

**PRELIMINARY DRAFT CONDITIONS OF APPROVAL  
DEPARTMENT OF REGIONAL PLANNING  
VESTING TENTATIVE PARCEL MAP NO. PM18108  
(TENTATIVE AND EXHIBIT MAP DATE: DECEMBER 17, 2014)  
PROJECT NO. 87150**

**GENERAL CONDITIONS**

1. This grant authorizes the subdivision of the approximately 588-acre site (gross) into 68 lots with a total of 3,322,994 square feet of proposed development as follows: industrial (2,568,033 sf); commercial (754,961 sf including commercial/business park (721,872 sf) and retail (33,089 sf)); open space (385 acres including Castaic Creek (62 acres)); and supporting infrastructure. Except as modified herein, this approval is subject to the requirements of Title 21 Subdivision Ordinance and Title 22 Zoning Ordinance of the Los Angeles County Code ("County Code"). The approval also is subject to all those conditions set forth in Conditional Use Permit ("CUP") No. 87150 and 87360, Oak Tree Permit No. 200700022, and Parking Permit No. [REDACTED], the Valencia Commerce Center Environmental Impact Report ("EIR") Mitigation Monitoring and Reporting Program ("MMRP"), which is incorporated herein by reference, and the attached reports recommended by the Los Angeles County Subdivision Committee ("Subdivision Committee") and submitted by the Los Angeles County Department of Public Works ("Public Works"), Los Angeles County Fire Department ("Fire Department"), Los Angeles County Department of Parks and Recreation and Los Angeles County Department of Public Health, which are attached hereto and incorporated by this reference as if set forth fully herein.
2. As used herein, the term "subdivider" shall include the property owner and any successor in interest.
3. Unless otherwise apparent from the context, the "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the Zoning Ordinance and Section 21.56.010 of the Subdivision Ordinance.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully 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 fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with the County Department of Regional Planning ("Regional 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 Regional 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.

6. Within three (3) days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently or \$3,104.75 (\$3,029.75 for an Environmental Impact Report plus \$75.00 processing fee. No land use project subject to this requirement is final, vested, or operative until the fee is paid.
7. Prior to use of this grant, the subdivider shall submit evidence that the MMRP and the Conditions of the associated CUP No. 87150 and 87360, Oak Tree Permit No. 200700022, and Parking Permit No. [REDACTED], have been recorded in the office of the County Registrar-Recorder/County Clerk and that all fees as required by Condition Nos. 6 and 8 have been paid.
8. The subdivider shall deposit the sum of \$6,000.00 with Regional Planning within 30 days of the date of final approval of this grant in order to defray the cost of reviewing the subdivider's reports and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.
9. The subdivider shall comply with all mitigation measures identified in the MMRP, which are incorporated by this reference as if set forth fully herein.
10. Within 30 days of the date of final approval of the grant by the County, the subdivider shall record a covenant and agreement which attached the MMRP and agrees to comply with the mitigation measures imposed by the EIR for this project, in the office of the Recorder. Prior to recordation of the covenant, the subdivider 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 subdivider shall submit annual Mitigation Monitoring Reports to Regional Planning for approval or as required. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.

11. Permission is granted to adjust lot lines on the final map to the satisfaction of Regional Planning and Public Works.
12. Permission is granted to use modified street sections as shown on Vesting Tentative Parcel Map (VTPM) No. 18108, including the development of private drives designed per the approved *Westside Communities Private Drives and Traffic Calming Manual*, and in compliance with applicable *County private drive manual*, to the satisfaction of Public Works, and applicable street/drives provisions of Title 21 and Title 22.
13. Permission is granted to create additional open space lots to the satisfaction of the Regional Planning.
14. No grading permit shall be issued prior to the recordation of a final map unless Regional Planning determines that the proposed grading conforms to the conditions of this grant and the conditions of VTPM No. 18108, CUP No. No. 87150 and 87360, Oak Tree Permit No. 200700022, and Parking Permit No. \_\_\_\_\_.
15. Permission is granted to record a conservation easement to the \_\_\_\_\_ on lots \_\_\_\_\_. Subdivider shall submit a copy of the document to be recorded to Regional Planning for approval prior to final map recordation (*referred to discussion*).
16. Front, rear, and side-yard setbacks shall be provided for any building in relation to a lot line or public right-of-way according to County Code regulations and applicable requirements of CUP NO. 87360.
17. Permission is granted to record a large lot parcel map as the first unit, without improvements, subject to the following:
  - (a) The lots shall conform to those shown on the tentative map as approved by Regional Planning;
  - (b) Each lot shall be numbered on the final map and shall have a minimum gross area of 20 acres;
  - (c) Access to each lot shall be provided to the satisfaction of Regional Planning and Public Works; and
  - (d) All Public Works conditions shall be met to the satisfaction of Public Works.

**PRIOR TO RECORDATION OF THE FINAL MAP**

18. Subdivider shall submit a draft copy of the project Conditions, Covenants and Restrictions ("CC&Rs") and any maintenance agreements and covenants to Regional Planning for review and approval prior to recordation of any final map.
19. Concurrent with recordation of the first unit map, subdivider shall record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures set forth in the approved MMRP of the EIR. Prior to recordation, subdivider shall submit a copy of the covenant to the Regional Planning for review and approval.

20. Subdivider shall show Commerce Center Drive, Franklin Parkway, Livingston Street, Hancock Parkway, Wolcott Way, Biscailuz Drive, and "A" Street as dedicated streets on the final map to the satisfaction of Public Works.
21. Permission is granted to waive public street frontage for lots \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ with required frontage located on private drives as shown on VTPM 18108.
22. Subdivider shall conform to the final design criteria of the *approved Westside Communities Private Drives and Traffic Calming Manual*, and in compliance with applicable *County private drive manual* for all private drives to the satisfaction of Public Works and applicable street/drives provisions of Title 21 and Title 22.
23. Subdivider shall dedicate to the County of Los Angeles on the final map complete vehicular access rights for Lots 5, 21 and 22 abutting Commerce Center Drive.
24. Subdivider shall dedicate to the County of Los Angeles on the final map the right to restrict vehicular access rights for Lots 18, 19, 20 and 57 abutting Commerce Center Drive, and for Lot 4 abutting The Old Road.
25. Subdivider shall construct or bond with Public Works to the satisfaction of that department for driveway paving associated with private driveways and fire lanes.
26. Subdivider shall provide for the ownership and maintenance of the common driveways through a maintenance agreement or CC&R that shall be entered into by the owners of the lots served or a business owners' association. Subdivider shall submit a copy of the agreement to be recorded with Regional Planning for approval prior to recordation.
27. For all private drives designated as fire lanes on the project Exhibit Map Subdivider shall post all common driveways less than 26' in width with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the project's CC&Rs or in a maintenance agreement. Subdivider shall submit a copy of the CC&Rs or maintenance agreement to be recorded to Regional Planning for approval prior to recordation.
28. Subdivider shall provide reciprocal easements for ingress and egress over shared or common driveways. Subdivider shall submit a copy of the document to be recorded to Regional Planning for approval prior to final map recordation.
29. Subdivider shall reserve easements for ingress/egress purposes over any sidewalks or paseos constructed outside the public right of way to the satisfaction of Public Works.
30. The private driveways shall be indicated on the final map as "Private Driveway and Fire Lane" with the widths clearly depicted. Subdivider shall include conditions in the project CC&Rs stating that driveways shall be maintained in accordance with the Fire Code.
31. Subdivider shall dedicate to the County of Los Angeles on the final map the right to restrict building construction on the following open space lots as designated on VTPM No. 18108: Lots 3, 4, 15, 37-41, 52-55, 59-62, 63-68 (open space including Castaic Creek and Hasley Creek which incorporate respective trails and bank protection).

32. Subdivider shall provide for the ownership and maintenance of the following lots by a business owners' association, dedication to the County or other acceptable agency/entity to the satisfaction of Regional Planning, or as described in other conditions of approval: Lots 3, 4, 15, 37-41, 52-55, 59-62, 63-68 (open space including Castaic Creek and Hasley Creek which both incorporate respective trails and bank protection).
33. Subdivider shall number all open space lots on the final map and ensure access to each open space lot to the satisfaction of Regional Planning.
34. Subdivider shall include conditions in the project CC&Rs, which require continued maintenance of the planting for lots having planted slopes.
35. Subdivider shall provide for the maintenance of the worker amenity areas located on Lots \_\_\_\_\_, in the project CC&Rs.
36. Permission is granted to allow future design flexibility to the satisfaction of Regional Planning and Public Works within the commercial office and retail Lots 5-14 located in Planning Area 2, Lots 18-22 in Planning Area 3, and Lots 47-49 in Planning Area 5, changing commercial retail to commercial office or commercial office to commercial retail; and for these commercial retail and office lots changing the building type and location, changing the driveway location, alignments, driveway widths and drive entries, changing the lot configurations, and changing associated private driveways noted on the Vesting Tentative Parcel Map and Exhibit Map. The total commercial square footage shown on VTPM No. 18108 and the Exhibit Map, shall not be exceeded, and required parking shall be met. Specifically, project buildout shall not exceed 754,961 total commercial square feet including office and retail uses. The total of 385 acres of open space including natural, recreation, trail, water quality, landscaping areas, worker amenity areas, and river and river bank protection areas as shown on VTPM No. 18108 and the Exhibit Map, shall not be reduced.

The increase in the square footage of commercial space in the lots mentioned above depends on the decrease in another lot. An increase in the commercial/office square footage among lots may be allowed if it does not exceed 20 percent of the commercial retail or office square footage allowed for that lot as approved by VTPM No. 18108. The designated land use category in each lot shall not change (i.e. lots designated as Commercial shall remain Commercial, lots designated Industrial shall remain Industrial, and Open Space shall remain Open Space, except open space lots containing drainage features such as bio basins or pedestrian ramps may be adjusted according to minor final design requirements to the satisfaction of Regional Planning.

The subsequent changes to the tentative map shall be consistent with the environmental analysis in the Project EIR and consistent with Conditional Use Permit No. 87150 and 87360, Oak Tree Permit No. 200700022, and Parking Permit No. \_\_\_\_\_. The changes on the map shall be reviewed and approved by the Subdivision Committee through the Amended Exhibit Map process prescribed in Section 21.16.015 of the County Subdivision Ordinance.

The submittal of each Amended Exhibit Map shall be accompanied by a matrix or similar chart to track the development of commercial retail/office, industrial, and open space/recreation area square footage. The matrix shall include information on the square footage of commercial retail/office and industrial, and acreage of open space/recreation area approved on the VTPM No. 18108 and proposed on the amended Exhibit Map.

37. For the commercial and industrial lots, subdivider shall use the standard lease project note, if applicable, on the final map.
38. Permission is granted to record multiple final maps for commercial retail and office and industrial development, including the recordation of unit maps over previously recorded lots. The boundaries of the unit final maps shall be to the satisfaction of the Los Angeles County Subdivision Committee. Each final map to record shall comply on its own, or in combination with previously recorded maps, with the open space and lot area regulations of the County Code. Prior to clearance of each final map, subdivider shall submit the following:
  - (a) A large lot parcel map (unimproved lots 20 acres or more in area) may record as the first unit map for lease and finance purposes. Subdivider shall dedicate to the County on the final map the right to prohibit construction on these parcels.
  - (b) A phasing map, indicating the boundaries of the current final map, the boundaries and status of all previously filed final unit maps, and the expected boundaries and phasing of all future final maps; and
  - (c) A summary sheet on the phasing map, indicating the number and type of all lots shown, including open space breakdown by acreage and type, on the current and all previous final maps.

Multiple copies of the phasing map shall be submitted to Regional Planning for circulation and approval by the Subdivision Committee.

39. Permission is granted to record additional utility lots and provide maintenance easements to the satisfaction of Regional Planning and Public Works.
40. Permission is granted to vacate excess right of way on "A" Street.

#### **PRIOR TO ISSUANCE OF A BUILDING PERMIT**

41. To obtain approval of development plans for a commercial development, the subdivider shall submit a revised Exhibit Map/Exhibit "A" for approval by the Subdivision Committee pursuant to the amended exhibit map process described in Section 21.16.015 of the County Code to ensure substantial conformance with the approved tentative parcel map and the provisions of the County Code.
42. The design components noted or depicted in VTPM No. 18108, the Exhibit Map/Exhibit "A", and displayed in the Valencia Commerce Center Planning Notebook, shall be in compliance with the County Code.