



# Los Angeles County Department of Regional Planning



*Planning for the Challenges Ahead*

Richard J. Bruckner  
Director

May 18, 2011

Erin del Villar, Alliance Engineering  
2248 Faraday Avenue  
Carlsbad, CA 92008

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**REGARDING: PROJECT NUMBER R2008-00798-(5)  
RCUP 200800084**  
North side of Stoney Creek Road 1,200 feet east of Avenida Ranch Tesoro,  
APN-3244-029-024

Dear Applicant:

The Hearing Officer, Paul McCarthy, by his action of Tuesday, May 17, 2011, **APPROVED** the above described application (***Minor Modification to Condition No. 7 of CUP 200800084***). The applicant and/ or other interested person may appeal the Hearing Officer's decision to the Regional Planning Commission at the office of the commission secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at 5:00 p.m. on Tuesday, May 31, 2011.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Hearing Officer's action is final.

The attached documents contain the Hearing Officer's findings and conditions relating to the approval. Please carefully review each condition. A Condition requires that the permittee records an affidavit accepting the conditions before the grants becomes effective. Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to this approval, please contact Diane Aranda at (213) 974-6435 or e-mail at [DAranda@planning.lacounty.gov](mailto:DAranda@planning.lacounty.gov) of the Zoning Permits East Section. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

Richard J. Bruckner  
Director

  
Maria Masis, Supervising Regional Planner,  
Zoning Permits East Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)  
c: DPW (Building and Safety); Zoning Enforcement

MM:DA

**HEARING OFFICER'S FINDINGS AND ORDER:**

**PROJECT NUMBER R2008-00798-(5)**

**CONDITIONAL USE PERMIT 200800084**

**HEARING DATE: May 17, 2011**

**REQUEST:** Minor modification to conditions of approval to previously approved Conditional Use Permit No. 200800084. If approved, the requested modification to Condition No. 7 would read as follows:

*"This grant will expire unless used by July 8, 2016. A single one-year time extension may be requested in writing with the appropriate fee before the expiration date."*

**PROCEEDINGS BEFORE THE HEARING OFFICER:**

The subject minor modification to Conditional Use Permit No. 200800084 was approved on consent at the May 17, 2011 Hearing Officer meeting, with the following findings.

**Findings**

1. The applicant, Valencia Hills Church, has requested a minor modification to the conditions of approval for Conditional Use Permit No. 200800084 to allow the grant to expire if not used by July 8, 2016. This would allow sufficient time to obtain the necessary financial support to begin the construction process.
2. The project was originally approved on July 8, 2009, authorizing the construction, operation and maintenance of a new two-story church (approximately 50,000 gross square feet) with an assembly area, offices, Sunday school classrooms, and grading of 400,000 cubic yards located in the A-2-2 (Heavy Agricultural- Two Acre Lot Minimum) Zone within the Santa Clarita Valley.
3. The subject property is located on the North side of Stoney Creek Road, 1,200-ft. East of Avenida Rancho Tesoro- assessor parcel number 3244-029-024 in the Castaic Canyon Zoned District within the unincorporated portion of Los Angeles County.
4. Zoning on the subject property is A-2-2 (Heavy Agricultural- Two Acre Lot Minimum).
5. The surrounding properties are zoned A-2-2 (Heavy Agricultural-Two Acre Lot Minimum) zone to the north and west. There is R-1-7,000-(Single-Family Residential-7,000 sq. ft. minimum) to the east and RPD 12,000-3.7 U (Residential Planned Development- 12,000 sq. ft. lot Minimum), R-3-24U-DP (Limited Multiple Family Residences-Development Program) to the south.
6. The 35 acre subject site is vacant, undeveloped land with hills varying from approx. 1,280 ft. above msl. to 1,540 ft. above msl.

7. Surrounding land uses consist of single/multiple-family residences in all directions. The Tesoro Recreation Center (Tesoro Homeowners Association) and park is to the south.
8. The project site is located within an area classified as HM-Hillside Management and areas classified as "Non-Urban 1" on the Land Use Policy Map and Santa Clarita Valley Area Plan where the slope typically exceeds 25% (4 horizontal to 1 vertical). Within these areas, future development is intended to occur in the most suitable and least environmentally sensitive areas, and should be designed in the terms of scale and intensity in a manner compatible with the natural resource values and character of the area.
9. In accordance with the requirements specified in Section 22.56.1620 of the County Code, notices were sent to homeowners within a 1000-foot radius of the subject property, legal advertising was placed in The Signal Newspaper, and the subject property was posted for a 30-day period.
10. Staff received one phone call in opposition to this request during the 15-day comment period.
11. Pursuant to Section 22.56.1630 of the County Code, if more than one protest to the request for a minor modification to a conditional use permit is not received during the appeal period the Hearing Officer shall approve the request.
12. The Hearing Officer finds that the request to extend the "use by" date to July 8, 2016 will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area as the request does not alter the originally approved project.
13. The Hearing Officer finds that the request to allow the grant to expire if not used by July 8, 2016 will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit as the request will not alter the originally approved site plan, elevations, conceptual landscape plan, and mitigation monitoring program.
14. The Hearing Officer finds approval of the request to allow the grant to expire if not used by July 8, 2016 necessary to allow additional time to gain funds to proceed with reasonable operation and use granted in the conditional use permit.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:**

**REGARDING THE MINOR MODIFICATION OF THE CONDITIONAL USE PERMIT:**

- A. That not more than one protest to the granting of the application was received within the specified protest period;
- B. That the burden of proof for the conditional use permit as modified has been satisfied as required by Los Angeles County Code Section 22.56.040;

- C. That approval of the application will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit; and
- D. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a minor modification to a conditional use permit as set forth in Section 22.56.1630, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**HEARING OFFICER ACTION:**

1. The Hearing Officer finds that the project is categorically exempt (Class 1 – Existing Facilities) from the requirements of the California Environmental Quality Act and that the project will not have a significant effect on the environment.

In view of the findings of fact presented above, the requested minor modification to Conditional Use Permit No. 200800084 is approved subject to the attached addendum.

Attachments: Addendum  
c: Zoning Enforcement, Building and Safety

MM:DA

1. This authorizes the construction and operation of a new two-story church (approximately 50,000 gross square feet) on a 35 acre parcel with an assembly area, offices, Sunday school classrooms, and grading of 400,000 cubic yards located within the Santa Clarita Valley, subject to all of the following conditions:
  - a. The permittee shall comply with all requirements specified in the County Fire Department letters dated April 22, 2009 and March 24, 2009, to the satisfaction of said Department;
  - b. The permittee shall comply with all requirements specified in the County Public Works Department letter dated March 31, 2009 to the satisfaction of said Department;
  - c. A minimum of 396 on-site parking spaces including (6) required handicap accessible shall be provided on the subject property;
  - d. No outside storage shall be allowed;
  - e. Storage of trailers, old cars and/or household equipment, such as refrigerators, stoves, freezers, etc. in all required yard areas shall be prohibited;
  - f. The property shall remain free of trash, litter, and other debris.
  - g. No storage buildings, vehicle repairs, disabled vehicles, garbage cans, posters, junk or debris can be kept in the front yard;
  - h. No junk, debris disabled vehicles, or miscellaneous materials or storage can be kept in the rear yard at anytime. No vehicles will be repaired in the rear yard;
  - i. The property, buildings, yards and landscaping will be maintained to the highest level possible, this includes painting, gardening, watering, repairs and maintenance.
  - j. No outside speakers, public address systems, bells and recorded or live music is permitted outside. No public events will take place without approval from the Department of Regional Planning;
  - k. No posters or banners are allowed;
  - l. All structures, walls, and fences open to public view shall remain free of graffiti;
  - m. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint used in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces;
  - n. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A;"
  - o. Any modifications to the property must be accompanied by an approved revised plot plan

(Revised Exhibit "A");

- p. The hours of operation shall be from 7 a.m. to 9 p.m. seven days a week. Sunday school shall take place from 8 a.m. to 5p.m. only on Sundays and youth ministry shall take place during the hours of 6:30 p.m. to 8:30 p.m. once a week;
- q. All grading shall be in accordance with the County of Los Angeles Grading Code and recommendations of Engineering Geologist. A grading plan shall be submitted to Department of Public Works for review and approval prior to the issuance of the grading permit;
- r. The permittee shall submit a Geotechnical report to the Los Angeles County Department of Public Works for review and approval prior to the issuance of a grading permit;
- s. The permittee shall obtain an Individual Permit from Army Corps of Engineers prior to construction (See mitigation monitoring program dated May 11, 2009);
- t. All construction shall adhere to the appropriate provisions of the Uniform Building Code, including seismic design standards, as well as local codes and ordinances;
- u. The permittee shall suspend all construction activities should any potentially important cultural deposits be encountered in the course of construction until a qualified archaeologist is consulted to identify and evaluate the importance of the find, conduct any appropriate assessment, and implement mitigative measures, if necessary (See mitigation monitoring program dated May 11, 2009);
- v. The permittee shall submit a drainage concept plan indicating drainage features and policies to the Department of Public Works prior to issuance of grading permit;
- w. The permittee shall submit a Fuel Modification and Landscape Plan to the County Department of Fire and the Department Regional Planning for review and approval prior to issuance of a grading permit;
- x. Landscaping shall comply with the drought tolerant landscaping requirements of title 22, Zoning Ordinance;
- y. The permittee shall adhere to Construction Noise Limits as specified in Section 12.08.440 Subsections A to D of the Los Angeles Noise Control Code, Title 12;
- z. The permittee shall obtain a Water Quality Certificate from RWQCB prior to issuance of grading permit;
- aa. The permittee shall consult with the Department of Fish and Game to determine the requirement for a Streambed Alteration Agreement pursuant to section 1600 of the Fish and Game code prior to issuance of grading permit (See mitigation monitoring program dated May 11, 2009);

- bb. The permittee shall submit a lighting plan to the Department of Building and Safety and Department of Regional Planning to mitigate the potentially adverse effect of night lighting on surrounding open space (See mitigation monitoring program dated May 11, 2009);
- cc. Motion-sensor lighting shall be placed on the subject property to not disturb the surrounding residential area and the Tesoro Recreation Center;
- dd. The permittee and/or project biologist shall create a designated buffer zone, prior to approval of final map, to assure the San Francisquito Significant Ecological Area is not disturbed. The designated buffer area shall be reviewed and approved by the Department of Regional Planning;
- ee. The permittee shall submit a letter from the County of Sanitation Districts illustrating annexation into the Santa Clarita Valley Sanitation District prior to the issuance of building permits (See mitigation monitoring program dated May 11, 2009);
- ff. The permittee shall comply with all mitigation measures stated in the Mitigation Monitoring Program dated May 11, 2009;
- gg. The permittee shall deposit the sum of \$3,000 with the Department of Regional Planning (DRP) within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the annual reports or as required by this Mitigation Monitoring Program;
- hh. No parking from the church will be allowed along Stoney Creek Road;
- ii. There shall be a sign posted on Stoney Creek Road alerting the surrounding residential community of future construction;
- jj. Traffic monitor(s) will be provided during church services in order to avoid any blocking of Duke Drive or the Tesoro Recreation Center driveway on Stoney Creek Road as well as traffic flow at the Stoney Creek Road/ Avenida Rancho Tesoro intersection;
- kk. The permittee will install a 36" high berm and/or shrubs along the southeast corner of the proposed parking lot to prevent auto lights from spilling onto Tesoro residents or the recreation center;
- ll. The permittee will coordinate with the Tesoro del Valle Homeowners Association regarding dust control measures during grading. A reimbursement program for prevention/cleaning will be implemented on an as needed basis for non-ordinary maintenance;
- mm. Public street light(s) will be installed near the proposed project entry at the easterly end of Stoney Creek Road as directed by the County Department of Public Works;
- nn. The permittee will coordinate with the Tesoro del Valle Homeowners Association regarding off-street lighting along its frontage of Stoney Creek Road; and

- oo. Site security patrol and/or a vehicular gate at the proposed project entry will be provided in order to deter autos/persons from loitering within the church property at night.
2. The permittee shall comply with the Green Building Ordinance Title 22, 22.52.2100;
  3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
  4. 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 Department of Regional 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. 9, and until all required monies have been paid pursuant to Condition No. 10.
  5. 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 cooperate fully 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.
  6. 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 the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to 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.
    - 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 according to Los Angeles County Code Section 2.170.010.
7. This grant will expire unless used by July 8, 2016. A single one-year time extension may be requested in writing with the appropriate fee before the expiration date.
  8. 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.

9. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
10. **This grant will terminate on July 8, 2034.** Upon written application by the permittee made no less than six (6) months prior to June 17, 2034, the term of this grant shall be extended by the Director of Planning for a period not to exceed twenty-five (25) years, as provided herein below. The Director shall grant such extension unless it finds one of the following: (1) that the permittee has failed to adhere to the conditions of approval and such failure has not been timely corrected upon written notice thereof, and (2) that the use is not in compliance with all applicable laws and regulations. If either of the foregoing findings is made by the Director, the extension may be denied. Subsequent extensions may be granted by the Commission upon written application made no less than six (6) months prior to the expiration of the previous extension.

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. The permittee shall deposit with the County of Los Angeles the sum of **\$2,250.00** within the 90 days of the date of approval. These monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. These funds provide for biennial (every other year) inspections for the term of the grant, for a total of fifteen (15) inspections. Inspections shall be unannounced.

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 condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional 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 additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater. If the term of the grant is extended, additional monies sufficient to provide for additional biennial inspections shall be deposited with the County for the life of the grant. The amount due for such inspections shall be the amount equal to the recovery cost at the time of payment.

11. 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 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.
12. Within 3 days of the approval date 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. A fee of **\$2,068.00** (\$1993.00 plus \$75.00 processing fee) is required. No land use project subject to this requirement is final, vested or operative until the fee is paid.

13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

Attachment

Department of Public Works (dated March 31, 2009), County of Los Angeles Fire Department (dated April 22, 2009 and March 24, 2009), Mitigation Monitoring Program (dated May 11, 2009)

MM:DA  
7/8/2009