direct light and glare only onto the premises. All exterior lighting required by this grant shall also be hooded and directed away from neighboring residences to prevent direct illumination and glare, shall comply with County Code Chapter 22.80 (Rural Outdoor Lighting District), and shall be turned off within 30 minutes after conclusion of activities, except for sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from public and private parking lots.
27. A numbering address sign, in compliance with County Code Chapter 22.114 (Signs), shall be located at the front of the building in a location clearly visible from the property grounds and the nearest public street, to the satisfaction of the Director.
28. The premises, including exterior facades, adjacent public and private parking lots, fences, and adjacent sidewalks, alleys, and other public rights-of-way, shall be maintained in a neat and orderly condition and be free of garbage, trash, debris, or junk and salvage, except in designated trash collection containers and enclosures. All garbage, trash, debris, or junk and salvage shall be collected, and disposed of, daily.
29. The permittee shall maintain active and functional surveillance recording equipment which captures video recordings of adjacent public and private parking lots, public sidewalks, alleys, and other public rights-of-way on a continuous loop. Recordings shall be retained for a minimum of 30 days and shall be immediately produced upon request of any Sheriff or Zoning Enforcement Inspector.

30. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility, as depicted on the site and floor plans labeled Exhibit "A." Designated areas include the interior dining room, counter, and outdoor patio. The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
31. The permittee shall develop and implement a Designated Driver program (e.g. free soft drinks or coffee to a designated driver of a group). A printed two-side card explaining this program shall be placed on all tables in the facility or an explanation regarding this program shall be printed on the menu.
32. Music or other audible noise at the premises shall comply with County Code Title 12 to the satisfaction of the County Department of Public Health.
33. No live entertainment, dancing, or dance floor is authorized in or outside the premises.
34. Employees age 18 or older may serve alcoholic beverages in an area primarily designed and used for the sale and service of food for consumption on the premises as an incidental part of their overall duties.
35. Alcoholic beverages shall be sold to customers only when food is ordered and consumed within the subject restaurant, including the interior dining room, counter, and outdoor patio.
36. The business shall employ not less than one full-time cook that is engaged in the preparation of meals for patrons during the permissible hours of operation.
37. Food service shall be continuously provided during operating hours.
38. The overall occupant load for the establishment, and number of persons admitted to the establishment, may not exceed 55 unless approved by the Director. Any increase to the building area or the occupant load or any change to the parking layout shall require LA County Planning approval of a Site Plan Review.

LA COUNTY

PLANNING

CONDITIONAL USE PERMIT STATEMENT OF FINDINGS

Pursuant to County Code Section 22.158.050 (Findings and Decision), the applicant shall substantiate the following:

(Please see Guidelines for Writing Your Conditional Use Permit Findings Statement. Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

B.1 The proposed use will be consistent with the adopted General Plan for the area.

Green Valley Smokehouse is an existing building/restaurant that has been a part of the community for over 50 years. It has been multiple restaurants and bars, with us being the newest. The proposed use will be consistent with the adopted General Plan for the area because this is an existing business. We have gone through all the necessary inspections, plan checks and have acquired all permits to run as a restaurant. We are required to get the CUP as requested by ABC for the sale of beer and wine.

B.2 The requested use at the location proposed will not:

- a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
- b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and
- c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

By obtaining a Type 41 ABC license, Green Valley Smokehouse will not pose negative impacts on the well-being of people (residents or workers) in the nearby area. We would like to ensure that the sale of beer and wine does not create health hazards or disturb the peace and comfort of the community.

Green Valley Smokehouse provides a place for enjoyment, a place to eat and a place to gather as a community for people in the local area and beyond.

This condition implies that the proposed use should not significantly harm the ability of nearby property owners to use and enjoy their property. We have considered potential effects on property values, but do not foresee decline in the overall value of neighboring properties.

B.3 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.

Green Valley Smokehouse is a 1200 sq ft building. We have a shared parking lot with the neighboring liquor store and a dirt lot designated for parking. We have explored and understand the importance of ensuring that the restaurant, along with sale of beer and wine, is well-suited to the characteristics of the site, complies with relevant regulations, and fits harmoniously into the existing surrounding environment.



- B.4 The proposed site is adequately served:
- a. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; and
 - b. By other public or private service facilities as are required.

The restaurant has proper transportation access and essential service facilities to support the intended use. The building is already in place and integrated seamlessly into the existing infrastructure and can function effectively without causing undue strain on public services.

In addition to the Conditional Use Permit Findings required pursuant to County Code Section 22.158.050 (Findings and Decision), pursuant to County Code Section 22.140.030 (Alcoholic Beverage Sales), the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)
Type 41

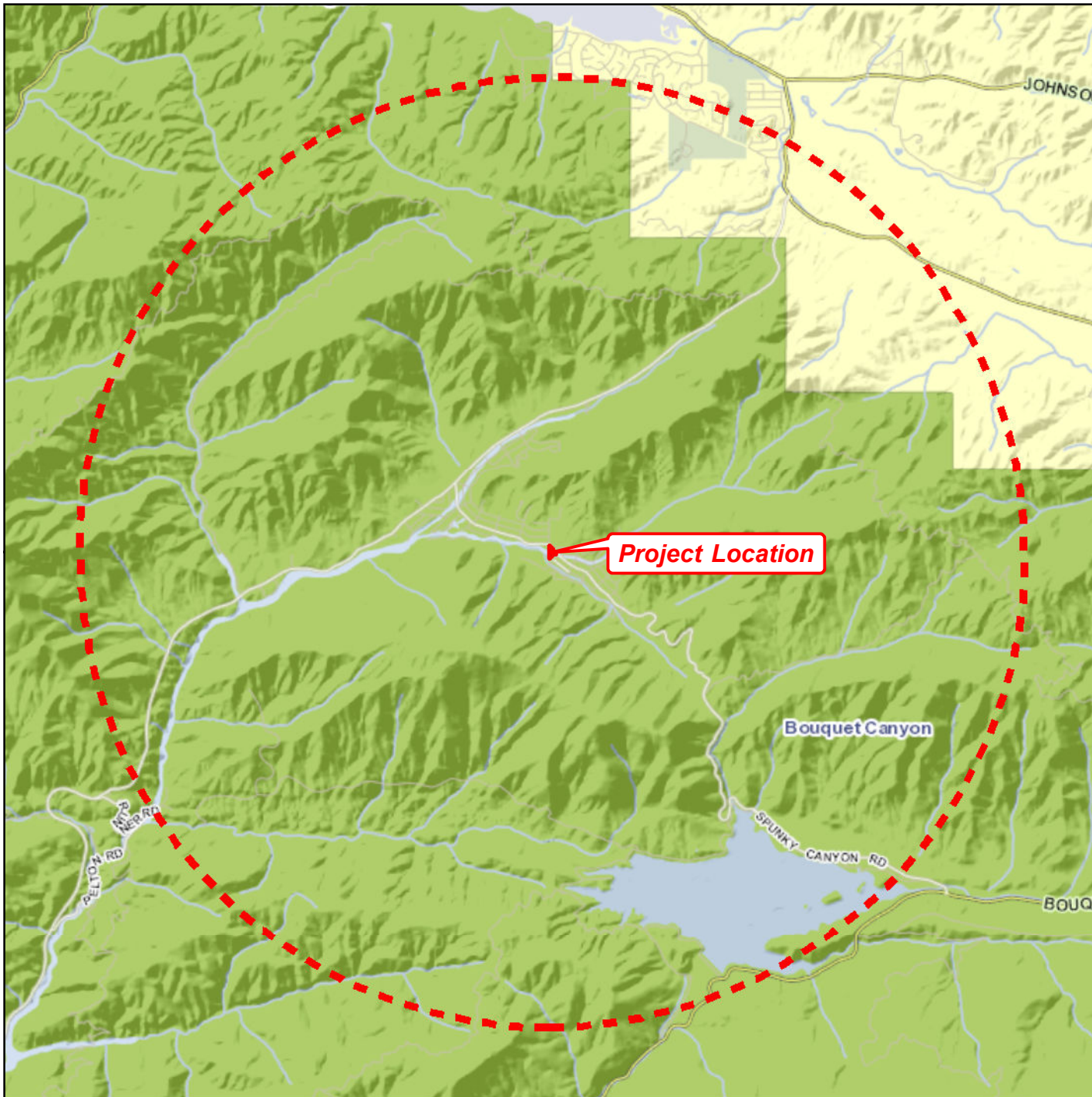
ABC License Type Requested(s): (e.g. Type 20, Type 41)

<p>F.1.a. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.</p>
<p>The requested CUP for the sales of beer and wine will not adversely affect any religious worship, school, park or playground because these do not exist in the vicinity or 600 foot radius. We are directly next door to a market-liquor store.</p>
<p>F.1.b. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.</p>
<p>The sale of beer and wine in our existing restaurant is buffered in relation to any residential area. Residents were notified by mail about the ABC application and there were no disputes by any of the local residents. We will ensure that the proposed use, at Green Valley Smokehouse, does not harm the well-being or living conditions of nearby residents.</p>
<p>F.1.c. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.</p>
<p>The sale of beer and wine, along with a full service restaurant will give residents the opportunity for employment. There are no other restaurants in the Green Valley community. Locals are excited to have a place that serves food and alcohol. We understand the importance of balancing development interests with the well-being of the surrounding community to achieve sustainable and responsible growth.</p>
<p>F.1.d. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.</p>
<p>The structure of the building was not changed. We followed the town ordinance for required "decor" on the exterior of building including the sign. The exterior appearance of the structure aligns with the existing structures in the immediate neighborhood. We aim to prevent negative impacts such as blight (decay or deterioration), which could harm the overall aesthetic or economic condition of the neighborhood. The goal is to maintain a consistent visual theme in the area. It fits in well with the Green Valley town appearance.</p>

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE:	September 10, 2024
PROJECT NUMBER:	PRJ2024-000901-(5)
PERMIT NUMBER(S):	Conditional Use Permit No. RPPL2024001313
SUPERVISORIAL DISTRICT:	5
PROJECT LOCATION:	15488 Spunky Canyon Road
OWNER:	TR ELIAS, INC.
APPLICANT:	Green Valley SmokeHouse
CASE PLANNER:	Christopher Keating, Regional Planner CKeating@planning.lacounty.gov

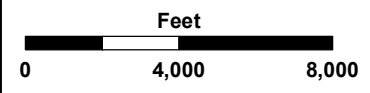
Los Angeles County (“County”) completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (“CEQA”). The project qualifies for an exemption pursuant to Class 1 (Existing Facilities) under State CEQA Guidelines section 15301 and the County environmental guidelines because the project involves the accessory sale of alcoholic beverages for on-site consumption in an existing restaurant without any modifications to the building which will have no significant effect on the environment. No development is proposed in a Significant Ecological Area or other designated environmental resource area. The Project is near a Scenic Drive, Spunky Canyon Road; however, this is not an exception to the exemption because the restaurant building was approved and constructed prior to designation of Scenic Drives in the Antelope Valley Area Plan adopted in 2015 and the Project does not propose any modification to the exterior building. The project does not result in cumulative impacts, is not included on a list of hazardous waste sites, does not impact historic resources, and does not result in other significant effects on the environment. Therefore, no exceptions to the exemptions are applicable and the Project can be considered categorically exempt.



3-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2024-000901
ALCOHOL CUP RPPL2024001313



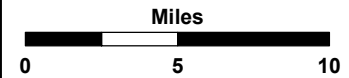
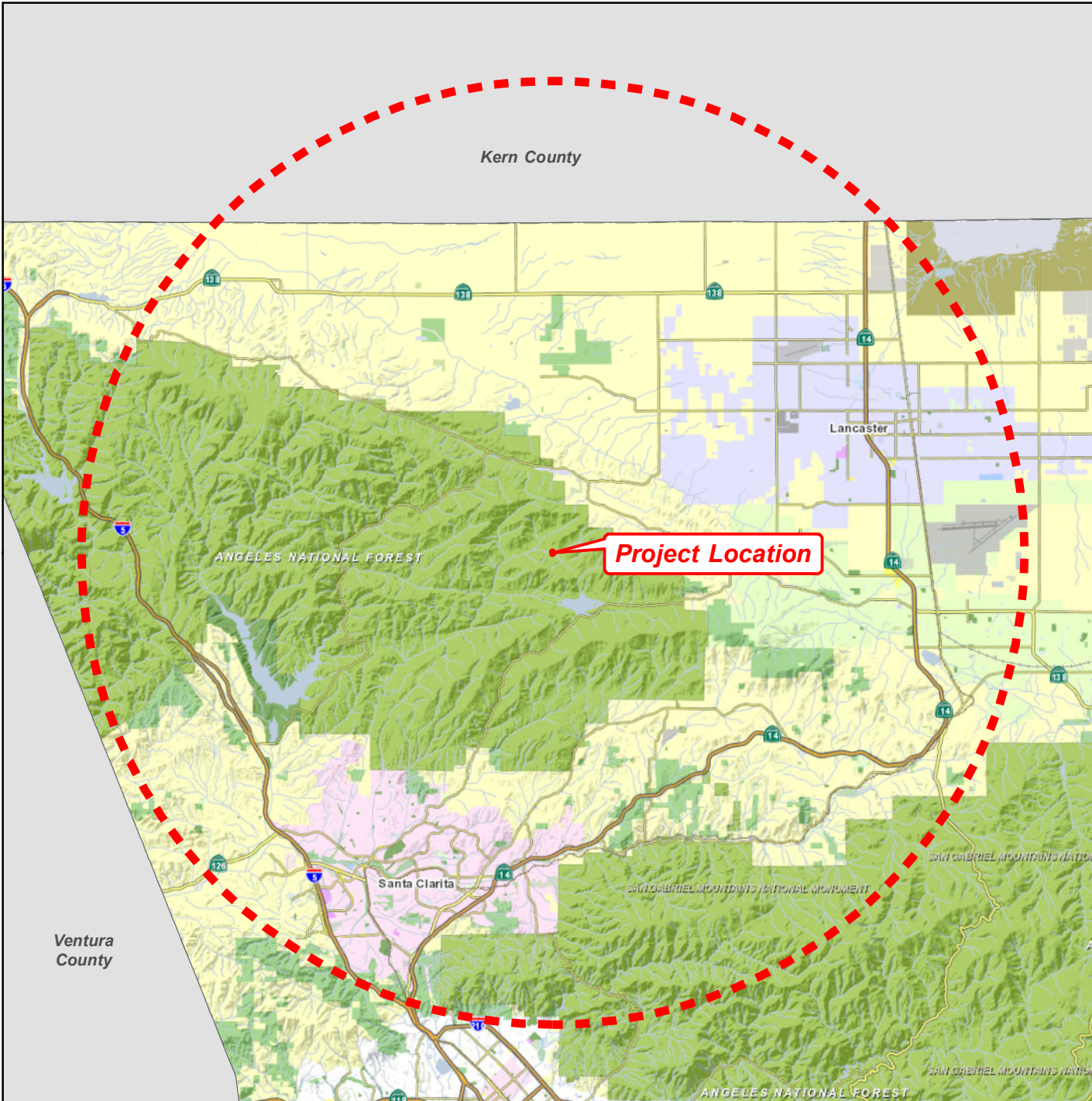
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PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

20-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2024-000901
ALCOHOL CUP RPPL2024001313



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Los Angeles, CA 90012

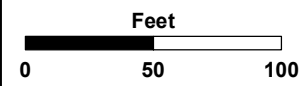


AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. PRJ2024-000901
ALCOHOL CUP RPPL2024001313

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023



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EXISTING LAND USE

600-FOOT RADIUS MAP

PROJECT NO. PRJ2024-000901

ALCOHOL CUP RPPL2024001313

△ Offsite Alcohol Consumption

⊖ 600-ft ABC Radius

⊖ 500-ft Standard Radius

Existing Land Use (Assessor Use Codes)

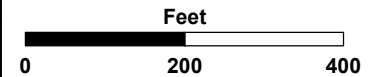
■ Commercial

■ Miscellaneous

■ Residential - Single Unit*

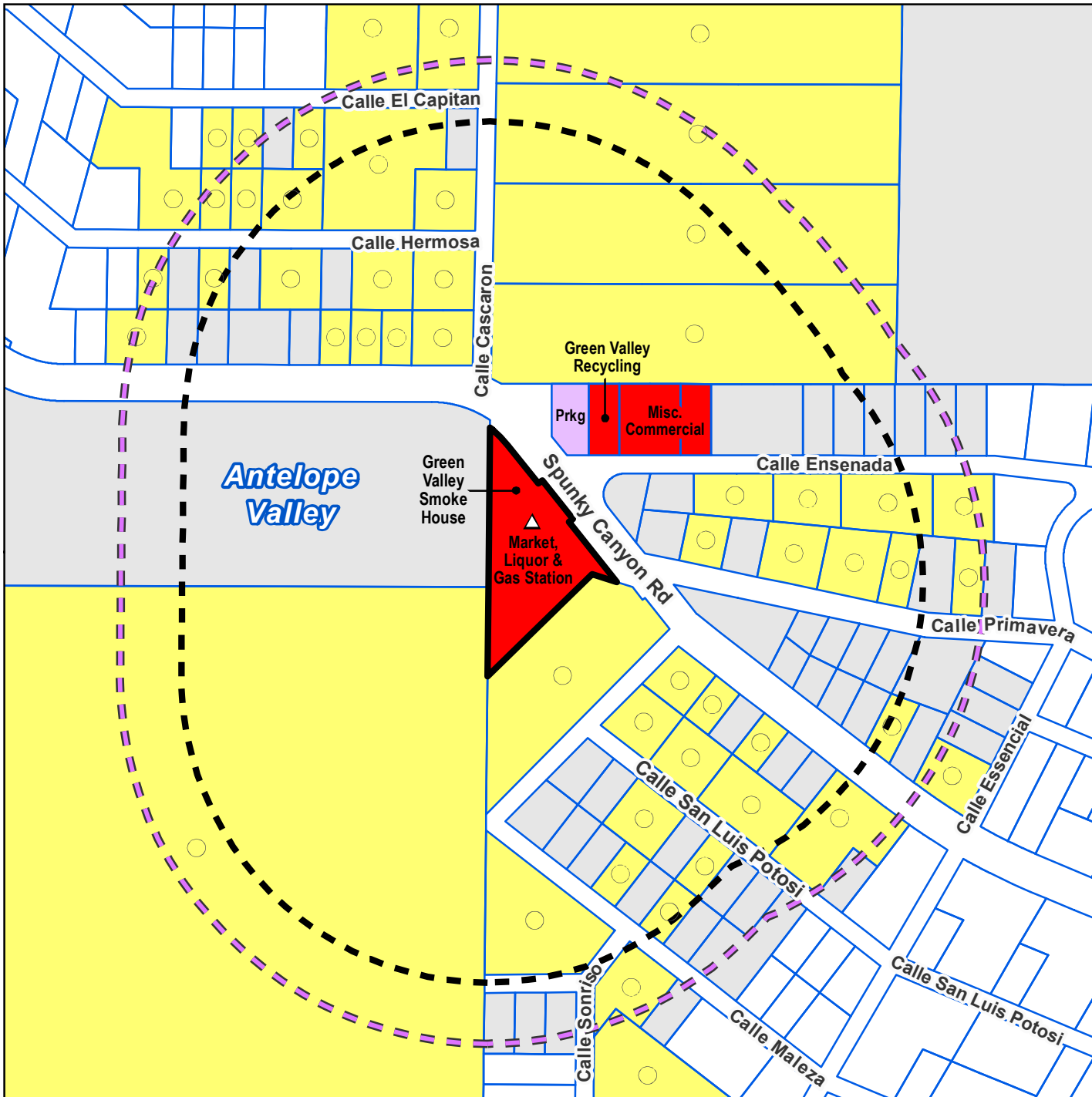
■ Vacant

* Circles are generally applied to residential parcels. Empty circles indicate a single dwelling unit (DU), unless the parcel is symbolized as Vacant. Elsewhere, multi-unit residential parcels (where shown) are labeled with the number of DUs they contain.



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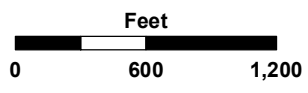
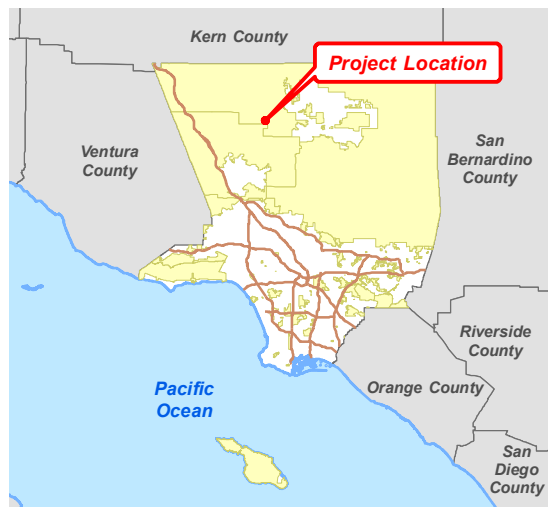




HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2024-000901
 ALCOHOL CUP RPPL2024001313



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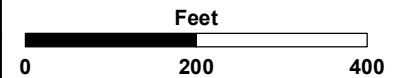
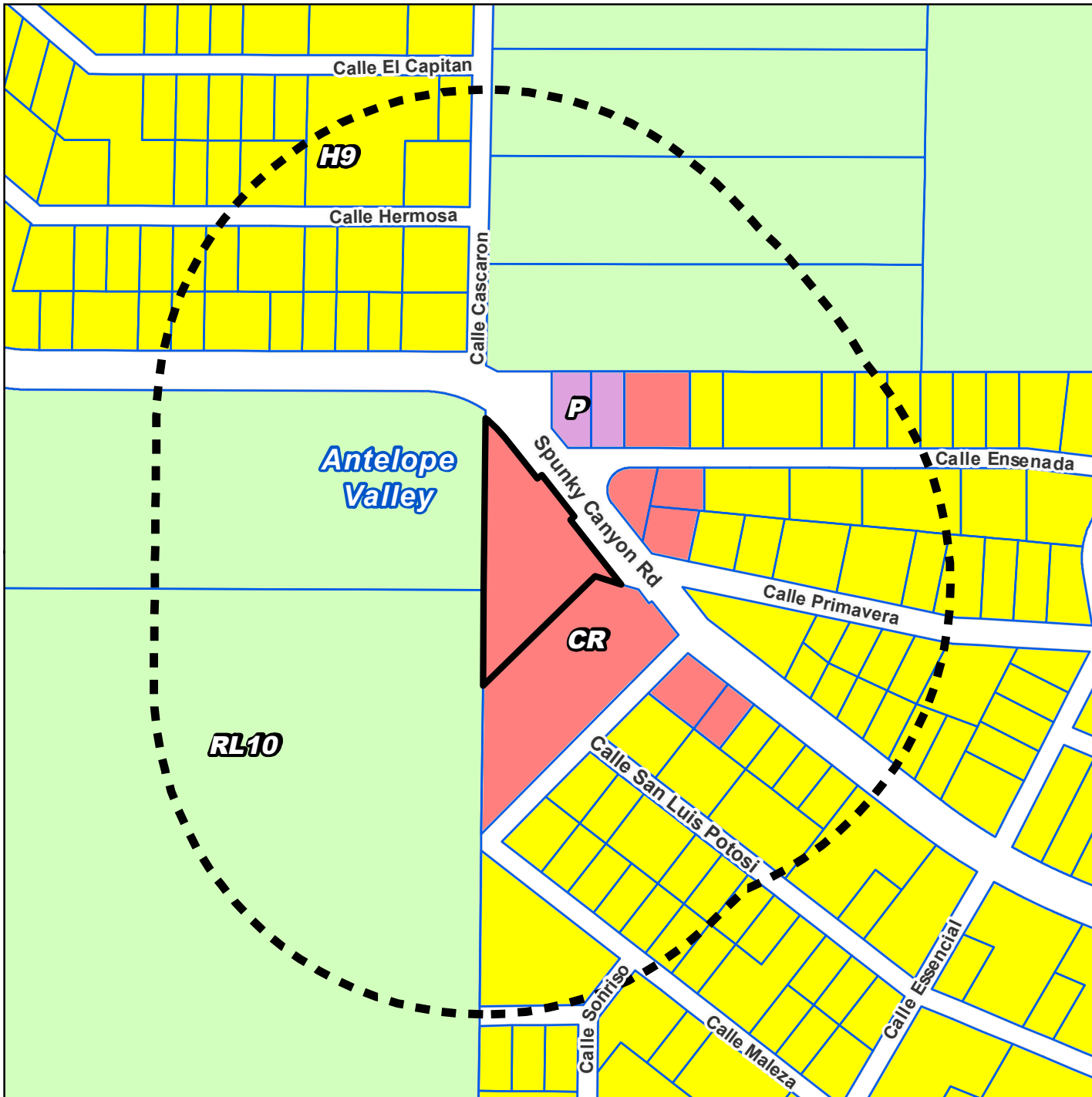
LAND USE POLICY

500-FOOT RADIUS MAP

PROJECT NO. PRJ2024-000901

ALCOHOL CUP RPPL2024001313

-  RL10 - Rural Land 10 (1 du / 10 gross ac)
-  H9 - Residential 9 (0-9 du / net ac)
-  CR - Rural Commercial
-  P - Public and Semi-Public



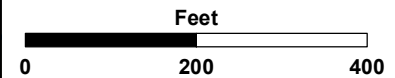
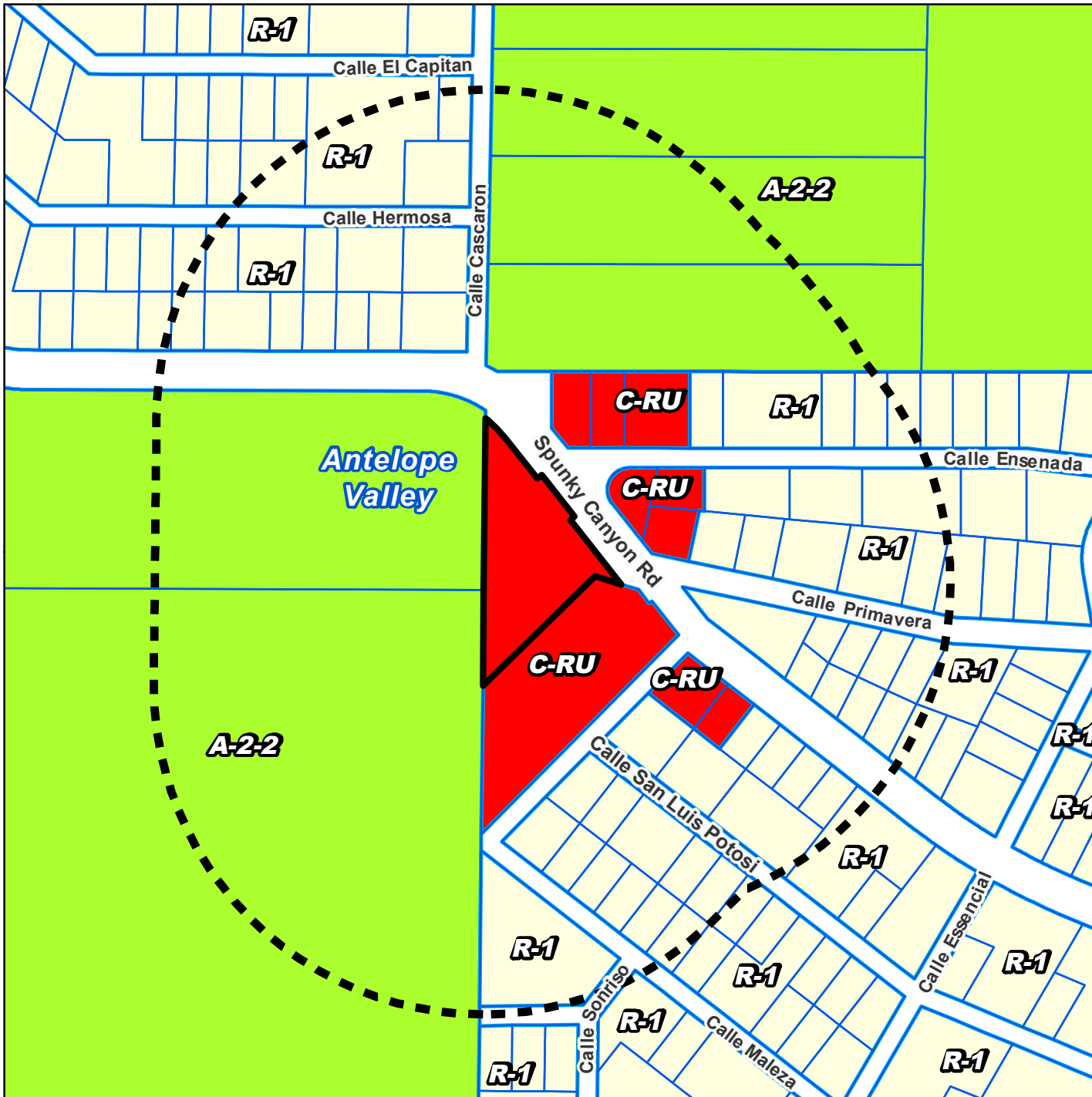
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ZONING

500-FOOT RADIUS MAP
PROJECT NO. PRJ2024-000901
ALCOHOL CUP RPPL2024001313

-  R-1 - Single-Family Residence
-  A-2 - Heavy Agricultural
-  C-RU - Rural Commercial



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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
 PALMDALE STATION
 750 East Avenue Q
 Palmdale, California 93550
 661-272-2400

Subject: Conditional Use Permit (CUP) Consultation for Sale of Alcohol
Project No.: PRJ2024-000901
Permit No.: CUP RPPL2024001313
Establishment: Green Valley Smokehouse
Location: 15488 Spunky Canyon Road
Description: CUP for sale of alcoholic beverages for onsite consumption at an existing restaurant.

(1) Summary of service calls and crime history for the project site over the last five years:

The Sheriff's Department has responded to 14 calls for service in the past five years to the Backroad Market, 15488 Spunky Canyon Road, Green Valley, CA 91390, which is connected directly next door to the Green Valley Smokehouse: six disturbance calls to the business, one traffic collision, two fraud calls, one theft call, one alarm call, and three routine calls. These incidents included patrol checks and traffic stops by deputies and are unrelated to the actual business. Attached is the "Calls for Service" report of those calls for your review. It should be noted the calls are only related to the Backroad Market which is next door to the Green Valley Smokehouse. Since the Green Vally Smokehouse has been open, there have been zero calls for service. This sample of calls is to provide a reference of crime trends and call volume in the area.

(2) Comments/recommended conditions:

Upon inspection of the business all proper licenses have been displayed and measures to meet ABC requirements have been implemented. Alcohol storage areas and distribution lines appeared intact and within standards.

Sergeant Christian Scott (#451382) of my unit responded to the location and conducted a compliance check on May 2, 2024. The location was found to be in compliance with all alcoholic beverage controls and protocols as outlined in the Conditional Use Permit.

(3) Overall recommendation:

Sheriff does not oppose the approval of this CUP.

Sheriff opposes the approval of this CUP.

SHERIFF RESPONSE FORM

ROBERT G. LUNA, SHERIFF

A handwritten signature in black ink, appearing to read 'Rick Cartmill', written in a cursive style.

Rick Cartmill, Captain
Palmdale Station

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>
Incident Date: 01/25/20						
C	B	E	15488 SPUNKY CYN RD,GRV X SPUNKY CYN RD	105	RV CRASHED INTO GAS STATION,BACK ROAD MARKET. 10/22 RESPONSE PER CHP	HANDLED BY CHP PTA
C	B	E	15488 SPUNKY CYN RD,GRV X SPUNKY CYN RD	105	RV CRASHED INTO GAS STATION,BACK ROAD MARKET. 10/22 RESPONSE PER CHP	C4 PTA
Incident Date: 07/15/20						
C	D	R	15488 SPUNKY CANYON RD,GRV X SAN FRANCISQUITO	138	RE:TRANSACTIONS MADE AGAINST INF'S CREDIT ACCT,DP IS EX- BF*PLEASE CALL WHEN ENR*IAD/SYM-N	CNT ANA GLAZIRINA FW112993 ADV ISSUES ARE CIVIL,RE CREDIT CARDS DUE TO DP HAVING CARD IN HISNAME AND HER OKAY ADV TO F/U WITH CIVIL COURT
Incident Date: 08/04/20						
C	B	E	15488 SPUNKY CANYON RD,GRV SAN FRANCIS/SPUNK CN	379	INF STD APPROX 8 JUV ENTRD CONV STORE AND STRTD FIGHT,1 JUV HAD 417, THEY LEFT LOC 4 JUV STILL AT LOC WITH INF RGRDNG 417	X 266A AS NEEDED
C	B	E	15488 SPUNKY CANYON RD,GRV SAN FRANCIS/SPUNK CN	379	INF STD APPROX 8 JUV ENTRD CONV STORE AND STRTD FIGHT,1 JUV HAD 417, THEY LEFT LOC 4 JUV STILL AT LOC WITH INF RGRDNG 417	SEE SUSPICIOUS CIRCUMSTANCE REPORT 20-10493 -26 FOR FURTHER.D
Incident Date: 11/27/20						
C	B	E	15488 SPUNKY CANYON RD,GRV "BACKROAD MARKET"	222	// DP IS OUTSIDE LOC MAKING "FINGERGUNS" AT INF.INF IS INSIDE STORE.DP MW/A DARK BUTTON UP SHIRT,GRY PANTS.INF REFUSED 902R.	ARRESTED BRADELY BULLARD MW/032182 FOR ARRESTED FOR 273.5.SEE RPT
C	B	E	15488 SPUNKY CANYON RD,GRV "BACKROAD MARKET"	222	// DP IS OUTSIDE LOC MAKING "FINGERGUNS" AT INF.INF IS INSIDE STORE.DP MW/A DARK BUTTON UP SHIRT,GRY PANTS.INF REFUSED 902R.	X-262 AS NEEDED
C	B	E	15488 SPUNKY CANYON RD,GRV "BACKROAD MARKET"	222	// DP IS OUTSIDE LOC MAKING "FINGERGUNS" AT INF.INF IS INSIDE STORE.DP MW/A DARK BUTTON UP SHIRT,GRY PANTS.INF REFUSED 902R.	

Report RAPS_300
Regional Allocation of Police Services
Location Inquiry from 05/02/19 To 05/02/24

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>
Incident Date: 08/23/21						
O	D	R	15488 SPUNKY CANYON RD,GRV	107		PATROL CHECK IN SURROUNDING AREA
Incident Date: 01/05/22						
O	D	R	15488 SPUNKY CANYON RD,GV	182		PATROL AREA STORES RE SMASH AND GRAB PREVENTION
Incident Date: 02/20/22						
O	D	R	15488 SPUNKY CANYON RD, GV	229		PATROL CHECK OF GREEN VALLEY
Incident Date: 02/24/22						
C	D	R	15488 SPUNKY CANYON RD,GRV "MARKET & LIQUOR"	112	4 DR BLK NISSAN , NO PLATES, STRIPPED VEH, PARKED FOR 4 DAYS AT LOC, INF WAS ADVISED BY TOWING COMPANY TO CALL THE SHERIFFS, RE POSS UNREPORTED STOLEN VEH, IAD	STORED VEH RE EXPIRED REG, SEE CHP180 FOR FURTHER
Incident Date: 08/26/22						
C	D	R	15488 SPUNKY CANYON RD,GRV "BACK RD MARKET"	51	C/FRONT DOOR FRONT MOTION,MOTION 3,ACTIVATED 0603,NO RP, (CANDESE 805 779 0071),	C/RP LISTED IN CALL, STD NO 459, ACCIDENTAL ON EMPLOYEE OPENING LOC.
C	D	R	15488 SPUNKY CANYON RD,GRV "BACK RD MARKET"	51	C/FRONT DOOR FRONT MOTION,MOTION 3,ACTIVATED 0603,NO RP, (CANDESE 805 779 0071),	
C	D	R	15488 SPUNKY CANYON RD,GRV "BACK RD MARKET"	51	C/FRONT DOOR FRONT MOTION,MOTION 3,ACTIVATED 0603,NO RP, (CANDESE 805 779 0071),	
Incident Date: 01/26/23						
C	B	P	15488 SPUNKY CANYON RD,GRV "BACKROAD MARKET"	296	//DP TOOK TSHIRT OFF AND MADE MASK, CUT HOLES IN IT AND ASKING ABOUT FEMALE INSIDE LOC. INF CONCERND HE IS GOING TO DO SOMETHING INSIDE LOC. DP STILL OUTSIDE LOC.	C4 PTA DNR NOBWC
C	B	P	15488 SPUNKY CANYON RD,GRV "BACKROAD MARKET"	296	//DP TOOK TSHIRT OFF AND MADE MASK, CUT HOLES IN IT AND ASKING ABOUT FEMALE INSIDE LOC. INF CONCERND HE IS GOING TO DO SOMETHING INSIDE LOC. DP STILL OUTSIDE LOC.	C/EMP AT LOC.STD DP MW/A AT LOC REFUSING TO LEAVE LOC.NO EV OF CRIME.C/ROLAND CHAFFEY MW/050781 RE 415B.REQ RIDE TO BUS STA TST TO METROLINK.BWC.NO EV OF CR

**Report RAPS_300
Regional Allocation of Police Services
Location Inquiry from 05/02/19 To 05/02/24**

<u>S</u>	<u>R</u>	<u>P</u>	<u>Location</u>	<u>Tag</u>	<u>Dispatch Text</u>	<u>Clearance Text</u>
Incident Date: 02/08/23						
C	B	P	15488 SPUNKY CANYON RD,GRV "MARKET"	299	WIFE F/A(CHRISTIE HARRIS)HARASSING INF AT THE LOC//DP IS DRIVING A BLU SUBARU//IWMSK OUTSIDE THE LOC, UNK WPNS	ATT TO LOC INFO/NO ACK AT LOC.NO ACK ON CALL BACK NUMNER.UTL
Incident Date: 02/10/23						
C	D	R	15488 SPUNKY CANYON RD,GRV	115	INF REQS DEPS TO STAND BY AS SHE RETRIEVES BELONGINGS FROM LOC. IAD.	RESPONDED TO LOC,INF UTL.NO ACK AT MULT CALL BACKS
Incident Date: 12/01/23						
C	D	R	15488 SPUNKY CANYON RD,GRV "BACKROAD MRKT"	73	EX EMPLOYEE TRIED TO CASH THEIR PAYROLL CHECKS A SECOND TIME. IAD	C/SALLOUIM,HASAN MO/102388 RE 470R.STD EX-EMPLOYEE,MORDEN, KYLE MW/011800 CASHED 12 CHECKEDTHAT WERE ALREADY CASHED IN THE PAST BY FORGING DATES.SEE REPORT
Incident Date: 04/16/24						
O	D	R	15488 SPUNKY CANYON RD,GRV	29	PHOTO LINE-UP RE 23-15636-26	PHOTO LINE-UP RE 23-15636-26

