

October 22, 2024

Kenny Li
15048 E Poplar Avenue
Hacienda Heights, CA 91745

PROJECT NO. PRJ2023-003721 - (5)
CONDITIONAL USE PERMIT NO. RPPL2023005455
29641 The Old Road Castaic, CA 91384 (APN 2866-001-101)

Dear Kenny Li:

Hearing Officer Ms. Diane Temple, by her action of **October 22, 2024**, has approved the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to LA County Planning (see enclosed Affidavit of Acceptance Instructions).

Appeals: The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **November 5, 2024**. Appeals must be submitted to appeal@planning.lacounty.gov before the end of the appeal period.

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

In addition, any applicable California Environmental Quality Act fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

Kenny Li
October 22, 2024
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For questions or for additional information, please contact Michelle Fleishman of the North County Development Services Section at (213)974-6411, or mfleishman@planning.lacounty.gov.

Sincerely,

AMY J. BODEK, AICP
Director of Regional Planning



Samuel Dea, Supervising Regional Planner
North County Development Services Section

SD:MF

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

c: PW (Building and Safety)
Zoning Enforcement

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LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2023-003721-(5)
CONDITIONAL USE PERMIT NO. RPPL2023005455

RECITALS

1. **HEARING DATE.** The Los Angeles County (“County”) Hearing Officer conducted a duly-noticed public hearing in the matter of **PRJ2023-003721-(5)**, consisting of Conditional Use Permit (“CUP”) RPPL2023005455 on October 22, 2024.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was conducted for the Project both in person and virtually on October 22, 2024. Staff provided a presentation on the Project. The applicant’s agent, Jeffery Young, was present and staff confirmed that he and the applicant received and agreed to the draft conditions. There being no other public comments, the Hearing Officer closed the hearing and approved the Project.
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Takuma Ramen & Sushi (Chun Zhang) (“Permittee”), requests the CUP to authorize the sale of beer and wine for on-site consumption (California Department of Alcohol Beverage Control, or “ABC”, Type 41 License) at an existing restaurant, Takuma Ramen & Sushi, from 11:00 a.m. to 9:00 p.m. Sunday through Thursday, and 11:00 a.m. to 9:30 p.m. Friday and Saturday (“Project”), on a property located at 29641 The Old Road, in the unincorporated community of Castaic (“Project Site”) in the C-2 (Neighborhood Commercial) zone pursuant to the Los Angeles County Code (“County Code”) Section 22.24.030 (Land Use Regulations, Commercial Zones). The Project is located within the Castaic Area Community Standards District (“CSD”). New signage related to the restaurant is also requested pursuant to Sections 22.24.030.C (Land Use Regulations for Commercial Zones) and 22.312.070 (Castaic Community Standards District – Zone Specific Development Standards).
4. **LAND USE DESIGNATION.** The Project Site is located within the CG (General Commercial) land use category of the Santa Clarita Valley Area Plan (“Area Plan”) Land Use Policy Map, a component of the General Plan.
5. **ZONING.** The Project Site is located in the Newhall Zoned District and is currently zoned C-2. Pursuant to County Code Section 22.24.030 (Land Use Regulations, Commercial Zones), a CUP is required for a sale of alcohol for on-site consumption in the C-2 zone.
6. **SURROUNDING LAND USES AND ZONING**

LOCATION	AREA PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	H5 (Residential 5 – 1 Dwelling Unit Per 5 Acres)	RPD-6000-5.8U (Residential Planned Development- 6,000 Square Feet Minimum Required Lot Area - 5.8 Dwelling Units per Acre)	Residential
EAST	CG	C-3 (General Commercial)	Vacant
SOUTH	H5	R-1-5,000 (Single-Family Residence- 5,000 Square Feet Minimum Required Lot Area)	Residential
WEST	H2 (Residential 2 – 1 Dwelling Unit Per 2 Acres)	RPD-6,000-5.8U	Residential

7. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 6.9-acre multi-tenant commercial development ("shopping center"). The shopping center is developed with four one-story buildings, two of them are multi-tenant buildings, with approximately 69,300 square feet in total floor area, and a surface parking lot. The subject restaurant is located within one multi-tenant building located within the southern portion of the parcel, Assessors' Parcel Number ("APN") 2866-001-101, within a building that is approximately 1,625 square feet in size. The Project Site is irregular in shape with flat topography.

B. Site Access

The Project Site is accessible via driveways off of Hasley Canyon Road to the south and The Old Road to the east. Hasley Canyon Road is designated as a Major Highway, and The Old Road along the Project Site is designated as a Secondary Highway, on the County Master Plan of Highways.

C. Site Plan

The site plan depicts the existing restaurant along with the rest of the shopping center within the Project Site. The Project Site is depicted with one, one-story multi-tenant building, including seven tenants along with the subject restaurant, totaling approximately 9,500 square feet in size, and the subject restaurant is located on the western end of this building. The building located to the northeast of the shopping center (Bank of America), is approximately 4,000 square feet. The building located

along the west (Ralphs), is approximately 51,800 square feet. The second, one-story multi-tenant building is located in the southwest corner and provides for a total of two tenant spaces within approximately 4,500 square feet.

D. Parking

Takuma Ramen & Sushi requires 24 parking spaces based on the approved occupancy load of 71 persons. Based on the previous record for the shopping center, a total of 306 spaces are required for the existing uses and a total of 307 on-site parking spaces are currently developed for the shopping center.

8. CEQA DETERMINATION.

Prior to the public hearing on the Project, County Department of Regional Planning (“LA County Planning”) staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (“CEQA”), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the sale of alcoholic beverages within an existing restaurant in an existing shopping center with no alteration or operational changes and will not have a significant effect on the environment. The Project Site is not located on a hazardous waste site, is not near a scenic highway, is not in a Significant Ecological Area or other designated environmental resource area, and does not contain any historical resources. The Project is within an existing building on a developed property, and it is not a reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances. Therefore, there is no exception to the exemption and the Project is exempt from CEQA.

9. PUBLIC COMMENTS.

In a letter dated April 22, 2024, the Castaic Area Town Council (“Town Council”) provided support for the Project, stating a unanimous vote by the Town Council at their scheduled meeting held on April 17, 2024.

Prior to the publication of the Report to the Hearing Officer, LA County Planning staff received no further public comment.

10. AGENCY RECOMMENDATIONS.

A. County Sheriff's Department (“Sheriff”): Recommended clearance to public hearing with no conditions in a letter dated March 5, 2024. 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.

B. California Department of Alcoholic Beverage Control (“ABC”): Submitted a report dated May 2, 2024, stating that the location is within a census tract in a High Crime Reporting District, but is not within an area with an undue concentration of alcoholic beverage licenses. The report indicated that this pending license is the only license within the census tract (9201.18), while up to six (6) such licenses are allowed.

11. **LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 (Public Hearing Procedure of the County Code, the community was properly notified of the public hearing by mail, newspapers (*The Signal*), and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On September 17, 2024, a total of 298 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 25 notices to those on the courtesy mailing list for the Newhall Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

12. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Area Plan because the CG designation is intended for regional shopping centers, a variety of retail sales, restaurants, and other hospitality service categories into which this Project falls. The Hearing Officer further finds that the Project promotes the enhancement of commercial corridors in the Castaic area, as the Project offers full-service dining and is located within a commercial shopping center that attracts customers from outside the immediate vicinity and the Project falls within the uses envisioned by the Area Plan. The offering of alcoholic beverages will further enhance the dining experience at the subject restaurant and offer more dining options to local residents.

13. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with the goals and policies that are applicable to the Project.

- *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 full-service restaurant with alcoholic beverage (beer and wine) options and contributing to the diversity in available dining options. The Project Site is also located along a commercial corridor that serves the local neighborhood as well as travelers from the Interstate 5 ("I-5") Freeway located nearby.

- *Area Plan Land Use Policy LU-1.2.8: "in Castaic, promote expansion of neighborhood commercial uses to serve local residents; address traffic congestion; ensure compatibility between highway oriented commercial uses and nearby residential uses; and maintain community character in accordance with the County's Castaic Area Community Standards District."*

The Project is located at a commercial shopping center adjacent to the freeway and highways (I-5, Hasley Canyon, and The Old Road). The Project adds to the diverse dining options in the commercial center that serves as a business and shopping focal point for the area and contributes to the growth of the Santa Clarita Valley.

- *Area Plan Land Use Policy LU-4.3.2: "Promote business development in Castaic and Val Verde to provide a greater range of goods and services to area residents."*

The Project is located within a commercial center and adjacent to residences in the area. It serves to meet the local and regional needs of residents by providing additional dining and beverage options that currently do not exist in the shopping center.

- *Area Plan Land Use Policy LU-4.1.4: "Promote economic opportunity for all segments of the community, including small businesses and new businesses."*

The existing restaurant was recently opened on March 21, 2024 and is a small business serving the area and providing jobs for the local community. The operation and sale of alcoholic beverages as a service option for dining can help sustain the existing economic activities for the restaurant as well as for the shopping center.

ZONING CODE CONSISTENCY FINDINGS

- 14. PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the C-2 zoning classification as sale of alcohol for on-site consumption is permitted in such zone with a CUP pursuant to County Code Section 22.20.030.C (Land Use Regulations for Commercial Zones).
- 15. REQUIRED YARDS.** While the Project is a request for the sale of alcohol for on-site consumption, the Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.20.040 (Development Standards for Commercial Zones) as all structures in the shopping center were built according to Plot Plan No. 48904.
- 16. HEIGHT.** While the Project is a request for the sale of alcohol for on-site consumption, the Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.20.040 (Development Standards for Commercial Zone) as all structures in the shopping center were built according to Plot Plan No. 48904.
- 17. PARKING.** While the Project is a request for the sale of alcohol for on-site consumption, the Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.112 (Parking). The existing subject restaurant requires 24 parking spaces based on the approved occupancy load of 71 persons. The total number of parking spaces required for the entire shopping center is 306, and 307 parking spaces are provided.
- 18. SIGNS.** While the Project is a request for the sale of alcohol for on-site consumption, the Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.114.020 (Signs) as the proposed wall signs for Takuma Ramen & Sushi are consistent with zoning requirements and requirements provided in the Castaic Area CSD.

19. **ALCOHOLIC BEVERAGE SALES.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.140.030 (Alcoholic Beverage Sales, Additional Findings), which are further discussed below, under “Supplemental Findings – Alcoholic Beverage Sales” section. There are no development standards in this County Code Section for sale of alcoholic beverages for on-site consumption.
20. **COMMUNITY STANDARDS DISTRICT.** While the Project is a request for the sale of alcohol for on-site consumption, the Hearing Officer finds that the Project is consistent with the applicable standards identified in County Code Section 22.312.060 (CSD Community Wide Development Standards) and Section 22.312.070 (CSD Zone Specific Development Standards). The Project Site was developed pursuant to CUP PP 48904, approved September 16, 2003 by the County Regional Planning Commission. New signage related to the subject restaurant is proposed as two internally illuminated wall signs, one facing north toward the existing parking lot and front entrance of the restaurant and one sign facing south. The north facing sign totals 46 square feet of sign face and the south facing sign totals approximately 21 square feet of sign face. The signs are consistent with the requirements within the Castaic CSD, requiring the primary wall sign to have no more than one and one-half square foot for every linear foot of the building frontage and the secondary wall sign not exceed half of the area of the smallest primary wall business sign. The Project includes new signage that is consistent with applicable development standards, but does not include any other physical changes and the Project Site is consistent with the applicable CSD standards.

CONDITIONAL USE PERMIT FINDINGS

21. **The Hearing Officer finds that 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.** The subject restaurant has been operational since March 21, 2024. The Sheriff confirmed in a letter dated March 5, 2024, that the shopping center as a whole has not created issues related to alcohol sales. The existing hours of operation and the addition of the sale of alcohol during those hours would be appropriate given the restaurant use and the hours of the restaurant include lunch and dinner times. The alcohol sales will only occur within the enclosed restaurant building and within the enclosed outdoor patio along with food service.
22. **The Hearing Officer finds that the requested use at 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.** The subject restaurant is located in a large, multi-tenant shopping center. There are additional commercial developments in the vicinity to the south and

further to the north. The shopping center was developed in conformance with all applicable zoning requirements and design standards through approved Plot Plan No. 48904. The Project as proposed will not result in any exterior changes to the Project Site, except for the proposed signage, or the entire commercial center. A sufficient number of parking spaces are provided on the Project Site for both restaurant and for the commercial center as a whole.

- 23. The Hearing Officer finds that the requested use at 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 subject restaurant is accessible from Hasley Canyon Road to the south and The Old Road to the east. Hasley Canyon Road is designated as a Major Highway, and The Old Road is designated as a Secondary Highway, on the County Master Plan of Highways. Both The Old Road and Hasley Canyon Road provide adequate access to serve the Project Site.
24. 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.

SUPPLEMENTAL FINDINGS – ALCOHOLIC BEVERAGE SALES

- 25. 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 sensitive uses located within 600 feet of the property line of the shopping center that contains the subject restaurant. Further, the alcohol will be served within the restaurant and attached enclosed patio. The commercial center is fairly large and well maintained, and each building is separated from the others with access driveways, landscaping, and parking lot. Therefore, the sale of alcohol for on-site consumption within an existing restaurant will not adversely affect the uses within its vicinity or uses at adjacent properties.
- 26. 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.** While the Project is a request for the sale of alcohol for on-site consumption, the subject restaurant is within a large shopping center with numerous other commercial establishments, including retail stores, offices, other restaurants, and a medical office. The shopping center as a whole is buffered from the adjacent highways to the east and south and the residential neighborhood to the north with landscaping and includes a landscaped berm to further shield it from the adjacent residential area to the west. The sale of alcoholic beverages will be incidental to the service of food at an existing restaurant. As such, the subject restaurant will not create adverse Impacts or be a nuisance to residential areas within the immediate vicinity.

27. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.** The proposed Project does not result any increase in the occupancy load of the restaurant. As such, the requested Project will not adversely affect the economic welfare of the area. Allowing the sale of alcoholic beverages may contribute to sustaining the economic activity in the community as the commercial centers in the immediate vicinity attract customers from a wider geographic area.
28. **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.** While the Project is a request for the sale of alcohol for on-site consumption, the requested Project does not propose any structural changes, except for the new signage. The structure which contain subject restaurant is part of the developed shopping center, which was established through a Plot Plan with a consistent architectural design. The structure and the shopping center is professionally maintained.
29. **The Hearing Officer finds that even though the proposed sale of alcohol would occur at a site within a high crime reporting district, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, the sale of alcohol at the subject property contributes to the public convenience or necessity.** There is a grocery store within the shopping center that sells a full-line of alcoholic beverages for off-site consumption within 500 feet from the Project Site containing the subject restaurant. The subject establishment is a Japanese restaurant offering Japanese cuisine, including specialty alcoholic beverages. It is common business practice to serve alcoholic beverages incidental to the type of food served at such restaurants. The shopping center with commercial stores and restaurants with sale of alcoholic beverages intends to serve a large number of customers from the Castaic and Stevenson Ranch/Valencia region. The restaurant is likely to serve customers who visit other commercial or service businesses in the vicinity and travelers along the I-5.
30. **The Hearing Officer finds that the subject use will maintain the aesthetic character and ambiance and enhances the economic viability of the area.** The subject restaurant is part of a large shopping center that was developed with consistent architectural features. All of the buildings in the shopping center are maintained in a professional manner, including the parking spaces and landscaping.

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) categorical exemption. The Project involves the sale of beer and wine for on-site consumption (California Department of Alcohol Beverage Control, or "ABC", Type 41 License) at an existing restaurant and new signage with no other alteration to the

structure or operational changes and will not have a significant effect on the environment. The Project Site is not located on a hazardous waste site, is not near a scenic highway, is not in a Significant Ecological Area or other designated environmental resource area and does not contain any historical resources. The Project is within an existing building on a developed property, and it is not a reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances. Therefore, there is no exception to the exemption 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 of the County Code, 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 is sufficiently buffered in relation to any residential area within the Immediate vicinity, so as not to adversely affect said area.
- F. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- G. 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.

- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. 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.
- J. Even though the proposed sale of alcohol would occur at a site within a high crime reporting district, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, the subject property is not within an area of undue concentration and the sale of alcohol at the subject property contributes to the public convenience or necessity.

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 categorical exemption); and
- 2. Approves **CONDITIONAL USE PERMIT NO. RPPL2023005455**, subject to the attached conditions.

SD:MF

10/22/2024

c: Hearing Officer, Zoning Enforcement, Building and Safety

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

CONDITIONS OF APPROVAL
PROJECT NO. PRJ2023-003721-(5)
CONDITIONAL USE PERMIT NO. RPPL2023005455

PROJECT DESCRIPTION

The project is a conditional use permit ("CUP") to authorize the sale of beer and wine (Type 41) for on-site consumption within an existing restaurant, Takuma Ramen & Sushi ("Project") on a property located at 29641 The Old Road Castaic ("Project Site"), 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, and until all required monies have been paid pursuant to Condition No. 9. 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 or any other applicable limitations period. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the Permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
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 October 22, 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-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. 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) biennial** 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 21, 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 10:00 p.m. Monday through Sunday.
20. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with County Code Chapter 22.114 (Signs) shall be placed on 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 LA County Planning.
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 the State of California Department of Alcoholic Beverage Control, 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 provide adequate exterior lighting above all entrances and exits to the premises and in all parking areas 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 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) if applicable, and shall be turned off within thirty minutes after conclusion of activities, except for sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.
26. 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.
27. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
28. The premises, including exterior facades, designated parking areas, fences, and adjacent sidewalks 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. This grant authorizes the sale of alcoholic beverages from 10:00 a.m. to 10:00 p.m. Monday through Sunday.
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." 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 Title 12 of the County Code to the satisfaction of the County Department of Public Health.
33. 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.
34. No live entertainment, dancing, or dance floor is authorized in or outside the premises;
35. 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. Bartenders and cocktail waiters and waitresses shall be age 21 or older.
36. Alcoholic beverages shall be sold to customers only when food is ordered and consumed within the subject restaurant only.
37. The sale and serving of alcoholic beverages for consumption is prohibited outside the designated areas of the restaurant, as depicted on the site and floor plans labeled Exhibit "A."
38. Food service shall be continuously provided during operating hours.

PROJECT SITE-SPECIFIC CONDITIONS

39. The overall occupant load for the establishment, and number of persons admitted to the establishment, may not exceed 71 persons. 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.
40. The sign plan included in Exhibit "A" meets applicable Zoning requirements and requirements within the Castaic Area CSD. Any changes to the sign plan will require LA County Planning approval of a Site Plan Review.