



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

November 29, 2012

TO: Pat Hachiya, Hearing Officer

FROM: Samuel Dea   
Supervising Regional Planner  
Special Projects Section

SUBJECT: AGENDA ITEM NO. 2  
PROJECT NO. PM069664-(5)  
VESTING TENTATIVE PARCEL MAP NO. 069664  
CONDITIONAL USE PERMIT NO. 200800198  
ENVIRONMENTAL ASSESSMENT NO. 200800136

The above-mentioned item is a request for the subdivision of a 10-acre property into two 5-acre parcels for the development of two new single-family residences and associated improvements. In the October 6, 2012 Hearing Officer meeting, staff requested continuance of the public hearing to allow time for additional Native American contacts to be consulted. No comments were received from those consultations and the environmental document – Mitigated Negative Declaration (Initial Study and Mitigation Monitoring Program) is completed and attached for your review and consideration. In addition, a condition was added (CUP Condition No. 42) addressing the protection of cultural resources if found in the site during construction.

If you need further information, please contact Carolina Blengini of my staff at (213) 974-1522 or [cblengini@planning.lacounty.gov](mailto:cblengini@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.

Attachments –  
Revised Draft CUP Conditions of Approval  
Initial Study  
Initial Study Appendix  
Mitigation Monitoring Program

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**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. PM069664-(5)  
CONDITIONAL USE PERMIT NO. 200800198**

1. This grant authorizes the use of the subject property in a non-urban hillside management area for two new single-family lots as depicted on the approved Exhibit "A".
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 Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition Nos. 7, 9 and 35 of this grant. Notwithstanding the foregoing, this condition No. 2, and Condition Nos. 7, 10, 11, and 12 shall be effective immediately upon final approval of this grant by Los Angeles County.
3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or entity making use of this grant.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Los Angeles County Regional Planning Commission ("Commission") or Los Angeles County Hearing Officer ("Hearing Officer") may, after conducting a public hearing, revoke or modify this grant if it finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
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. Within three days of the end of the appeal period, the permittee shall remit processing fees (currently \$2,176.50 payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and Section 711 of the California Fish and Game Code) to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and

Game. No project subject to this requirement is final, vested or operative until the fee is paid.

8. The subject property shall be developed and maintained 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.
9. If inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for inspections shall be the amount equal to the recovery cost at the time of payment (currently \$200.00 per inspection).
10. 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 limitation period. The County shall notify the permittee of any claim, action or proceeding, and the County shall fully cooperate in the defense.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay Regional Planning an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code ("County Code") Section 2.170.010.

12. This grant shall expire at the time that the Vesting Tentative Parcel Map expires without recordation of a final map. Entitlement to the use of the subject property after expiration of this grant and related entitlements shall be subject to the regulations in effect at the time of such use is proposed. Recordation of a final map shall be considered use of this grant.
13. All development shall comply with the requirements of the Title 22 of the County Code and of the specific zoning of the subject property except as specifically modified by this grant as set forth in these conditions, including the approved Exhibit "A," or a Revised Exhibit "A" approved by the Director of Regional Planning ("Director of Planning").
14. The development of the subject property shall conform to the conditions approved for Tentative Parcel Map No. 069664.
15. Open space shall comprise not less than 70 percent (7 acres) of the gross project area, as shown on the approved Open Space Exhibit.
16. All open space areas shall be maintained in their natural condition by the individual lot owners, as shown on the Open Space Exhibit.
17. No grading permit shall be issued prior to the recordation of a final map except as authorized by the Director of Planning.
18. The permittee shall provide slope planting and an irrigation system in accordance with the Grading Ordinance. Include language in the project's CC&Rs that would require continued maintenance of the plantings for lots having planted slopes by a homeowners' association prior to final map approval, the permittee shall submit to Regional Planning a copy of the draft document before it is recorded.
19. All utilities shall be placed underground.
20. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
21. Detonation of explosives or any other blasting devices or material shall be prohibited unless all required permits have been obtained and adjacent property owners have been notified.
22. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to Monday through Friday, between 7:00AM and 6:00PM and Saturday, between 8:00AM and 5:00PM. No Sunday or holiday operations are permitted.

23. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works.
24. The permittee shall, upon commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.
25. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.
26. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.
27. All construction and development within the subject property shall comply with the applicable provisions of the Angeles County Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County.
28. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with Los Angeles County Building and Plumbing Codes.
29. The permittee shall utilize concrete consisting of a natural ("earth-toned") color for all terrace drains, splash walls and down drains that blends with the surrounding landscape and is compatible with the character of the community.
30. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Public Health. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
31. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Department.
32. Prior to the issuance of any grading and/or building permit, the permittee shall submit to the Director of Planning for review and approval three copies of a revised Exhibit "A" (fully dimensioned, detailed site plan), indicating that the proposed construction and associated grading:
  - a. Substantially conforms to the Exhibit "A". Substantial conformance shall consist of all of the following:

- i. The proposed pad elevation shall match the pad elevation shown on the Exhibit "A." A deviation from this pad elevation of up to three feet shall also be considered substantial conformance.
    - ii. The proposed grading amounts, cut and fill, for each pad and all driveways must match the amount shown on the Exhibit "A". A deviation from these grading amounts of up to 10 percent will also be considered substantial conformance.
    - iii. Open space shall comprise not less than 70 percent of the gross area, as shown on the Open Space Exhibit. Such open space shall be contained entirely within the individual lots on the approved tentative map and open space exhibit. No less than 70 percent of the gross area of each lot shall be considered to be in substantial conformance.
    - iv. The location and height of all proposed retaining walls shall match the location and height of the retaining walls shown on the Exhibit "A." Retaining walls that are shorter than those shown on the Exhibit "A" shall also be considered to be in substantial conformance. No taller retaining walls or retaining walls in any other location regardless of height shall be considered to be in substantial conformance.
    - v. The location of the building pads and driveways shall conform to the locations shown on the Exhibit "A". No driveways or building pads in any location other than that shown on the Exhibit "A" shall be considered to be in substantial conformance.
  - b. Complies with the conditions of this grant and the standards of the zone and CSD;
  - c. Is compatible with hillside resources; and
  - d. Complies with the Los Angeles County Green Building, Drought-Tolerant Landscaping and Low Impact Development Ordinances.
33. Any proposed development that does not meet these standards will not be authorized by this CUP. Such development will require a new CUP to ensure compliance with hillside management design criteria as well as all other applicable requirements current at the time of filing for this new CUP.
34. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the Mitigation Monitoring Program ("MMP") and agrees to comply with the mitigation measures imposed by the [Mitigated Negative Declaration/Environmental Impact Report] for this project, in the office of the Recorder. Prior to recordation of the covenant,

the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.

35. Prior to final map approval, the permittee shall deposit the sum of \$6,000.00 with Regional Planning in order to defray the cost of reviewing the permittee's reports and verifying compliance with the information contained in the reports required by the MMP. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required Mitigations Monitoring Reports.
36. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
37. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
38. All development pursuant to this grant shall conform with the requirements of the Public Works.
39. Due to low pressure problems at higher elevations within the system, the project is required to comply with the following to the satisfaction of Public Works:
  - a. Installation of a minimum 5,000 gallon on-site buffer tank that will fill during the timer settings prescribed by the District.
  - b. Installation of a pump that will pressurize.
  - c. Installation of a bladder/hydropneumatic tank located downstream of the buffer tank. The system design will be subject to review and approval by Public Works, Waterworks District Engineer. The domestic water demand for the subject properties will be taken off peak hours via a valve operated by a timer to alleviate the pressure problems during peak domestic water demand that occurs during 4am to 8am in the public water system. This system shall be a private facility owned and maintained by the property owner on the downstream side of each water meter. Should additional fire hydrants or higher fire flow exceeding 1250 gpm be required, the owner shall design and construct additional facilities to satisfy the higher fire requirements.

40. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") 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.
41. 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.
42. Should unanticipated cultural resource remains be encountered during land modification activities, work must cease, and the Los Angeles County Director of Regional Planning contacted immediately to determine appropriate measures to mitigate adverse impact to the discovered resources; If human remains are discovered within the boundaries of the project area, then the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed; These procedures require notification of the County Coroner. If the County Coroner determines that the discovered remains are those of Native American ancestry, then the Native American Heritage Commission (MAHC) must be notified by telephone within 24 hours; Sections 5097.94 and 5097.98 of the Public Resources Code describes the procedures to be followed after the notification of the NAHC.

Attachments:

Mitigation Monitoring Program (pages 1- 6)  
Subdivision Committee Report (pages 1- 18)

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