Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

July 23, 2015

TO: Pat Modugno, Chair
Stephanie Pincetl, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

FROM: Gretchen Siemers
Zoning Permits North Section

RE: Project No. 00-32-(5), Conditional Use Permit No. 00-32
RPC Meeting: August 5, 2015 - Agenda Item: No. 6

The above-mentioned item is a request for a Conditional Use Permit to authorize a recreational vehicle park and campground in the A-2-2 (Heavy Agricultural, Two Acre Minimum Lot Area) Zone and within the Agua Dulce Community Standards District.

Your Commission conducted a duly-noticed public hearing in the above matter on May 6, 2015, May 27, 2015, and July 8, 2015. The May 6, 2015 and May 27, 2015 hearing dates were continued without discussion. At the July 8, 2015 hearing date, Commissioners Modugno, Pincetl, Louie, and Pederson were present. Commissioner Valadez was absent. Staff presented the facts of the case and recommended the Project be denied. The Commission opened the public hearing, and the Applicant, and the Applicant's representative, testified in favor of the project and stated their disagreement with the draft findings. There being no other testimony, the Commission informed the staff of their preference that the findings be amended to more strictly reflect the burden of proof requirements for a CUP. The Commission closed the public hearing and moved to intend to deny the Project and asked staff to return on consent with draft findings for denial, amended in accordance with the Commission's instructions.

Attached please find the amended draft findings, consistent with your Commission's request.

If you need further information, please contact Gretchen Siemers at (213) 974-6443 or gsiemers@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

RG:GS

FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. 00-32-(5)
CONDITIONAL USE PERMIT NO. 00-32

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 00-32 ("CUP") on May 6, 2015, May 27, 2015, and July 8, 2015.

2. The applicant, Careylee Moisan ("Applicant"), requests the CUP to authorize a recreational vehicle park ("Project") on a property located at 9777 Soledad Canyon Road in the unincorporated community of Saugus ("Project Site") in the A-2-2 (Heavy Agricultural, Two Acre Minimum Lot Area) zone and the Agua Dulce Community Standards District ("CSD") pursuant to Los Angeles County Code ("County Code") sections 22.24.150 and 22.56.215.

3. The May 6, 2015 and May 27, 2015 hearing dates were continued without discussion. At the July 8, 2015 hearing date, Commissioners Modugno, Pincetl, Louie, and Pederson were present. Commissioner Valadez was absent. Staff presented the facts of the case and recommended the Project be denied. The Commission opened the public hearing, and the Applicant, and the Applicant's representative, testified in favor of the project and stated their disagreement with the draft findings. There being no other testimony, the Commission informed the staff of their preference that the findings be amended to more strictly reflect the burden of proof requirements for a CUP. The Commission closed the public hearing and moved to intend to deny the Project and asked staff to return on consent with draft findings for denial, amended in accordance with the Commission's instructions.

4. Project Site is 41.8 gross acres in size and consists of two legal lots. The Project Site is irregular in shape with flat topography and is developed with various structures.

5. The Project Site is located in the Soledad Zoned District and is currently zoned A-2-2.

6. The Project Site is located within the Santa Clara River Significant Ecological Area ("SEA").

7. The Project Site is traversed by the Santa Clara River and is currently used as a movie ranch. Structures on the site used in connection with the movie ranch include a former pool used as an underwater filming tank, former cabins that have been burned, a kitchen/dining room for 100 crewmembers, an amphitheater, dressing/make-up room, office, restrooms, and showers. Activities in connection with the movie ranch include set construction and decoration, special effects, and 24/7 access for filming television shows and feature films. The movie ranch was established without appropriate approvals from the Department of Regional Planning ("DRP") or the Department of Public Works ("Public Works"), and is therefore not

lawfully established and operated in violation of Title 22 of the Los Angeles County Code (Zoning Code).

8. The Project Site is located within the RL20 (Rural Land, 20 Acres per Dwelling Unit) land use category of the Santa Clarita Valley Area Plan Land Use Policy Map.

9. Surrounding Zoning within a 500-foot radius includes:

   North: A-2-2, OS (Open Space)
   South: A-2-5 (Heavy Agricultural, 5 Acre Minimum Lot Area), A-2-2
   East: A-2-2, OS, C-1 (Restricted Business)
   West: A-2-2, A-2-5

10. Surrounding land uses within a 500-foot radius include:

    North: Railroad right-of-way, open space
    South: Open space, San Gabriel Mountains National Monument
    East: Open space, market, single family home
    West: Open space

11. The site plan for the Project depicts a camping area, picnic areas, two restrooms, one office building, one laundry building, one small amphitheater, one swimming pool, and a lawn area. There are additional dilapidated buildings on the site that may have been at one time used as cabins. The site plan for the Project is inadequate because: 1) it is not to scale; 2) it does not depict the proposed use of RV or tent camp sites; 3) it does not depict all of the structures; 4) it does not depict any easements; 5) it does not depict wastewater treatment systems; and 5) it does not show both parcels listed on the application.

12. Immediately adjacent to the northern boundary of the site is a 100-foot wide parcel owned by Metrolink with tracks for the Antelope Valley line. The tracks are on a cut alignment elevated 20-30 feet from the base of the site.

13. The application for the Project indicates that the Project Site is served by an on-site well. No other information as to the quality or quantity of the well water is provided. Water wells are required to be inspected and permitted by the County.

14. The application does not indicate whether the Project is served by private septic systems or public sewer. If the project is served by private wastewater treatment systems, the systems must be approved by the County, as well as other jurisdictional agencies, to ensure the systems are sound and can withstand geologic impacts or flooding events.

15. The Project Site is accessible via Soledad Canyon Road to the south and Briggs Road to the north. The Project Site provides ad-hoc crossing of the Santa Clara River. At times, the gates to the Project Site are open for automobile traffic to traverse the river from Soledad Canyon Road to Briggs Road. This crossing has not been permitted by the County, U.S. Fish and Wildlife Service ("USFW"), or the

California Department of Fish and Wildlife ("CDFW"). In addition to concerns about the traffic impacting the sensitive biota of the river, the County has safety concerns about vehicles utilizing an unmapped roadway in the event of a flood or fire event. Therefore, this access is inadequate because it has not been evaluated and approved by the appropriate agencies.

16. The site plan for the Project does not designate any parking spaces.

Background

17. Pursuant to County historical zoning ordinance maps, the Project Site was zoned M-3 (Unclassified) in 1957 with the adoption of the Soledad Zoned District. In 1958, the Project Site and surrounding areas were zoned R-R-1 (Resort and Recreation, One Acre Minimum Lot Area). There exist no records of permits establishing the Project Site as an RV Park, which is not uncommon for such uses during this time period. In 1957, the County approved an application for the expansion of an existing ten-space trailer park. The expansion included an additional 33 trailer spaces. Exhibits for that application show the 10 RV spaces, a caretaker's residence, and a man-made pond. Records show however, that in 1959 the permit had expired because the permit went unused within two years of the permit issuance; no expansion had occurred and the affidavit of acceptance of permit conditions had not been received. The aforementioned 1958 zone change allowed the then-existing uses to continue for a period of five years following the zone change, and at that time the use would be subject to the applicable requirements (i.e. Conditional Use Permit). In 2000, a previous applicant applied for a Conditional Use Permit to expand the RV Park to 200 spaces. The current Applicant revised the application and re-submitted in 2008. The Project Site was rezoned to A-2-2 and re-designated as RL20 (Rural Land, One Dwelling Unit Per 20 Acres) in 2012 with the update of the Santa Clarita Valley Area Plan ("Area Plan"). Pursuant to provisions in the Area Plan, projects with a complete application prior to the effective date of the Area Plan may be evaluated based on the previously adopted zoning and land use policy. Therefore, the Project is evaluated herein based on the zoning and land use policy in effect in 2008.

18. Pursuant to the Part 2.3 of Division 13 of the California Health and Safety Code (Section 18860 et seq.), the State of California Department of Housing and Community Development ("HCD") maintains jurisdictional authority over RV parks. Specifically, HCD oversees the construction, use, maintenance, and occupancy of RV parks, including those within mobilehome parks, as well as the permanent buildings, accessory buildings or structures, within RV parks. However, local jurisdictions retain the authority to specify zones in which to allow or prohibit RV parks, and to require a conditional use permit to establish or continue the use of an RV park.

19. According to HCD records available online (https://ssw1.hcd.ca.gov/ParksListing/faces/parkslist/mp.jsp), the last HCD permit to operate the Project Site as an RV and mobilehome park expired on December 31, 2004. At that time, the site was operating with 10 mobilehome spaces, 30 RV spaces with drains, and 20 RV spaces without drains. Additional records obtained

from HCD indicate that the Project Site did not have a current CUP from the County to operate a RV and/or mobilehome park. Therefore, HCD required the Project Site to cease operation. As discussed in Finding No. 17 above, the Project Site did not have, and had never had, a CUP to operate a mobilehome or RV park.

20. The Applicant applied for a Plot Plan in 2008 to establish a Motion Picture Set. That application was withdrawn after Department of Regional Planning ("DRP") staff sent a letter to the Applicant indicating that a CUP was required to establish the use within the SEA.

Current Uses

21. According to the website for the Project Site (website (http://www.sticklebackriverranch.com/) the Project Site is currently being used as a movie ranch, which DRP considers a Motion Picture Set under Title 22. Pursuant to Title 22, a Motion Picture Set is a use subject to a CUP in the A-2 Zone. As described in Findings No. 17 and 20 above, the Applicant does not have a CUP. The Applicant did not indicate on the application that the Project Site was currently being used as a Motion Picture Set.

22. The existing river crossing is unpermitted. The river crossing requires permits from the DRP, Building and Safety, and Fire. State and federal permits are also required because the project includes jurisdictional waters and riparian habitat. The Amy Corps of Engineers and USFW require a Take Permit, potentially with mitigation; CDFW requires a Lake and Streambed Alteration Permit, and also may issue Take Permits for flora on behalf of the federal authorities.

23. The County has received numerous complaints regarding the property and DRP has issued several Notices of Violation (NOV) for the Project Site. Enforcement Cases Nos. EF982388 and EF982388 are currently unresolved, and a Final Enforcement Order has been issued for 14-0003431/EF991320. These cases relate to unpermitted uses, maintaining junk and salvage, and signage, among other issues.

Zoning Analysis

24. In 2008, the Project Site was zoned R-R-1. According to Title 22 of the County Code, zone R-R provides for outdoor recreation and agricultural uses suitable for development without significant impairment to the resources of the area. Such zone also recognizes single-family residences, additional recreation uses and necessary commercial and public service facilities, subject to review and conditions to protect natural scenic or recreational value.

25. Pursuant to County Code Section 22.40.22, the use of R-R-zoned properties for Recreational Trailer Parks is allowed provided a CUP has first been obtained, and

while such CUP is in full force and effect, and in conformity with the conditions of such CUP.

26. Pursuant to County Code Section 22.08.180, "recreational vehicle" means a motorhome, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

27. Pursuant to Section 22.08.180 of the County Code, a "Recreational Trailer Park" means any area or tract of land, within an area zoned for recreational use, where one or more lots are rented or leased, or held out for rent or lease to owners or users of recreational vehicles or tents, and which is occupied for temporary purposes.

28. The application for the Project requests the CUP to establish a "recreational vehicle park" and "camping area." Used herein, "RV park" means the same as Recreational Trailer Park.

29. The Project is located within the Agua Dulce CSD. Pursuant to Section 22.44.090 of the County Code, "The community standards districts are established as supplemental districts to provide a means of implementing special development standards contained in adopted neighborhood, community, area, specific and local coastal plans within the unincorporated areas of Los Angeles County, or to provide a means of addressing special problems which are unique to certain geographic areas within the unincorporated areas of Los Angeles County."

30. The Agua Dulce CSD, adopted in 1985, was established to: maintain a dispersed, low-density development pattern to preserve the secluded rural nature of the community; protect the equestrian, agricultural, historical, cultural, archaeological, and geological characteristics of the community; protect sensitive resources and areas, including the Vasquez Rocks Natural Area Park, the Santa Clara River, the Angeles National Forest, and the various floodplains, hillsides, ridgelines, rock outcroppings, and significant ecological areas located within the CSD; maintain and enhance the pedestrian and equestrian trail system within the CSD, including the Pacific Crest National Scenic Trail; and minimize the development of urban infrastructure that would alter the rural character of the community, including the development of sewer and water systems, paved local streets, street lights, concrete sidewalks, and concrete flood control systems." The Project is inconsistent with the intent of the Agua Dulce CSD because it does not protect the sensitive resource of the Santa Clara River. The Project is located in the bed of Santa Clara River, due to the meandering of natural watercourses, the River could change direction and encompass the structures on the Project Site. The application does not incorporate any mitigation of potential impacts to the River associated with the proposed use as an RV-park/tent camp.

Land Use Policy Analysis

31. The 1980 Los Angeles County General Plan provides policies to guide development away from sensitive and hazardous areas. For example, Environmental Resources and Natural Hazards Policy No. 7, states: "Preserve significant ecological areas and habitat management areas by appropriate measures, including preservation, mitigation and enhancement." The Project does not preserve the SEA or the sensitive habitat in and around the Santa Clara River. The existing river crossing was installed without the input of or necessary approvals from the County, CDFW, or USFW, which are the agencies responsible for preserving sensitive habitat and protected species in the vicinity of the Project Site. In addition, the site plan and project description for the Project do not address preservation, mitigation, or enhancement of the SEA.

32. The land use map of the Area Plan in effect at the time of application designates the Project Site as "W - Floodway/Floodplain." This designation is appropriate for certain extractive industrial, agricultural, open space, light recreational, and groundwater recharge uses. While the Project could be considered a "recreational" use, its intensity (i.e. the number of tent sites, cars, or persons) is not described in the project description, thus it is not possible to determine whether the use is "light" recreation.

33. The Area Plan's policies also do not support the Project. The General Conditions for Development, 2l, states, "In identified hazard areas, the design of proposed developments should include use of appropriate hazard mitigating or avoidance measures. In identified brush fire hazard areas, mitigation techniques should include use of fire retardant materials, brush clearance, a design which provides for a defensible perimeter and implementation of a suitable emergency access plan. [In flood areas] development should be designed so as to not interfere with natural drainage during severe storms nor become endangered by such runoff. Wherever appropriate, natural watercourses in rural areas should be retained in as natural a state as possible, minimizing modification of the natural carrying capacity of production of excess siltation." As discussed in Finding Nos. 15, 22, and 54, the project has altered the natural drainage channel by building an unpermitted crossing, putting occupants at risk in the case of a fire or flood event. In addition, no hazard avoidance measures have been included in the site plan or project description for the Project.

Hazards

34. The Project Site is located within a mapped Very High Fire Severity Zone (VHFSZ). According to the County Fire Department ("Fire Department"), fuel modification is required to protect life and property within VHFSZs. Public Works, Division of Building and Safety, also has structural requirements for buildings in VHFSZs. In addition, Government Code Section 51182 requires flammable vegetation clearance and other wildland fire safety practices for buildings. Vegetation clearance requirements have the potential to impact special species habitats. The Applicant has not submitted a fuel modification plan to the Fire Department for review.

35. In addition to the fire risk presented by the flammable vegetation on the Project Site due to its location in a VHFSZ, the Project Site is at risk for loss of life and property due to the lack of approved circulation. As indicated in a memo from the Fire Department, the Applicant has constructed a river crossing that is inadequate for fire apparatus (trucks) to utilize in the event of a fire or flood event.

36. Pursuant to Federal Emergency Management Agency (FEMA) maps obtained at fema.gov, the current Flood Insurance Rate Map identifies the Project Site as a Special Flood Hazard Area, subject to inundation by the 1% annual chance of flood. This area is also known as the "100-year floodplain." Public Works, Division of Building and Safety, has structural and drainage/grading requirements for uses within this designation. The Applicant has not received clearances from Building and Safety regarding mitigating flood hazard risks.

Sensitive Resources

37. The Santa Clara River is the largest river system in Southern California that remains in a relatively natural, unchannelized state. From its headwaters in the San Gabriel Mountains to its terminus at the Pacific Ocean, the Santa Clara River flows approximately 84 miles. Historically, the river has generally flowed year-round. Flows within the river are largely a result of stormwater runoff in the rainy months and wastewater treatment discharges in the drier months. Effluent from the Saugus Water Reclamation Plant (WRP) and Valencia WRP accounts for up to 40 percent of total stream flow within the Santa Clara River during the winter, and up to 90 percent during summer months.

38. According to the 2012 update to the County's Santa Clarita Valley Area Plan, the Santa Clara River supports a diversity of organisms by providing breeding sites, traveling routes, and other resources for wildlife. Protection of the watershed for habitat preservation is a key conservation goal. During the history of settlement and resource extraction in the Santa Clarita Valley, the watershed has been damaged repeatedly by human activities. Off-road vehicle use within the watershed damages wildlife directly as well as through destruction of habitat and introduction of exotic and invasive plants. Stormwater drainage systems have changed the path and rate of flow for water entering the river, necessitating the construction of concrete bank for stabilization that impact groundwater recharge.

39. Public Works, in cooperation with the Ventura County Watershed Protection District, the U.S. Army Corps of Engineers, and other jurisdictional agencies, prepared the Santa Clara River Enhancement and Management Plan Study (SCREMP) in 2005, which identified several key habitat movement corridors within the planning area. These corridors are generally located in undisturbed canyon and ravine stream habitat areas. The SCREMP indicates that the preservation of these areas is essential for maintaining the wildlife diversity within the planning area.

40. According to the 2012 update to the Santa Clarita Valley Area Plan, portions of the Santa Clara River watershed have been identified as an "impaired water body" because waters in these areas exceed adopted standards for various pollutants. Pollutants of concern include chloride, coliform, ammonia, nitrates, nitrites, and various organics.

41. Title 33 of the Unites States Code (The Clean Water Act) preserves federal jurisdiction of "waters of the United States." To determine if a project falls within the jurisdiction of the U.S., a Jurisdictional Delineation Analysis must be completed by a certified specialist. The analysis will indicate which areas of the project require permits from USFW, U.S. Army Corps of Engineers, and CDFW. In all past cases of development within the Santa Clara River, permits are required from the above three agencies. The applicant has not provided such an analysis, nor any indication that they have applied for or obtained any necessary jurisdictional permits. Therefore, it cannot be determined that the roads and utilities serving the proposed development are not located or designed so as not to conflict with critical resources, habitat areas or migratory paths.

42. Pursuant to a May 21, 2015 letter from CDFW, the Project "would significantly alter the wildlife movement of the corridor and have significant direct and downstream impacts (i.e. due to hydrology and water quality concerns)." In addition, the letter cites the potential for human impacts to the river such as trash, noise, and pets, which impact listed species and habitats.

Significant Ecological Area Analysis

43. Pursuant to Section 22.56.215 of the County Code, "a conditional use permit is required in order to protect resources contained in significant ecological areas [...] as specified in the County General Plan from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property..." A conditional use permit is required pursuant to County Code Section 22.56.215 when the proposed use is located on a lot or parcel which is completely or partly in an area designated in the County General Plan and related maps as an SEA.

44. The County General Plan designates the entire Project Site as an SEA. SEAs include lands with important biological resources including the habitats of rare and endangered species, sites with critical fish and game values, relatively undisturbed areas of typical natural habitats and regionally scarce biotic resources. The intent is to preserve and/or enhance the ecological resources present.

45. The specific SEA designated on the Project Site by the Los Angeles County General Plan is the Santa Clara River SEA. The Santa Clara River SEA, also known as SEA #23, extends along the entire County reach of the Santa Clara River, primarily within unincorporated areas of the County. The SEA encompasses a wide variety of topographic features and habitat types, as well as major tributaries—all of which contribute to this diversity. It is a major biotic corridor for the County (and Ventura

County). The orientation and extent of the SEA depends upon the surface and subsurface hydrology of the Santa Clara River, from its headwaters, tributaries, and watershed basin, to the point at which it exits the County's jurisdiction. Nearly all of the SEA is designated by California Audubon as a Globally Important Bird Area (IBA). The Santa Clara River IBA extends beyond the SEA in both upstream and downstream directions (across Soledad Pass to the Barrel Springs area in the Antelope Valley and through Ventura County to the mouth of the River at the Pacific Ocean). The river is habitat for threatened species such as the unarmored three-spined stickleback, steelhead, southwestern pond turtle, and least Bell's vireo.

More information on the biological diversity found in the Santa Clara River SEA can be found in the County's Biological Resources Assessment of the Proposed Santa Clara River Significant Ecological Area Study (http://planning.lacounty.gov/assets/upl/project/sea_2000-BRA-SantaClaraRiver.pdf) and the Technical Appendix to the General Plan Update (http://www.scvhistory.com/scvhistory/santaclarariversea2012.pdf)

46. Section 22.56.215 of the County Code requires that an applicant provide specific additional information in connection with an application for a conditional use permit to establish a use in an SEA. The application must contain, among other things, the following information:
    a. Panoramic or composite photographs from all major corners of the subject property and from major elevated points within the property;
    b. Maps showing the existing topography of the subject property. Commercially available maps may be deemed acceptable:
        i. One copy of such map shall identify the locations of all drainage patterns, watercourses and any other physical features, which are customarily found on topographical maps prepared by the United States Geological Survey.
        ii. A second copy shall delineate all property having a natural slope of 25 to 49.99 percent, and a natural slope of 50 percent or more;
    c. A grading plan to a scale satisfactory to the director indicating all proposed grading, including the natural and finished elevations of all slopes to be graded;
    d. The following, if the construction of dwelling or other structures are part of the proposed project:
        i. Exterior elevation drawings, to a scale satisfactory to the director, indicating proposed building heights and major architectural features, and
        ii. Plans for decorative landscaping, showing the location of proposed groundcover areas, shrub mass, and existing and proposed tree locations for common or open space areas not left in a natural state. Such plan shall also include botanical and common names of all planting materials;
    e. Identification and location of the resources constituting the basis for classification of such area as a significant ecological area where not provided by the environmental assessment or the initial study for an environmental document;

f. Proposed natural open areas, buffer areas, or other methods to be used to protect resource areas from the proposed use; Such other information as the planning director determines to be necessary for adequate evaluation. The planning director may waive one or more of the above items where he deems such item(s) to be unnecessary to process the application.

47. The application for the Project was insufficient because it did not include items listed in Findings No. 46.f.

48. Finding No. 46.e above requires the submittal of a Biological Constraints Analysis (BCA). The Applicant submitted a BCA in 2013. A DRP staff biologist reviewed the submitted BCA, and found the technical disclosures adequate. However, the document contains inconsistencies and is not clear on the proposed use. While page 3 of the BCA indicates that the proposed use is a 10-unit mobilehome park and RV park of undetermined RV spaces, page 8 reads, "The applicants [...] intend to use the site exclusively as Stickleback River Ranch, serving as a site for filming of movies."

49. The BCA states that the Santa Clara River and attendant riparian forest canopy is the highest constraint on the Project Site, due to its high resource value and ecological services that it provides, as briefly mentioned above. In addition, it is subject to regulatory policies that preclude even minor modifications, unless compliant with appropriate permits and agreements with several local, state and federal agencies. Developed areas of the former Recreation and RV Park are also the least constrained, but activities there could directly or indirectly affect the riparian corridor constraint, such as becoming a source of contaminated runoff, being a starting point for wildland fire that could spread to large areas of upland terrain, affecting the watershed and water quality, increasing erosion, affects to Threatened or Endangered species, or creating impediments such as additional roads, fencing, noise or visual disturbance that could affect wildlife movement.

50. Pursuant to Section 22.56.215 of the County Code, applications for conditional use permits within an SEA are subject to an additional burden of proof than that which is required by 22.56.040. The Applicant provided the SEA burden of proof. Staff determined the SEA burden of proof has not been met. The information provided was redundant in stating that there will be no construction or grading, implying that the new use of tent campers, RVs, and cars would have no impact to the biological resources. Furthermore, regardless of new construction or grading taking place with the approval of the requested CUP, the existing structures on site are required to be analyzed in relation to the requested use. Specifically, the Project does not meet the burden of proof because:
    a. The requested development is not designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas. The site plan and project description for the Project does not identify any such set aside areas, nor does the Project description discuss methods to ensure compatibility of the use with the environment.

b. The requested development is not designed to maintain water bodies, watercourses, and their tributaries in a natural state. The Project Site is located in the Santa Clara River. Neither the Project description nor the site plan includes any measures or Project design to maintain the river in its natural state. The addition of persons, cars, and RVs into the riverbed will impact the state of the river, due to the potential for trash.
c. The requested development is not designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state. Nothing in the Project description or site plan addresses wildlife movement. The addition of persons camping at the site has the potential to disturb migration patterns.
d. There are no fences or walls included in the Project to buffer important habitat areas from development; and
e. The roads and utilities serving the proposed development are not known to be located and designed so as not to conflict with critical resources, habitat areas or migratory paths. The river crossing was built without permits and could be impacting resources, habitats, or migratory paths.

51. On October 1, 2013, prior to the Commission's public hearing on the Project, the Project was heard by the Hearing Officer. Staff recommended denial, due to inactivity. The Applicant testified that they were intent on completing the application process and working with staff to resolve the outstanding issues. The Applicant also submitted some of the outstanding items. The Hearing Officer took the item off calendar to allow the Applicant more time to process the application. Immediately following the hearing, staff sent an email to the Applicant's representative listing the additional outstanding items.

52. On January 16, 2014, March 13, 2014, and June 11, 2014, Regional Planning staff sent letters to the Applicant and the Applicant's representative notifying them that there are still outstanding items needed to continue to process that application.

53. On May 6, 2014, prior to the Commission's public hearing on the Project, Regional Planning staff met with the Applicant to discuss the application and the outstanding NOVs. At this meeting, the Applicant presented a revised project description. The Applicant expressed their intent to abate the violations (which have not since been abated as discussed in Finding No. 1), move forward with the application, and provide the outstanding items. Items outstanding at that time included a revised site plan showing both parcels on the application and prescriptive easements; such site plan was never provided.

54. The Fire Department recommends denial of proposals at the Project site until safe access is obtained. In their February 23, 2007 memo, the Fire Department indicates that the main access to the Project Site has been washed out by the Santa Clara River and an alternate access has been built on the east end of the Project Site, which consists of a 10-foot-wide wood bridge. The Fire Department further states that this bridge does not appear to provide suitable access for fire trucks, and that the Project Site's topography limits access to the rear of the site in the case of an emergency. As stated in Finding No. 15 and 22, above, the Applicant has provided

no evidence, and DRP staff has found none, that this access has been permitted by DRP, Public Works, the Fire Department, USFW, or CDFW. Therefore, the Project is not 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.

55. No review of the Project has been conducted pursuant to the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"). As detailed in these findings, the Applicant has not provided sufficient information to commence a meaningful review of the Project pursuant to CEQA. In particular, the Applicant has not provided a sufficient description of the Project. Pursuant to Public Resources Code Section 21080(b)(5), projects which are denied or disapproved by a public agency are not subject to CEQA review.

56. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

57. Prior to the Commission's public hearing, DRP staff received one phone call in opposition to the Project. The caller stated that she intended to deliver a letter in opposition to the project and participate in the public hearing. No other correspondence was received from the public regarding the Project.

58. The Commission finds that the Project Site has not been authorized to be used as an RV-park since approximately 1964.

59. The Commission finds that the Project is not consistent with the applicable General Plan and Area Plan. The Project has been evaluated herein based on the General Plan and Area Plan designations in effect at the time of application.

60. The Commission finds that the Project is not consistent with the zoning designation for the property. The Project has been evaluated herein based on the zoning designations in effect at the time of application.

61. The Commission finds that the illegally constructed river crossing puts the Project Site's occupants at risk in the event of flood and fire events.

62. The Commission finds that the Project has not met the burdens of proof for a Conditional Use Permit within an SEA.

63. The Commission finds that the Santa Clara River is a unique resource as the last un-channelized river in Southern California, and discouraging development within the river benefits the County-at-large.

64. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case

materials were available on Regional Planning's website and at libraries located in the vicinity of Acton/Agua Dulce community. On March 25, 2015, a total of 17 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 20 notices to those on the courtesy mailing list for the Soledad Zoned District and to any additional interested parties.

65. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

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

A. The proposed use would not be consistent with the adopted General Plan or the Santa Clarita Valley Area Plan.

B. The proposed use at the site has the potential to 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 not 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.

D. The Applicant has not carried their burden to demonstrate that the requested development is not designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

E. The requested development is not designed to maintain water bodies, watercourses, and their tributaries in a natural state;

F. The Applicant has not carried their burden to demonstrate that the requested development is not designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;

G. The Applicant has not carried their burden to demonstrate that the requested development does not retain sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development;

H. The Applicant has not carried their burden to demonstrate that where necessary, fences or walls are not provided to buffer important habitat areas from development; and

I. The roads and utilities serving the proposed development are not located or designed so as not to conflict with critical resources, habitat areas or migratory paths.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Denies Conditional Use Permit No. 00-32.

ACTION DATE: August 5, 2015

RG:GS
July 23, 2015

c: Zoning Enforcement, Building and Safety, Fire Department, CDFW, USFW, HCD, FilmLA