



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 1, 2016

TO: Hearing Officer

FROM: Richard Claghorn *RC*
Zoning Permits North Section

**SUBJECT: Project No. R2008-00798
Conditional Use Permit (CUP) No. 200800084
HO Meeting: June 21, 2016
Agenda Item: 2**

The above-mentioned item is a request for a time extension for an approval to establish a church in the A-2-2 (Heavy Agricultural, Two-Acre Minimum Required Lot Area) Zone, which was previously authorized under CUP 200800084 on July 8, 2009. A Minor Modification to CUP 200800084 was approved on May 17, 2011. A single one-year time extension is being requested pursuant to Condition No. 7 of the revised conditions of approval from May 17, 2011. The time extension would extend the expiration date to establish the use and to use the CUP from July 8, 2016 to July 8, 2017.

If you need further information, please contact Richard Claghorn at (213) 974-6443 or rclaghorn@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:RC

Enclosure(s): CUP 200800084 Findings and Conditions (2009), CUP 200800084 Revised Findings and Conditions (2011), Letter from applicant requesting time extension



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

July 9, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Craig Whitteker- Alliance Engineering
2248 Faraday Avenue
Carlsbad, CA 92008

**REGARDING: PROJECT NUMBER R2008-00798-(5)
CONDITIONAL USE PERMIT200800084-(5)
NORTH SIDE OF STONEY CREEK ROAD, 1,200-FT. EAST OF AVENIDA TESORO,
APN 3244-029-024**

Dear Applicant:

The Regional Planning Commission, by its action of July 8, 2009, **APPROVED** the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 3 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant or and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on July 22, 2009.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

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 these approvals, please contact **Diane Aranda** at (213) 974-6435 or e-mail at daranda@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Jon Sanabria

Acting Director of Planning

Phillip Erb for
Maria Masis, Supervising Regional Planner
Zoning Permits II Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

c: BOS; DPW (Building and Safety); Zoning Enforcement, Testifiers

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NUMBER R2008-00798-(5)

CONDITIONAL USE PERMIT NUMBER 200800084-(5)

REQUEST:

To authorize 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.

REGIONAL PLANNING COMMISSION HEARING DATE: July 8, 2009

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

July 8, 2009 Public Hearing

A duly noticed public hearing was held on July 8, 2009 before the Regional Planning Commission. Commissioners Bellamy, Helsley, Modugno and Rew were present and Commissioner Valadez was absent. The applicant's agent, Craig Whittaker from Alliance Land Planning Inc., testified in favor of the proposed project. Fifteen area residents were sworn in and testified in favor of the project.

There was discussion about access to Stoney Creek Road from the private driveway that will lead to the church. The Commission requested a dead-end road and not a cul-de-sac at the end of Stoney Creek Road and that the applicant may need to obtain an access easement as determined by the Department of Public Works, which the applicant agreed to do. There was discussion about designing the private driveway to look more natural and aesthetically pleasing by adding landscaping, and the Commission requested to have motion-sensor lighting for the subject property to not disturb the surrounding residents and the Tesoro Recreation Center, to which the applicant also agreed. Staff read the Tesoro del Valle Homeowner Association's recommended conditions into the record and agreed to add them to the County's condition of approval. There being no further testimony, the Regional Planning Commission closed the public hearing, indicated its intent to approve project R2008-00798-(5) with changes to the conditions as agreed to by the applicant, and approved the mitigated negative declaration associated with the project.

Findings

1. The applicant, Valencia Hills Church, is requesting to construct and operate 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. The subject church proposes to have an assembly area with a 1,000 seats with a Sunday school classes held in conjunction with church services and a youth ministry. Operation hours will be from 7 a.m. to 9 p.m. seven days a week with ten to twenty employees and volunteers.

The subject property is located on the north side of Stoney Creek Road 1,200 feet east of Avenida Rancho Tesoro, APN-3244-029-024, Valencia, in the Castaic Canyon zoned district of the unincorporated area of Los Angeles County.

2. The subject property is located in an A-2-2 (Heavy Agricultural-Two Acre Lot Minimum) zone.
3. 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.
4. The 35 acre subject site is vacant, undeveloped land with hills varying from approx. 1,280 ft. above msl. to 1,540 ft. msl. Surrounding land uses to the north consists of vacant land and there single-family residential to the east, west and south.
5. The site plan depicts a two-story church (approximately 50,000 gross square feet) with an assembly area with (1000) seats, offices, youth ministry, and Sunday school classrooms to be constructed in three phases. The first floor has an assembly area (840) seats, a 3-foot high 1,098 square feet stage platform area with a rehearsal area, bathrooms and an exit at the rear. There is lounge seating, a media room and a cry room to the east of the assembly area with stairs to the north and south. An atrium is to the east which will lead to the atrium, elevators and men's and women's restrooms. There are offices to the northeast, Sunday school classrooms, and a serving kitchen to the southeast. There is access to a play area and patio from the first floor. The first floor has a 25,000 square feet floor area.

The second floor illustrates a 3,995 square feet worship center with (160) pull-out bleacher balcony seats with a bridge to the north and south to access the elevator, men's and women's restrooms, offices and youth ministry classrooms to the east. Meeting rooms to the rear will be part of a future expansion. The second floor has a 25,000 square feet floor area.

The subject church will be built in three phases. The occupant load is calculated as 1981 and there are 540 parking spaces provided for the project site. Access to the subject property is from the west via Stoney Creek Road.

6. The Department of Regional Planning has determined that a Mitigated Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. There is a mitigation monitoring program associated with the project dated May 11, 2009 (attached). An Initial Study was prepared for this project in compliance with the California Environmental Quality Act and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on biota, water quality and cultural resources, but prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project which would avoid or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the

Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for the proposed project.

Mitigation monitoring will occur through routine inspections and clearance of site plans prior to project development and in accordance with the approved Mitigation Monitoring Program for this project.

7. The initial study identified geotechnical, flood, water quality, air quality and biota as potential impacts that will be less than significant with the project mitigation measures.
8. The project site is located within an area classified as HM-Hillside Management are areas classified as "Non-Urban 1" on the Land Use Policy Map of the 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. The subject church is located on 35 acre parcel that is situated approximately 150-feet above the surrounding residential properties and setback within the area to reduce visual impacts and not block the viewshed of the residential surroundings. There will be a long paved private driveway to the proposed church in order to buffer the surrounding residential community from the traffic generated in the parking lot. Public services will be provided from existing public utilities within the area and improvements will be made to infrastructure such as street lighting.
10. The proposed project is located in an area deemed suitable from an ecological, geologic and topographic standpoint and shall minimize environmental and geologic impacts by not constructing on the San Gabriel fault that is approximately two miles southwest of the subject site. The subject property is 800-feet from the San Francisquito Canyon Significant Ecological Area (SEA).

Additionally, the project can be found consistent with the general goals and policies of the Santa Clarita Area Plan, including:

- The proposed use will not adversely affect local environmental quality or degrade significant natural resources such as sensitive habitat areas, riparian woodlands and scenic vistas.

There is a mitigation monitoring program that will help to lessen any disturbance created on the natural habitat. The subject church is 800-feet from the San Francisquito Canyon Significant Ecological Area (SEA) and is two miles west of the San Gabriel Fault.

- The proposed use will not be detrimental to public health and safety because of hazardous or special conditions.

The proposed use is a church and will not include handling or the transport of toxic, explosive or otherwise hazardous substance.

- The proposed use will not substantially contribute to the deterioration of air or water quality.

The applicant will develop and implement a dust control plan as approved by the County of Los Angeles Department of Public Health and obtain Water Quality Certificate. In accordance with section 401 of the Federal Clean Water Act, a Water Quality Certificate shall be obtained from the Regional Water Quality Control Board (RWQCB) prior to any direct or indirect impact to the drainage basin located within the southwest portion of the project site.

The County Fire Department has stated that they will provide fire protection and paramedic services.

- The proposed site should be appropriately landscaped, fenced and screened.

The project will be required to provide drought tolerant landscaping and meet the Green Building Ordinance Part 20 of Chapter 22.52.

- The proposed use, individually or in combination with other existing and proposed use patterns, will not require extension or expansion of urban services and facilities.

Necessary public services and infrastructure is readily available, including appropriate sewage disposal facilities. The applicant has provided a Will Serve letter for potable water.

- The proposed use is conveniently accessible by paved road, and will not, individually or in combination with other existing or proposed use patterns over burden existing non-urban roadways.

The applicant will comply with the Department of Public Works requirements, dated March 31, 2009, with preliminary right of way and road improvements (document attached).

- The proposed use is compatible with the character of surrounding development patterns.

The church is designed to preserve scenic value by being situated in the hillside above the residential community and conserves open space by allowing 15 acres to remain undisturbed.

11. The subject church is situated on a nine acre pad within the hillside of the Santa Clarita Valley to avoid blocking the viewshed of the surrounding residential community and to minimize visual impacts. The church is centralized on a 35 acre parcel of which 15 acres will remain undisturbed and in its natural state. The project proposes landscaping to beautify the area and will remain compatible with the community park which is in close proximity.
12. The subject church will provide a services and public access to the surrounding residential community. The proposed project provides adequate on-site parking to avoid on-street parking and traffic congestion.

13. Unless specifically modified by a conditional use permit during the discretionary review process, premises in Zone R-1 shall be subject to the following development standards:

Height limits. Every residence and every other building or structure in Zone R-1 shall have a height of not to exceed 35 feet above grade, except for chimneys and rooftop antennas.

The proposed addition will have a maximum height of 35' above grade. The project meets this requirement.

Yard Requirements. Premises in Zone R-1 shall be subject to the yard requirements provided herein:

1. Front Yards. Each lot or parcel of land shall have a front yard of not less than 20 feet in depth.
2. Corner Side Yards. Each lot or parcel of land shall have corner side yards of not less than:
 - a. 10 feet on a reversed corner lot; or
 - b. Five feet on other corner lots.
3. Interior Side Yards. Each lot or parcel of land shall have interior side yards of not less than five feet.
4. Rear Yards. Each lot or parcel of land shall have a rear yard of not less than 15 feet in depth.

The subject property meets these requirements.

Parking. Every church, temple or other similar place used in whole or in part for the gathering together of persons for worship, deliberation or meditation shall provide, within 500 feet thereof, one parking space for each five persons based on the occupant load of the largest assembly area as determined by the county engineer.

The subject church provides 540 on-site parking spaces with a required 396. Eleven parking spaces will be handicap accessible. The proposed project meets this requirement.

Green Building Standards section 22.522130-1. The purpose is to establish green building standards to all new development. The project is conditioned to meet the applicable standards.

14. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
15. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to 30 years.
16. 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, CA 90012. The custodian of such documents and materials shall be the

Section Head of the Zoning Permits II Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and 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 and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required.
- E. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard, and
- F. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area, and
- G. That the proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan, and
- H. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission finds that the project qualifies for a Mitigated Negative Declaration under California Environmental Quality Act (CEQA) reporting requirements. After consideration of the Mitigated Negative Declaration together with all comments received

during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program for the project.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 200800084 is **APPROVED** subject to the attached conditions.

c: Each Commissioner, Zoning Enforcement, Building and Safety

VOTE: 4-0

Concurring: Bellamy, Helsley, Rew and Modugno

Dissenting: None

Abstaining: None

Absent: Valadez

Action Date: July 8, 2009

DA
7/8/2009

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 within two years from the date of approval. A 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 June 17, 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



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 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



Tesoro Hills, LLC

c/o Intertex Property Management, Inc.

May 5, 2016

County of Los Angeles
Department of Regional Planning
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012

RE: PROJECT NUMBERR2008-00798-(5); RCUP 200800084
North side of Stoney Creek Road 1,200 feet east of Avenida Ranch Tesoro, APN-3244-029-024
REQUEST FOR ONE (1) YEAR TIME EXTENSION

On May 17, 2011, we were granted the approval of a Minor Modification to CUP 200800084 changing condition #7 to 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."

The approved project has been delayed due to multiple factors. The prior owners lost the project due to economic hardships. Their lender foreclosed and has now formed a joint venture with us to move the project forward.

Therefore, we would like to request the approval of a one-year extension to our Conditional Use permit that would extend the grant to July 8, 2017. Provided with this letter is the extension fee of \$1,185 per the current fee schedule. Thank you for your time and consideration of this request.

Sincerely,

Darcey Oldhafer
Manager
Tesoro Hills, LLC

