



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

July 12, 2012

TO: Curt Pedersen, Chair
David G. Louie, Vice Chair
Esther L. Valadez, Commissioner
Harold V. Helsley, Commissioner
Pat Modugno, Commissioner

FROM: *JOS* Jodie Sackett, AICP
Senior Regional Planning Assistant
Land Divisions Section

**SUBJECT: APPEAL OF THE HEARING OFFICER'S DECISION
PROJECT NO. 99-239-(5)
OAK TREE PERMIT NO. 201200001
AMENDED VESTING TENTATIVE TRACT MAP NO. 53138-2
MODIFICATION TO CONDITIONAL USE PERMIT NO. 201100160
ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT NO. 99-239**

AGENDA ITEM NO. 6: JULY 18, 2012

****SUPPLEMENTAL MATERIALS****

PROJECT BACKGROUND/REQUEST

Presidio Chatsworth Partners, LLC ("applicant") requests minor changes to approved Vesting Tentative Tract Map No. 53138 ("TR 53138"), Conditional Use Permit ("CUP") 99-239-(5), and Final Environmental Impact Report ("FEIR") 99-239, originally approved by the Los Angeles County Board of Supervisors on August 10, 2004. The applicant also requests to replace the previously approved Oak Tree Permit Nos. 99-239 and 200500037 with the new Oak Tree Permit No. 201200001.

UPDATED CORRESPONDENCE AND PROJECT CONDITIONS

Since July 5, 2012, staff has received one item of correspondence from the applicant, and no other correspondence. The item received includes a brief e-mail statement from the applicant's representative and suggested CUP condition language that reflects the latest negotiations with the protestants related to trails. This new updated trails language reflects changes to the methods of trails installation and enforcement that help satisfy the concerns of protestants (see **Attachment A**).

All project materials and any previous correspondence can be viewed on the Regional Planning website at <http://planning.lacounty.gov/case>, then, by typing "53138" into the "Search Case Archive" box and following the link to the project webpage.

Staff has reviewed the new suggested trails language from the applicant and agrees that it will improve the existing project conditions for better trails installation and enforcement. Staff has added the language (shown in red) to the set of revised project conditions, which have been included as **Attachment B**.

JDS
7/12/12

Attachments: (A) Applicant correspondence
(B) Findings and conditions of approval (including revised CUP and tract map conditions with added trails language)

ATTACHMENT A

From: [Moore, Charles J.](#)
To: [Sackett, Jodie](#); [Child, Mark](#); [Paidar, Nooshin](#)
Subject: FW: Special Trails Condition for Deerlake Ranch: Final Version
Date: Monday, July 09, 2012 12:23:13 PM
Attachments: [CCNDOCS-#4171680-v13-Special Trails Condition.DOC](#)

This note is for your consideration and possible use as part of a staff update to the planning commission on the special condition (attached) which was negotiated too late last week to be included in your initial report.

The principal concern of the equestrian protestants had been that homeowners in the past could treat a trail on their lot as their own private property. Developers often post security for public improvements and thereby obtain approval for recordation of a final map without actually doing the work. Building permits can be issued and homes constructed without public trails installed.

Here the equestrians wanted a way to insure that sales transactions would not occur without tangible evidence that home buyers will share their property with a County equestrian trail.

Assuming that the developer made use of the security posting procedure and pre-recording flexibility provided by the Subdivision Map Act, there would not be much to disclose since the trails would not exist. The County is well aware of unfortunate situations where required public trails have been overlooked by the County, home buyers and developers.

Our client and the equestrians were looking for a way for physical evidence to disclose the equestrian trails on the residential lots.

The special condition is a product of cooperation between the applicant and the protestants. It helps insure that trails construction will actually commence and complete and that temporary signs will disclose evidence of the trails from the time of rough grading until home occupancy.

For the first time, trail grading must be complete during rough grading of the project site. Posting of security in lieu of actual construction is not permitted. Temporary signs will be posted wherever trails traverse private lots until the residences are constructed and occupied.

From: Moore, Charles J.
Sent: Thursday, July 05, 2012 7:57 AM
To: Sackett, Jodie
Cc: Mark Child (mchild@planning.lacounty.gov); Paidar, Nooshin
Subject: Special Trails Condition for Deerlake Ranch: Final Version

We have worked successfully with counsel for the equestrians who originally protested the modification case, now scheduled for hearing by the planning commission on July 18. I understand that the attached, suggested special condition will enable the protestants to appear at the hearing and withdraw their opposition.

Special Trails Condition for Use Permit and Tentative Tract Map

The equestrian and hiking trails are an important component of this development; they are a public benefit and enhance the community. Therefore, these conditions are added to help enforce the design, completion and control of the public trails depicted in the various county approvals.

1. The permittee shall make an irrevocable offer of dedication of all trails shown on Exhibit "A" to the County of Los Angeles on the final tract map(s) which includes any portion of the trails.
2. The permittee shall construct all equestrian and hiking trails as depicted on Exhibit "A" to the satisfaction of the Department of Public Works and the Department of Parks and Recreation.
3. The permittee shall complete the trail grading prior to rough grading certification, and the completion of this trail grading work shall be confirmed by the appropriate County staff in connection with the inspection and issuance of rough grading certification. Posting of security in lieu of such actual completion of trails shall not be permitted.
4. The permittee shall post temporary signs sufficient in size and number so as to be visible and legible from every home site whose lot is traversed by a trail. Each sign shall give notice that a Los Angeles County equestrian trail, open to the public, is located in the area. The Department of Public Works shall not sign off on permittee's completion of rough grading until the Department has confirmed that the signs have been posted.

The temporary signs shall be continually maintained until the residences are constructed and occupied.

5. These conditions may be satisfied incrementally within each project phase so long as the trails are complete prior to any rough grading certification which includes any portion of the trails.

ATTACHMENT B

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 99-239-(5)
SECOND AMENDMENT TO VESTING TENTATIVE TRACT MAP NO. 53138**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of the Second Amendment to Vesting Tentative Tract Map No. 53138 ("Second Amendment") on February 21, 2011. TR 53138 was heard concurrently with Oak Tree Permit ("OTP") No. 201200001 and Conditional Use Permit Modification ("CUP Mod") No. 201100160.
2. The Second Amendment proposes the following amendments to Vesting Tentative Tract Map No. 53138 ("TR 53138):
 - Reduction in the overall number of lots from 421 (including 375 single-family lots) to 344 lots (including 314 single-family lots).
 - Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;
 - Revised interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
 - Waiver of street frontage on lots fronting private driveways and fire lanes;
 - Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards;
 - Modification of Condition No. 11 to allow 34 lots to have less than the required street frontage; and
 - Modification of the text of Condition Nos. 20, 21, 25, 26, 27, 28, 29, 30, 31, 32 and 36 for the vesting tentative tract map to reflect the approved amendments.
 - Modification of Condition No. 38 for additional language related to trails construction, maintenance and enforcement.
3. OTP No.201200001 is a request to remove 42 oak trees and encroach into the protected zones of 13 oak trees (no heritage oaks).
4. CUP Mod No. 201100160 is a request to modify the text conditions of CUP 99-239 – (5) to reflect the changes in numbers and types of lots, and lot numbers, proposed by the amended tentative tract map, and modification to Condition No. 3 of CUP 99-239 – (5) to allow a reduction in the number of horse-keeping lots from 55 to 41. Also requested is a change to Condition No. 61 to reflect additional language for trails construction, maintenance and enforcement.
5. Approval of this request is contingent upon the approval of all the other requests for entitlements included in Project No. 99-239 – (5).
6. If this amendment map is denied at the public hearing and the denial is sustained by subsequent appeals, the subdivider may proceed with the development approved under

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DRAFT FINDINGS

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previous approvals once the final map is recorded.

7. Only items proposed for modification can be considered by the Commission at the public hearing. All other project features and conditions remain as previously approved.
8. The subject site is located at the north of California State Route 118 (Ronald Reagan Freeway) between Canoga Avenue and Topanga Canyon Boulevard, within the Chatsworth Zoned District.
9. The irregularly-shaped property is 230.58 gross acres in size with flat to hilly terrain. A large portion of the property is generally a plateau that is bordered to the west and south by Devil's Canyon and to the east by Brown's Canyon. It is generally vacant though five single-family residences are included in Not A Part ("NAP") areas surrounded by the project site
10. The majority of the subject property was historically known as the Deerlake Highlands Tract, a Record of Survey subdivision of approximately 2,275 lots recorded in the late 1920's. Since their creation in the late 1920's, these substandard lots have occasionally been conveyed, sold, and acquired. These lots have been merged into 624 lots, each with a minimum of 6,000 square feet through the processing and issuing of 624 unconditional certificates of compliance.
11. The residences will take access from internal private and future streets as well as private driveways and fire lanes, which take access from Poema Place a 64-foot wide dedicated public street, and Canoga Avenue, a variable-width dedicated public street.
12. The subject property is depicted within the Non-Urban (R) and Rural Communities (RC) land use classifications on the Land Use Policy Map of the Los Angeles Countywide General Plan ("General Plan"). The Rural Communities designation permits residential density of one to six dwelling units per acre. The Non-Urban designation permits a maximum density of one dwelling unit per acres. The project's overall proposed density is approximately 1.7 dwelling units per acre.
13. Density transfer of 23 units from the southeasterly portion of the site designated Urban to a portion of the Non-Urban area within the southwesterly portion of the site was included in the original project. However, due to the reduction in overall number of units, this density transfer is not included in the amended project.
14. The project site is currently A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) and R-1-6,000 (Single-Family Residential - 6,000 Square Feet Minimum Required Lot Area). The zoning was established by Ordinance No. 7505 which became effective on April 14, 1959.
15. The proposed project is required to comply with the development standards of the A-1-1 and R-1-6,000 zones. Detached residences are permitted in the A-1-1 zone pursuant to Section 22.24.070 of the Los Angeles County Code ("County Code") and in the R-1-10,000 zone, pursuant to Section 22.20.070 of the County Code.

16. The amended tentative tract map dated July 12, 2011, depicts 344 lots, including 314 single-family lots (including seven flag lots), one debris basin lot, one heli-spot lot (a flag lot), one sheriff's storefront facility lot, 26 open space lots, one sewer pump station lot, and one remainder lot on 230.58 acres. The single-family lots range in size from approximately 7,500 square feet in area to approximately 55,000 square feet in area. The lots are accessed from public streets and from private driveways and fire lanes that connect with Poema Place and Canoga Avenue. Proposed grading is 1.8 million cubic yards of combined cut and fill total.

17. Staff received one letter from the Deerlake Ranch Construction Committee dated January 12, 2011, supporting the proposed amendments to TR 53138. The letter also requested that the Los Angeles County Department of Parks and Recreation take any necessary steps to ensure that individual lot owners do not impede the use of trails that cross their respective property lines. The Committee was created by Condition No. 48 of CUP 99-239- (5), approved by the Los Angeles County Board of Supervisors ("Board") on August 10, 2004. The Committee, composed of six individuals who shall be property owners, tenants, business owners, and/or other interested persons in the Chatsworth area as appointed by the Supervisor of the Fifth Supervisorial District, is to meet quarterly (or less frequently at the direction of the Committee) with the permittee and his contractor representatives.

Staff received two letters from neighbors to the project site expressing concerns about removal of oak trees; development of the natural area; and access to the trail network that, in part, crosses private property within a gated community.

18. The subject Second Amendment, and associated oak tree permit and CUP modification were initially heard by a Los Angeles County Hearing Officer, Gina Natoli, on February 21, 2012.

19. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer heard a presentation from staff that summarized the requested entitlements and noted that more than one protest to the CUP modification had been received.

20. During the February 21, 2012 Hearing Officer public hearing, the applicant's representatives discussed the procedure for denying the CUP modification. They questioned whether opponents must state a reason for their opposition for that opposition to be valid and whether the nature of the opposition was within the limited scope of the hearing. County Code Section 22.56,1630 (A) does not require opponents to explain the nature of their opposition for that opposition to be valid.

21. During the February 21, 2012 Hearing Officer public hearing, one person representing Equestrian Trails Incorporated Corral No. 54 and the Deerlake Ranch Construction Committee testified in support of the project. They indicated support for the proposed modifications; stated that several features in the proposed plan will help insure that the trails will be properly maintained and not a burden to the property owners whose lots the trails cross; and that the Los Angeles County Sheriff's Department would deal with any property owner who impeded access to the trail.

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22. During the February 21, 2012 Hearing Officer public hearing, two persons indicated they opposed the project but, due to the fact that the project was to be denied, reserved their remarks on the merits of the project until further proceedings are initiated by the applicant.
23. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer noted that the denial of the condition modification request is not a withdrawal of the project; that the basis for the denial was clearly stated in County Code Section 22.56,1630 (A); and that the County Code does not require opponents to explain the nature of their opposition for that opposition to be valid.
24. During the February 21, 2012 public hearing, the Hearing Officer clarified that only the requested modifications are considered during any proceeding on an amendment map and CUP modification, both at the hearing and at the appeal level.
25. After all testimony and discussion on February 21, 2012, the Hearing Officer closed the public hearing and denied CUP Mod 201100160, Second Amendment to Vesting Tentative Tract Map No. 53138, and OTP 201200001 because more than two protests had been received.
26. On July 18, 2012, the Commission conducted a duly-noticed public hearing to hear the appeal of the subject project.
27. During the July 18, 2012 Commission public hearing, the Commission heard a presentation from staff and the applicant's representative. No other testimony was heard.
28. During the July 18, 2012 Commission public hearing, the applicant's representative made a presentation and gave testimony regarding the timely installation of trails and enforcement of public trail easements, indicating that both would be provided for the community through project conditions of approval. They also indicated that the nature of the opposition which warranted the applicant's appeal was not within the limited scope of the minor changes being proposed by the applicant.
29. During the July 18, 2012 Commission public hearing, County Counsel explained that the appeal brought forth by the appellants does not substantively relate to the limited scope of the amendments proposed, and thus, the Commission may decide the appeal on the basis of the merits of the proposed amendments.
30. The Commission finds that the requested modification in the overall number of lots as indicated in the chart below is acceptable, as this modification will leave an additional approximately 19 acres of the project site undeveloped and have the additional benefits of reducing greenhouse gas emissions and vehicle traffic to and within the project site during the construction and operations phases of the project, and reducing demand for public utility services during the operations phase of the project.
31. The Commission finds that the following modifications to the approved private and future streets are acceptable as Public Works has determined that the proposed private driveways and fire lanes can adequately serve the expected traffic for the project; the Fire Department

has determined that the private driveways and fire lanes will provide adequate access for fire-fighting vehicles; Regional Planning has determined that the four-foot wide sidewalks on either side of the proposed private driveways and fire lanes provide adequate pedestrian access to the project; and these modifications will reduce overall project grading:

- Poema Place between Topanga Canyon Road to a point approximately 280 feet east of the Poema Place bridge, a 55-foot wide private and future street with a 40-foot wide paved roadway, to become a private driveway and fire lane with a 42-foot wide right of way and a 36-foot wide paved roadway; and
 - Interior private and future streets that have a 51-foot to 58-foot wide right of way and a 34-foot to 36-foot wide paved roadway to become private driveways and fire lanes with either a 42-foot wide right of way and a 36-foot wide paved roadway or a 38-foot wide right of way and a 34-foot wide paved roadway.
32. The Commission finds that the requested waiver of street frontage to allow private driveways and fire lanes, pursuant to County Code Section 21.24.040 is acceptable as:
- The applicant's goal in proposing private driveways and fire lanes is to reduce the amount of project grading and, thus, reduce alteration of the existing topographic conditions;
 - The parcels are being created originally to be served by private driveways and fire lanes so no existing pattern of ownership is affected; and
 - Public Works and the Fire Department have determined that the proposed private driveways and fire lanes will adequately serve the proposed vehicular traffic and provide satisfactory access for fire-fighting vehicles so the public health, safety, and general welfare will not be adversely affected.
33. The Commission notes that the result of the reduction in the overall number of lots and the modification of private and future streets to private driveways and fire lanes is a reduction in overall project grading from 2.2 million cubic yards combined cut and fill to 1.8 million cubic yards combined cut and fill.
34. The Commission finds that County Code Section 21.24.300(A), which states that, wherever practical, frontage at the right-of-way line for lots on a cul-de-sac knuckle shall be 40 feet or more, and County Code Section 21.24.300 (B), which states that, wherever practical, the frontage at the right of way line shall be equal to or greater than the average lot width for lots not on a turnaround or cul-de-sac knuckle, provides some latitude to the Commission in approving requested modifications of lot frontage. For the R-1-6,000 zone, the required width is 50 feet. For the A-1-1 zone, the required width is 60 feet. The Commission finds that modification of lot frontage to less than the frontage required by County Code Sections 21.24.300 (A) and (B), as requested by the applicant for Lot Nos. 12, 13, 15, 16, 17, 18, 19, 33, 34, 37, 55, 63, 64, 65, 66, 67, 68, 69, 78, 92, 95, 96, 97, 98, 99, 101, 157, 244, 296, 298, 299, 307, 310, 311 is acceptable.
35. The Commission finds that proposed modifications to the text of vesting tentative tract map approval conditions no. 20, 21, 25, 26, 27, 28, 29, 30, 31, 32 and 36 are acceptable as

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these modifications reflect only changes in the number of lots, type of lots, lot numbers, types of streets, and street names approved by this amendment and do not modify the intent of these conditions.

36. Approval of this amendment map does not change the August 4, 2015 expiration date of Vesting Tentative Tract Map 53138.
37. Future development on the proposed parcels must comply with the Los Angeles County Low Impact Development, Green Building, and Drought-Tolerant Landscaping Ordinances, as applicable, prior to building permit issuance.
38. This tract map was originally approved as a "vesting" tentative map. As such, it is subject to the provisions of Section 21.38.010 of the County Code. The Second Amendment does not change the "vesting" status.
39. An addendum to the Final Environmental Impact Report has been recommended as the appropriate environmental document for this project pursuant to the California Environmental Quality Act ("CEQA") and the Los Angeles County Environmental Guidelines. It was determined that, pursuant to CEQA Guidelines Section 15164, some changes to the previously certified FEIR are necessary but none of the conditions described in CEQA Guidelines Section 15162, calling for the preparation of a subsequent EIR, have occurred.
40. After consideration of the addendum to the FEIR and the FEIR itself, together with any 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 proposed amendment will have a significant effect on the environment, finds the addendum reflects the independent judgment and analysis of the Commission, and approves the addendum.
41. Approval of this amendment is conditioned on the subdivider's compliance with the attached conditions of approval.
42. 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 the Los Angeles Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, THE COMMISSION:

1. Adopts the addendum to the FEIR and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto.
2. Approves the Second Amendment to Vesting Tentative Tract Map No. 53138 subject to the attached conditions and recommendations of the Los Angeles County Subdivision Committee.

PROJECT NO. 99-239- (5)
SECOND AMENDMENT TO TENTATIVE TRACT MAP NO. 53138
DRAFT MODIFIED CONDITIONS

The Second Amendment to Vesting Tentative Tract Map No. 53138 ("Second Amendment") proposes to amend certain conditions of approved Vesting Tentative Map No. 53138 ("TR 53138"), as indicated below.

1. Condition No. 10, as currently approved, reads as follows:

Provide at least 40 feet of frontage at the property line for each lot fronting on a cul-de-sac and knuckle, and at least 50 feet of frontage at the property line for all other lots, except for flag lots. Provide approximately radial lot lines for each lot.

With the requested modification, the applicant is adding the following to Condition No. 10, and it would read as follows:

Provide at least 40 feet of frontage at the property line for each lot fronting on a cul-de-sac and knuckle, and at least 50 feet of frontage at the property line for all other lots, except for Lot Nos. 12, 13, 15, 16, 17, 18, 19, 33, 34, 37, 55, 63, 64, 65, 66, 67, 68, 69, 78, 92, 95, 96, 97, 98, 99, 101, 157, 244, 296, 298, 299, 307, 310, 311, which may have the reduced frontage indicated on the Amended Vesting Tentative Tract Map dated July 12, 2011, and except for flag lots. Provide approximately radial lot lines for each lot

2. Condition No. 20, as currently approved, reads as follows:

Show "A" Street, "D" Street through "K" Street, "B" Street south of "L" Street, and "C" Street north of "N" Street as dedicated streets on the final map.

With the requested modification, the applicant is revising and adding the following to Condition No. 20 and it would read as follows:

Show "A" Street, "D" Street through "K" Street, "B" Street south of "L" Street, and "C" Street north of "N" Street Canoga Avenue and Bullfinch Road, south of the proposed gates, Nogan Drive and Poema Place from Canoga Avenue to cul-de-sac as dedicated streets on the final map.

3. Condition No. 21, as currently approved, reads as follows:

Show "B" Street north of "K" Street, "C" Street north of "K" Street, and "L" Street through "X" Street as private and future streets on the final map

With the requested modification, the applicant is revising and adding the following to Condition No. 21 and it would read as follows:

Show ~~"B" Street north of "K" Street, "C" Street north of "K" Street, and "L" Street through "X" Street~~ as private and future streets project access as private driveways and fire lanes on the final map

4. Condition No. 25, as currently approved, reads as follows:

Prior to recordation of any final map unit that includes "T" Street, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend through Lot 266 from the northerly tract boundary to private and future "T" Street, continuing to a public road, as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of 28 feet, and a maximum of 58 feet in width.

With the requested modification, the applicant is revising and adding the following to Condition No. 25 and it would read as follows:

Prior to recordation of any final map unit that includes "~~T~~" Street Schindler Way, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend ~~through by Lot 266- 255~~ from the northerly tract boundary to ~~private and future "T" Street private driveway and fire lane Schindler Way~~, continuing to a public road, as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of 28 feet, and a maximum of 58 feet in width.

5. Condition No. 26, as currently approved, reads as follows:

Prior to recordation of any final map unit that includes "T" Street, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project, including those commonly referred to as the "Deerlake Addition." The easement shall extend ~~through by Lot 266~~ from the northerly tract boundary to private and future "T" Street, continuing to a public road, as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of 36 feet, and a maximum of 58 feet in width.

With the requested modification, the applicant is revising and adding the following to Condition No. 26 and it would read as follows:

Prior to recordation of any final map unit that includes "~~T~~" Street Schindler Way, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project, including those commonly referred to as the "Deerlake Addition." The easement shall extend ~~through by Lot 266~~ 337 from the northerly tract boundary to ~~private and future driveway and fire lane "T" Street Schindler Way~~, continuing to a public road, as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of ~~36~~ 32 feet, and a maximum of ~~58~~ 42 feet in width.

6. Condition No. 27, as currently approved, reads as follows:

Prior to the recordation of any final map unit that includes "X" Street, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend from the northerly property line of the project site at Lot 7 of Section 6, through and over "X" Street, across and within those portions of all private and future streets which are northerly of the depicted gate entries on Tract Map No. 53138, to a public road, and shall be 64 feet in width, including slope easements. The easement shall terminate if and when the County of Los Angeles accepts the applicant's offer of dedication of "X" Street.

With the requested modification, the applicant is revising and adding the following to Condition No. 27 and it would read as follows:

Prior to the recordation of any final map unit that includes "X" Street, submit evidence satisfactory to the Director that an easement for ingress, egress, and

underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend from the northerly property line of the project site at Lot 7 of Section 6, through and over "X" Street, across and within those portions of all private and future streets driveways and fire lanes which are northerly of the depicted gate entries on Tract Map No. 53138, to a public road, and shall be 64 feet in width, including slope easements. The easement shall terminate if and when the County of Los Angeles accepts the applicant's offer of dedication of "X" Street.

7. Condition No. 28, as currently approved, reads as follows:
Grant to all persons holding title to land within the County of Los Angeles and the heirs, successors, and assigns of said persons, as their interest may now or hereafter appear of record, a non-exclusive easement for ingress and egress, road, and utility purposes over the private and future streets within this subdivision to the satisfaction of the Department of Public Works and the Department of Regional Planning.

With the requested modification, the applicant is revising and adding the following to Condition No. 28 and it would read as follows:

Grant to all persons holding title to land within the County of Los Angeles and the heirs, successors, and assigns of said persons, as their interest may now or hereafter appear of record, a non-exclusive easement for ingress and egress, road, and utility purposes over the private and future streets driveways and fire lanes within this subdivision to the satisfaction of the Department of Public Works and the Department of Regional Planning.

8. Condition No. 29, as currently approved, reads as follows
Permission is granted to use the alternate street cross section to the satisfaction of the Department of Regional Planning and Department of Public Works for "R" Street, "S" Street, "T" Street, "U" Street, "V" Street, and "W" Street.

With the requested modification, the applicant is revising and adding the following to Condition No. 29 and it would read as follows:

Permission is granted to use the alternate street cross section to the satisfaction of the Department of Regional Planning and Department of Public Works for "~~R~~" Street, "~~S~~" Street, "~~T~~" Street, "~~U~~" Street, "~~V~~" Street, and "~~W~~" Street all public streets.

9. Condition No. 30, as currently approved, reads as follows:
Convey and easement for construction of a helispot on Lot 399 to the Consolidated Fire Protection District of the County of Los Angeles for use by said Consolidated Fire Protection District and other emergency personnel. Submit evidence of compliance with this condition to the Director prior to recordation of the final map.

With the requested modification, the applicant is revising and adding the following to Condition No. 30 and it would read as follows:

Convey and easement for construction of a helispot on Lot ~~399~~ 341 to the Consolidated Fire Protection District of the County of Los Angeles for use by said

Consolidated Fire Protection District and other emergency personnel. Submit evidence of compliance with this condition to the Director prior to recordation of the final map.

10. Condition No. 31, as currently approved, reads as follows:

Dedicate to the County of Los Angeles on the final map the right to prohibit the construction of residential and accessory structures over the lots designated as remainder parcels. Construction of recreational amenities is permitted. Dedicate on the final map the right to prohibit the construction of residential and accessory structures on the open space lots (Lots 378 through 383, 385 through 393, 398, 400, 401, and 417). Recreational structures may be constructed on portions of Lots 376, 384, and 416 subject to approval of plot plans by the Director.

With the requested modification, the applicant is revising and adding the following to Condition No. 31 and it would read as follows:

Dedicate to the County of Los Angeles on the final map the right to prohibit the construction of residential and accessory structures over the lots designated as open space remainder parcels (Lots 315, 317-336, 338-340, 343, 344. Construction of recreational amenities is permitted. ~~Dedicate on the final the right to prohibit the construction of residential and accessory structures on the open space lots (Lots 378 through 383, 385 through 393, 398, 400, 401, and 417). Recreational structures may be constructed on portions of Lots 376, 384, and 416 subject to approval of plot plans by the Director of Planning. Recreational structures/facilities maybe constructed on portions of lots 315, 324, 336, and 343 subject to approval of plot plans by the Director. Water and Sewer structures/facilities may be constructed on lots 327 and 342. Drainage structures/facilities may be constructed within open space lots as shown on the drainage concept/hydrology study approved by the Department of Public Works.~~

11. Condition No. 32, as currently approved, reads as follows:

Lot 337 shall be used for a sheriff's storefront sub-station to be constructed by the subdivider to the satisfaction of the Sheriff's Department as provided for in Conditional use Permit Case No. 99-239-(5).

With the requested modification, the applicant is revising and adding the following to Condition No. 32 and it would read as follows:

Lot ~~337~~ 316 shall be used for a sheriff's storefront sub-station to be constructed by the subdivider to the satisfaction of the Sheriff's Department as provided for in Conditional use Permit Case No. 99-239-(5).

12. Condition No. 33, as currently approved, reads as follows:

Provide for the ownership and maintenance of the open space lots (Lots 378 through 383, 385 through 393, 398, 400, 401, and 417) by a homeowners' association or dedicate the open space lots to a public agency to the satisfaction of the Department of Regional Planning.

With the requested modification, the applicant is revising Condition No. 33 and it would read as follows:

Provide for the ownership and maintenance of the open space lots (~~Lots 378 through 383, 385 through 393, 398, 400, 401, and 417~~ Lots 315, 317 through 336, and 338 through 340, 333, and 334) by the homeowners' association or dedicate the open space lots to a public agency to the satisfaction of the Department of Regional Planning.

13. a) Condition No. 36, as currently approved, reads as follows:

Bond with the Department of Public Works for any recreational structures proposed for Lots 404 and 408 and the equestrian rest area adjacent to Lot 262.

With the requested modification, the applicant is revising and adding the following to Condition No. 36 and it would read as follows:

Bond with the Department of Public Works for any recreational structures proposed for Lots 404 315 and 408 324 and the equestrian rest area adjacent to within Lot 262 336.

b) Condition No. 38, as currently approved, reads as follows:

Construct and dedicate equestrian and hiking trails to the County of Los Angeles, or other public agency approved by the County of Los Angeles, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director prior to recordation of the final map or unit map, which includes all, or a portion of the trail.

With the requested modification, the applicant is revising Condition No. 38 and it would read as follows:

Construct and dedicate equestrian and hiking trails to the County of Los Angeles, or other public agency approved by the County of Los Angeles, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of the Department of Regional Planning prior to recordation of the final map or unit map, which includes all, or a portion of the trail. No building permit shall be issued within any final map, or unit map, until the equestrian and hiking trail within that map has been constructed. In addition,

A. The permittee shall make an irrevocable offer of dedication of all trails shown on Exhibit "A" to the County of Los Angeles on the final tract map(s) which includes any portion of the trails.

B. The permittee shall construct all equestrian and hiking trails as depicted on Exhibit "A" to the satisfaction of the Department of Public Works and the Department of Parks and Recreation.

C. The permittee shall complete the trail grading prior to rough grading certification, and the completion of this trail grading work shall be confirmed by the appropriate County staff in connection with the

inspection and issuance of rough grading certification. Posting of security in lieu of such actual completion of trails shall not be permitted.

- D. The permittee shall post temporary signs sufficient in size and number so as to be visible and legible from every home site whose lot is traversed by a trail. Each sign shall give notice that a Los Angeles County equestrian trail, open to the public, is located in the area. The Department of Public Works shall not sign off on permittee's completion of rough grading until the Department has confirmed that the signs have been posted.
- E. The temporary signs shall be continually maintained until the residences are constructed and occupied.
- F. These conditions may be satisfied incrementally within each project phase so long as the trails are complete prior to any rough grading certification which includes any portion of the trails.

14. All other conditions of TR 53138 remain as previously approved.

15. Permission is granted to develop the subdivision in accordance with the amendment map dated July 12, 2011.

16. Permission is granted to make the following changes to the tentative tract map:

- Reduction in the overall number of lots from 421 (including 375 single-family lots) to 344 lots (including 314 single-family lots).
- Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;
- Revision of interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
- Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards; and
- Allowing Lot Nos. 12, 13, 15, 16, 17, 18, 19, 33, 34, 37, 55, 63, 64, 65, 66, 67, 68, 69, 78, 92, 95, 96, 97, 98, 99, 101, 157, 244, 296, 298, 299, 307, 310, 311 to have less than the required street frontage.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53138 (Amend.)

Page 1/1

AMENDMENT MAP DATED 07-12-2011
EXHIBIT MAP DATED 07-12-2011

The following reports are recommended for inclusion in the conditions of tentative approval:

1. Comply with the attached three-page Subdivision conditions.
2. Comply with the attached one-page Drainage conditions to the satisfaction of Public Works.
3. Comply with the attached two-page Geology/Soils conditions to the satisfaction of Public Works.
4. Comply with the attached two-page Grading conditions.
5. Comply with the attached 13-page Road and Traffic conditions.
6. Comply with the attached one-page Sewer conditions.
7. Comply with the attached one-page Water conditions.
8. Comply with all other previously approved/amended conditions for Tract No. 53138 to the satisfaction of Public Works.

^{HW}
Prepared by Henry Wong
tr53138La-rev1(07-12-2011)(rev'd 10-05-11).doc

Phone (626) 458-4910

Date Rev. 10-05-2011

The following reports consisting of 23 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
7. Provide alternate legal and physical access to those areas labeled "not a part" of this subdivision to the satisfaction of the Departments of Regional Planning and Public Works.
8. Delineate proof of offsite access to Canoga Avenue on the final map.
9. Furnish this Department's Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.
10. A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.
11. Dedicate vehicular access rights to streets at rear of double frontage lots.
12. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.
13. Reserve reciprocal easements for drainage, ingress/egress, utilities, and maintenance purposes, etc., in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.
14. Show open space note on the final map and dedicate residential construction rights over the open space lots.
15. Depict all line of sight easements on grading and/or landscaping plans to the satisfaction of Public Works.
16. The boundaries of the unit final maps shall be designed to the satisfaction of the Departments of Regional Planning and Public Works.
17. The first unit of this subdivision shall be filed as Tract No. 53138-01, the second unit, Tract No. 53138-02, and the last unit, Tract No. 53138.
18. The request to waive street frontage requirements and use private driveways and fire lanes needs to be approved by the Advisory Agency.

19. Quitclaim or relocate easements running through proposed structures.
20. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.
21. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
22. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.
23. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of \$2,000 (Minor Land Divisions) or \$5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
WWW.DPW.LACOUNTY.GOV

TRACT MAP NO. 53138

TENTATIVE MAP DATED 7/12/2011
EXHIBIT MAP DATED 07/12/2011

STORM DRAIN AND HYDROLOGY SECTION CONDITIONS OF APPROVAL, PHONE: (626) 458-4921

Prior to Storm Drain Approval/Issuance of Grading Permit:

1. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).
2. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.
3. Contact the Corps of Engineers to determine if a 404 Permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).
4. This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain procedures for revising the flood insurance rate map once the storm drain facilities are constructed. Encroachment into FEMA Zone "A" is not permitted prior to obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA.
5. Comply with the requirements of the Revised Hydrology Study/Drainage Concept/Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 11/25/03 and 12/28/06 and 08/23/07 and 08/29/2011 to the satisfaction of Public Works.
6. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prior to recordation of a Final Map:

1. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This note will be allowed on all open space lots. This is required to the satisfaction of the Department of Public Works.
2. Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works.

A3

Name _____

Christopher Sheppard

Date _____

08/29/2011

Phone _____

(626) 458-4921

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
1 Geologist
1 Soils Engineer
1 GMED File
1 Subdivision

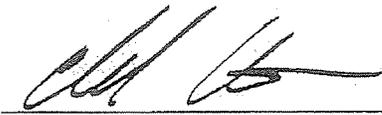
TENTATIVE TRACT / PARCEL MAP 53138
SUBDIVIDER Presidio Chatsworth Partners, LLC
ENGINEER B&E Engineers
GEOLOGIST & SOILS ENGINEER Geolabs-Westlake Village

TENTATIVE MAP DATED 7/12/11 (Rev.)
LOCATION Chatsworth
GRADING BY SUBDIVIDER [Y] (Y or N) 1.8 M yds.²
REPORT DATE 9/6/11, 7/7/11, 12/30/10, 7/26/07, 7/25/07

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOLOGIC STANDPOINT

THE FOLLOWING CONDITIONS MUST BE FULFILLED:

1. The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical requirements have been properly depicted. For Final Map clearance guidelines refer to GS051.0 in the Manual for Preparation of Geotechnical Reports (<http://www.dpw.lacounty.gov/gmed/manual.pdf>).
2. A grading plan must be geotechnically approved by the GMED prior to Final Map approval. The grading depicted on the plan must agree with the grading depicted on the tentative tract or parcel map and the conditions approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds may be required.
3. Prior to grading plan approval a detailed engineering geology and soils engineering report must be submitted that addresses the proposed grading. All recommendations of the geotechnical consultants must be incorporated into the plan (Refer to the Manual for Preparation of Geotechnical Reports at <http://www.dpw.lacounty.gov/gmed/manual.pdf>).
4. All geologic hazards associated with this proposed development must be eliminated. Alternatively, the geologic hazards may be designated as restricted use areas (RUA), and their boundaries delineated on the Final Map. These RUAs must be approved by the GMED, and the subdivider must dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas (refer to GS063.0 in the manual for preparation of Geotechnical Reports*).
5. The Soils Engineering review dated 10/3/11 is attached.

Prepared by 
Charles Nestle

Reviewed by _____ Date 10/5/11

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office N/A
Job Number GMPH
Sheet 1 of 1

Tentative Tract Map 53138
Location Chatsworth
Developer/Owner Presidio Chatsworth Partners, LLC
Engineer/Architect B & E Engineers
Soils Engineer Geolabs-Westlake Village (W.O. 9036)
Geologist Same as above

DISTRIBUTION:

Drainage
 Grading
 Geo/Soils Central File
 District Engineer
 Geologist
 Soils Engineer
 Engineer/Architect

Review of:

Revised Tentative Tract Map Dated by Regional Planning 7/12/11

Change of Consultant Letter Dated 07/25/07

Geotechnical Report Dated 9/6/11, 7/7/11, 07/26/07

Soil Nail Wall Report by Geolabs-Westlake Village 6/24/09, 12/10/08 (revision), 4/10/08 (Soil Nail Walls - W.O. 9036.005)

Soils Engineering and Geologic Reports by Kleinfelder Dated 12/12/06, 8/29/06, 7/14/04, 6/14/06, 5/3/06, 4/20/06, 12/30/05, 10/14/05, & 8/1/05

Previous Review Sheet Dated 8/30/11

ACTION:

Revised Tentative Tract Map is recommended for approval, subject to conditions below.

REMARKS:

1. At the grading plan stage and final map stage, verify the following has been completed :

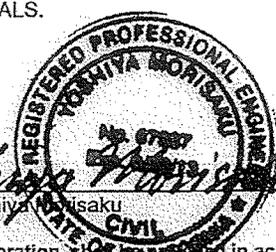
Show locations of proposed slopes and retaining walls with geo-textile or other structural elements on the grading plan to the satisfaction of DPW. All areas of these structural elements and 10-feet beyond these elements must be placed in Restricted Use Area and must be shown on the grading plan and final tract maps to the satisfaction of DPW.

2. At the grading plan review stage, provide information, analyses, and/or recommendations for the following
 - a. *Soils parameters.* Provide additional shear strength test results of various materials (in particular, shear strength parameters of the along bedding materials, fill materials for proposed buttresses and keyways, etc.) required for additional stability analyses as indicated below.
 - b. *Slope stability analyses.* Provide additional stability analyses for slopes based on a 40-scale to substantiate those proposed at 100-scale. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Show locations of the cross sections used in slope stability analyses on the geotechnical map. Recommend mitigation if factors of safety are below County minimum standards.
 - c. *Debris basins.* Provide slope stability analyses considering rapid drawdown condition for debris basins with slopes steeper than 3:1 gradient and designed with outlet structures. Recommend mitigation if factors of safety is below the minimum standard.
3. At the grading plan stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.
4. At the grading plan stage, submit a grading plan report to the Soils Section for verification that the completed work complies with County codes and policies.

NOTE(S) TO THE LAND DEVELOPMENT PLAN CHECKER:

- A. CULVERT/DEBRIS BASIN LOCATED ADJACENT TO LOT 340 SHALL BE SIZED FOR AN ADDITIONAL 2800 CUBIC YARDS FOR LANDSLIDE DEBRIS. TOTAL DESIGN VOLUME FOR BASIN IS APPROXIMATELY 4100 CUBIC YARDS INCLUDING LANDSLIDE DEBRIS VOLUME.
- B. ON-SITE SOILS ARE CORROSIVE TO FERROUS METALS.

Reviewed by _____


Yoshida Morisaku

Date 10/3/11

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

P:\Yosh\53138, Tent-NA_6

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

REQUIREMENTS PRIOR TO GRADING PLAN APPROVAL:

1. Notarized covenants shall be prepared and recorded by the applicant for any offsite impacts, as determined by Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require the construction or installation of an off-site improvement, and that the offsite covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition. (Offsite work is shown on the tentative map, but not required for public improvements, and design changes during the improvement change may allow the offsite improvements or impacts to be omitted or mitigated, respectively)
2. Provide approval of:
 - a. The latest drainage concept/hydrology/Standard Urban Stormwater Mitigation Plan (SUSMP)/Low Impact Development (LID) plan (if applicable) by the Storm Drain and Hydrology Section of Land Development Division.
 - b. The grading plan by the Geotechnical & Materials Engineering Division (GMED).
 - c. Permits and/or letters of non-jurisdiction from all State and Federal Agencies, as applicable. These agencies may include, but may not be limited to the State of California Regional Water Quality Control Board, State of California Department of Fish and Game, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), and the Army Corps of Engineers.

REQUIREMENTS PRIOR TO FINAL MAP RECORDATION:

3. Submit a grading plan for approval. The grading plan must show and call out the following items, including but not limited to: construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP and LID devices (if applicable), and any required landscaping and irrigation not within a common area or maintenance easement. Acknowledgement and/or approval

from all easement holders may be required.

4. A maintenance agreement or CC&Rs may be required for all privately maintained drainage devices, slopes, and other facilities.

COMMENTS/ADDITIONAL REQUIREMENTS:

5. Retaining wall information shall be shown on the grading plans. All retaining walls should be labeled and dimensioned with the height provided at the tallest point in the wall and any points where the height changes.
6. Slope set back will be required per grading ordinance on the grading plans.
7. All existing on-site public and private easements with names of the holders, document numbers and recorded dates. Label all easements as "to remain", "to be relocated", or "to be abandoned. If applicable, add a general note that no private easements exist on the site on the grading plan.
8. Delineate the limits of the entire fire lane, including any turn around areas required by the fire department, limits of grading, longitudinal grades, pavement dimension, and centerline curve data on the grading plans.
9. Indicate maintenance responsibilities for all drainage devices on the grading plan.
10. Indicate maintenance responsibilities for all slopes to be landscaped per grading ordinance (J110) on the grading plans.
11. Phased grading shall not be allowed unless approved otherwise by the Los Angeles County Department of Regional Planning.
12. Slope protection may be required for the slopes in the culverts discharge flow paths.

 Name Tony Hui Date 08/02/11 Phone (626) 458-4921

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Compound curves are preferred over broken-back curves. Broken back curves must be separated by a minimum of 200 feet of tangent. If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate in accordance with AASHTO guidelines.
2. A minimum centerline curve length of 100 feet shall be maintained on all local streets and a minimum centerline curve radius of 100 feet on all cul-de-sac streets. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection. Reversing curves of local streets need not exceed a radius of 1,500 feet and any curve need not exceed a radius of 3,000 feet.
3. The minimum centerline radius is 350 feet on all local streets with 40 feet between curbs and on all streets where grades exceed 10 percent except on Poema Place at Canoga Avenue. Permission granted to reduce the centerline curve radius on Poema Place westerly of Canoga Avenue to 225 feet provided that a minimum of 340 feet of stopping sight distance is provided. Additional right of way dedication or airspace easement and/or grading may be required.
4. Permission granted for street grades up to 11% and 12% on Poema Place and Bullfinch Road, respectively, only at locations to the satisfaction of Public Works.
5. At tee intersections involving local streets, the maximum permissible grade of the through street across the intersection is 10 percent. For 4-legged intersections, the maximum permissible grade of the through street is eight percent.
6. The minimum centerline radius on a local street with an intersection street on the concave side should comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances per the current AASHTO.
7. The central angles of the right of way radius returns shall not differ by more than ten degrees on local streets.

8. Provide minimum landing area of 100 feet for local collectors at a maximum 3 percent grade on all "tee" intersections to the satisfaction of Public Works.
9. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed six percent.
10. Provide intersection sight distance commensurate with a design speed of:
 - a. 40 mph (415 feet) on Poema Place from Bullfinch Road (easterly direction), and from Rausch Court (easterly direction); on Canoga Avenue from Poema Place (northerly direction), from Gill Drive (both directions); and on Bullfinch Road from Nogan Drive (southerly direction).
 - b. 30 mph (310 feet) on Canoga Avenue from Poema Place (southerly direction).

Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional grading may be required. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the top of curb (TC) or flow line (FL) prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. We use 6 feet from TC. When looking right, the target is the center of the lane nearest to the centerline or from the median TC (when present).

11. All line of sight easements shall be depicted on landscape and grading plans.
12. Provide standard property line return radii of 13 feet at all local street intersections to the satisfaction of Public Works.
13. Permission is granted to modify the right of way on the following streets to reduce the parkway from 12 feet to 3 feet on one side of the street to the satisfaction of Public Works: the south side of Poema Place from the bridge westerly to the end of the cul-de-sac, the west side of Canoga Avenue south of Poema Place and the north side of Nogan Drive.
14. Dedicate right of way 32 feet from centerline on Poema Place, Canoga Avenue from Poema Place northerly to the vicinity of the gated entrance, and Bullfinch Road from Poema Place northerly to the gated entrance to the satisfaction of Public Works.

15. Dedicate right of way 30 feet from centerline Canoga Avenue south of Poema Place and Nogan Drive.
16. Provide additional right of way in the vicinity of the gated entrances and construct gated entrances to the satisfaction of Public Works.
17. Locate all entry gates (or key pad) a minimum of 50 feet beyond the right of way of the nearest intersecting street and construct the gated entrance with a minimum of 32 feet radius for turnaround to the satisfaction of Public Works.
18. Off-site improvements are required. It shall be the sole responsibility of the developer to acquire the necessary right of way and/or easements. Required prior to tentative map approval
19. Provide off-site right of way or easement and construct off-site full street improvements (including sidewalks and street lights) on Canoga Avenue in the vicinity south of the freeway to the satisfaction of Public Works and the City of Los Angeles.
20. Construct the bridge on Poema Place and on Canoga Avenue to the satisfaction of Public Works. The proposed bridge typical section shown on the map is not necessarily approved. The ultimate bridge section shall meet the requirements of Public Works' Design Division. Sidewalk may be waived on one side of both bridges to the satisfaction of Public Works.
21. Construct curb, gutter, base, pavement and sidewalk on all streets. Permission is granted to use the alternate street section on all local streets.
22. Plant street trees on all streets to the satisfaction of Public Works.
23. Provide and install street name signs prior to occupancy of buildings.
24. Install postal delivery receptacles in groups to serve two or more residential units.
25. Prior to final map approval, the subdivider shall enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works.

26. Underground all utility lines to the satisfaction of Public Works. Please contact our Construction Division at (626) 458-3129 for new location of any above ground utility structure in parkway.
27. Comply with the following street lighting requirements:
 - a. Provide street lights on concrete poles with underground wiring on all streets to the satisfaction of Public Works. The operation and maintenance of the street lights on the private and future street shall be the responsibility of the Home Owners Association until such time as the street is accepted for maintenance by the County.
 - b. Obtain Street Lighting Section's approval of the street light layout prior to project recordation. For additional information, please contact the Street Lighting Section at (626) 300-4726.
 - c. The proposed development or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk. Assessments will be imposed on the development or portions of the development served by private and future streets (if any) as a result of benefits from existing or future street lights on adjacent public roadways.
 - (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.
 - (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
 - (3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.

- d. Note that the annexation and assessment balloting process takes approximately five to six months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.
 - e. For acceptance of street light transfer billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans.
 - f. The Lighting District can assume responsibility for the operation and maintenance of the street lights in the project, or the current phase of the project, as of July 1st of any given year provided the above conditions are met and the street lights have been energized and the developer has requested a transfer of billing at least by January 1st of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.
- 28. Prepare signing and striping plans for Topanga Canyon Road and Poema Place to the satisfaction of Public Works and Caltrans.
 - 29. Pay for the installation of traffic signals and prepare traffic signal plans for Topanga Canyon Road at Ronald Regan Freeway and Poema Place to the satisfaction of Public Works and Caltrans.
 - 30. Comply with the traffic mitigation measures as identified in the attached letter from our Traffic and Lighting Division dated July 28, 2003 to the satisfaction of Public Works.
 - 31. A deposit is required to review documents and plans for final map clearance.
 - 32. Provide street names for the proposed tap streets to the satisfaction of Public Works.

TENTATIVE MAP DATED 07-12-2011
EXHIBIT MAP DATED 07-12-2011

33. Provide a non-exclusive easement along the private streets behind the gate on Canoga Avenue, Bullfinch Road, Schindler Way and tap streets to provide access to the property on the north to the satisfaction of Public Works. If required by the Department of Regional Planning, relocate the gate on Canoga Avenue in the vicinity north of Nogan Drive to the vicinity west of the future tap streets. A dedicated Canoga Avenue, Bullfinch Road and Schindler Way leading to the future tap streets may be required to the satisfaction of the Department of Regional Planning.
34. As directed by the Board of Supervisors (BOS), the applicant shall submit plans to Public Works for the Poema Place and Canoga Avenue bridges prior to the recordation of the first final map. The Poema Place and Canoga Avenue bridges shall be constructed and accepted by Public Works prior to the issuance of the building permits for the 130th home.
35. Comply with other conditions as directed by the BOS to the satisfaction of Public Works.

PC

Prepared by Patricia Constanza
Tr53138ra-rev1(07-12-11)

Phone (626) 458-4921

Date 08-09-2011



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

JAMES A. NOYRS, Director

900 SOUTH PREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE T-4

July 28, 2003

Mr. Alfred C. Ying, P.E.
Linscott, Law & Greenspan, Engineers
234 East Colorado Boulevard, Number 400
Pasadena, CA 91101

Dear Mr. Ying:

**DEERLAKE RANCH
UPDATED TRAFFIC IMPACT STUDY (APRIL 9, 2003)
TENTATIVE TRACT NO. 53138
CHATSWORTH AREA**

As requested, we have reviewed the above-mentioned document. As indicated, the document has been prepared to address the traffic impacts of the downsized project from 484 single family dwelling units to 388 single-family dwelling units and updated traffic counts and trip generation assumptions.

The revised project is expected to generate approximately 3,608 vehicle trips per day and 332 and 364 vehicle trips during the a.m. and pm. peak hours, respectively.

We agree with this document that the traffic generated by the project alone will significantly impact the following intersections. The proposed mitigation measures identified in the document will reduce the impacts to a level less than significant. These mitigation measures shall be made conditions of approval for this project and included in the Final Environmental Impact Report.

County of Los Angeles

Topanga Canyon Boulevard at Mayan Drive/Poema Place

East Approach: One left-turn lane and one shared through/right-turn lane (add one left-turn lane).

South Approach: One left-turn lane and one exclusive right-turn lane (convert shared left-/right-turn lane to a left-turn lane and one exclusive right-turn lane).

West Approach: One shared through/right-turn lane and one exclusive right-turn lane (add one exclusive right-turn lane).

Install traffic signals. Traffic signals shall be interconnected with the traffic signals at the intersection of Topanga Canyon Boulevard and the Ronald Reagan (SR-118) Freeway per the satisfaction of Caltrans and the County of Los Angeles Department of Public Works.

Topanga Canyon Boulevard at SR 118 Westbound Ramps

North Approach: Two through lanes and one right-turn lane (add exclusive right-turn lane). The mitigation measure is not included in the intersection mitigation measure description on page 41 and the level of service calculation sheet but shown in the concept plan of the intersection improvements in Appendix C.

East Approach: Two left-turn lanes and one shared through/right-turn lane (add second left-turn lane and convert shared left-/through/right-turn lane to shared through/right-turn lane).

Modify traffic signals. Traffic signals shall be interconnected with the traffic signals at the intersection of Topanga Canyon Boulevard at Mayan Drive/Poema Place per the satisfaction of Caltrans and Public Works.

City of Los Angeles

We have received a letter from the City of Los Angeles Department of Transportation dated June 6, 2002 (copy enclosed). The letter contains City's recommendations of mitigation measures required to fully mitigate the project impacts to the intersections and roadways in the City. We reviewed the letter and the traffic study for the project and concur with their recommendations.

Freeways

We concur with the study and recommend that the project pay its fair share toward long-term traffic improvements to the Topanga Canyon Boulevard at SR 118 interchange. The long-term traffic improvements are needed at this interchange since the interchange is operating at its capacity and would need to be upgraded to accommodate additional traffic expected from the cumulative traffic of the proposed project and other related projects in the area. The project shall, prior to recordation of the first final map for this project, work with Caltrans to provide all necessary data and information pertaining to long-term improvements at

Mr. Alfred C. Ying
July 28, 2003
Page 3

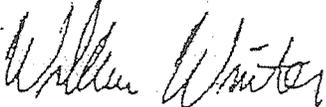
the Topanga Canyon Boulevard at SR 118 interchange, in accordance with Caltrans Guide for the Preparation of a Project Study Report (PSR). The project shall determine and pay the project's equitable share towards the long-term traffic improvements to the satisfaction of Caltrans. During this period the permittee shall proceed with diligence in these efforts and inform Traffic and Lighting Division of Department of Public Works of its progress with Caltrans in meeting these requirements.

A Congestion Management Program (CMP) analysis has been conducted in the traffic study to evaluate the project impact on the regional transportation system. We agree with the analysis that no significant CMP related traffic impacts will be caused by the project on the CMP monitored route or freeways. The project will have significant CMP traffic impacts to the Topanga Canyon Boulevard at SR-118 westbound and eastbound ramps; however, the proposed mitigation measures for the intersections will fully mitigate the project's impacts to a level less than significant.

If you have any questions, please contact Mr. James Chon of our Traffic Studies Section of Traffic and Lighting Division at (626) 300-4721.

Very truly yours,

JAMES A NOYES
Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

SFL:cn

P:\TLPUB\WPFILES\FILES\STU\JHC\Deerlake\deerlakefinal.wpd

Enc.

cc: Caltrans (Steve Buswell)
City of Los Angeles Department of California (Sergio Valdez)
Regional Planning (Ellen Fitzgerald)

LADOT VALLEY PROGRAMS TEL: 818-756-9793

Jun 11 '02 9:35 No.003 P.01/04

Post-It* Fax Note	7671	Date	7/20	# of pages	34
To	HENRY WONG	From	LARI ALVARSO		
Co./Dept	UPD	Co.	TNL		
Phone #	4961	Phone #	4740		
Fax #	666-490-4929	Fax #			

LOS ANGELES

CALIFORNIA



IMBE K. Hahn
MAYOR

DEPARTMENT OF
TRANSPORTATION
221 N. FIGUEROA ST. SUITE 500
LOS ANGELES, CA 90012
(212) 590-7177
FAX (212) 540-1122

North of 118 Fwy bet Canoga & Topanga
Cyn DOT Case No. SFV 0 1 -037

June 6, 2002

Mr. Kerwin Chih
Los Angeles County Department of Regional Planning
Impact Analysis Section

Subject: REVISED LETTER OF DETERMINATION FOR DEERLAKE
RANCH/CHATSWORTH RIDGE ESTATES

Project No. 99-239(5)
Site Clearinghouse No. 200061049
Tentative Tract Map 53138

Dear Mr. Chih:

This revised letter supersedes the previously issued DOT letter dated January 11, 2002. The Los Angeles City Department of Transportation (LADOT) has reviewed the Draft Environmental Impact Report (DEIR) for the proposed Deerlake Ranch/Chatsworth Ridge Estates which consists of a 484 single family homes on a vacant 230.58 acre parcel of land. This project is located within an unincorporated area of Los Angeles County and is bounded by the 118 Freeway to south, Canoga Avenue to the east and Topanga Canyon Boulevard to the west. However, the street system that provides access to the site is primarily located within the City of Los Angeles, and 11 of the 13 studied intersections are within the City of Los Angeles.

DISCUSSION AND FINDINGS

LADOT's comments are based upon review of the Draft Environmental Report and reports prepared by Linscott, Law and Greenspan Engineers. The project's size has been reduced from the original 538 single family homes to a project size of 484 single family homes, as reflected in the DEIR. The project will generate 363 trips in the a.m. peak hour, 489 p.m. peak hour and 4,422 daily trip ends. The trip generation rates are based on the 6th Edition Trip Generation Manual (1997) of the Institute of Transportation Engineers.

As stated below, the proposed will have significant and cumulative traffic impacts at the following intersections:

1. Topanga Cyn Boulevard and 118 Freeway eastbound ramps
2. Topanga Cyn Boulevard and 118 Freeway westbound ramps
3. Chatsworth Street and Canoga Avenue
4. Chatsworth Street and De Soto Avenue

LADOT VALLEY PROGRAMS TEL:818-756-9793

Jun 11 '02

9:36 No.003 P.02/04

Mr. Keith Chih

2

June 6, 2002

MITIGATION OF SIGNIFICANT AND CUMULATIVE IMPACTS

1. Topanga Cyn Boulevard and 118 Freeway Eastbound Ramps

Fund a proportionate share of the cost of the design and construction of the LADOT's 118 Freeway Corridor ATSAC/ATCS System, for the intersection of Topanga Canyon Boulevard & 118 Freeway Eastbound Ramps. This project's proportionate share of the cost of the ATSAC/ATCS System is equal to the number of significantly impacted intersections multiplied by the average ATSAC/ATCS System cost per intersection. The current cost of the Ronald Reagan Freeway Corridor ATSAC/ATCS System is \$102,000 per intersection. ATSAC/ATCS improvements shall be guaranteed through a cash payment prior to the issuance of any building permit. Since the cost of ATSAC/ATCS improvements is reviewed and adjusted periodically, the actual cost may change depending on when payment is made.

2. Topanga Cyn Boulevard and 118 Freeway Westbound Ramps

Widen the westbound off-ramp of the Simi Valley Freeway at Topanga Canyon Boulevard by 9 feet from Topanga Canyon Boulevard to a point approximately 260 feet easterly as shown in attachment no. 1. This will be accomplished by widening the north side of the ramp by 5 feet and widening variably by 4 feet on the south side of the ramp to provide two left-turn-only lanes and an optional through-right-turn only lane. Relocate and modify the traffic signal equipment, street lights, curbs and gutters, trees, utilities etc. as required. This mitigation needs to be approved by all affected municipalities or agencies, including the State of California Department of Transportation (Caltrans) through the Encroachment Permit process.

3. Chatsworth Street and Canoga Avenue

Widen Canoga Avenue and Chatsworth Street, within the existing right-of-way to provide a left-turn-only lane and a shared through-right turn lane for southbound Canoga Avenue at Chatsworth Street as shown in attachment no. 2. Modify the signal phasing at this location to provide southbound to eastbound left-turn phase as well as a congruent right-turn arrow for vehicles traveling westbound to northbound at this intersection. Relocate and modify any existing traffic signal equipment, street lights, power poles, trees, signs, curb and gutters, utilities, etc. as required.

4. Chatsworth Street and De Soto Avenue

Widen Chatsworth Street at De Soto Avenue to provide dual left-turn-only lanes, a through lane, and a right-turn only lane for eastbound Chatsworth Street at De Soto Avenue as shown in attachment no. 3. Modify the signal phasing at this location to provide an eastbound to northbound left turn phase. Relocate and modify any existing traffic signal equipment, street lights, power poles, trees, signs, curb and gutter, utilities, etc. as required.

LADOT VALLEY PROGRAMS TEL:818-756-9793

Jun 11 J2

9:37 No.003 P.04/04

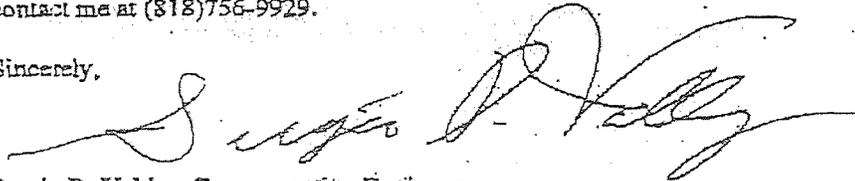
Mr. Keith Chih

4

June 6, 2002

of the proposed project on City streets and neighborhoods. If you have any questions, you may contact me at (818)756-9929.

Sincerely,



Sergio D. Valdez, Transportation Engineer
San Fernando Valley Developmental Review Section

SDV:sp
msf04-057R2

Attachment

- c: Twelfth Council District, City of Los Angeles
- Supervisor Michael Antonovich, County of Los Angeles
- Haripal S. Vir, Transportation Programs and Development Review
- Robert Takesaki, DOT Metro Programs
- Ken Firoozmand, West Valley District
- Tim Conger, DOT Geometric Design
- Emily Gabal-Luddy, Planning Department
- David Shender, Linscott, Law and Greenspan

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. Two sewer area studies for the proposed subdivision (PC 11775, dated 06-22-2006 and PC 11775AS, dated 05-02-2006) were reviewed and approved. Offsite mitigation measures may be required. A revision to the approved sewer area study will be required to reflect a reduction in the number of lots (375 to 314) and a reduction in number of pump stations (2 to 1). The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.
3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.
4. All sewer pump stations shall be constructed to the satisfaction of Public Works.
5. Off-site improvements are required.
6. Easements are required, subject to review by Public Works to determine the final locations and requirements.
7. Outlet approval from the City of Los Angeles is required.
8. As directed by the Board of Supervisors (BOS), construct a mainline sanitary sewer system for the adjoining Twin Lakes community. The sewers in Twin Lakes shall be constructed and accepted by Public Works prior to the issuance of a final inspection for the 190th home.
9. Comply with other conditions as directed by the BOS to the satisfaction of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system (including any approved water pump stations) maintained by the water purveyor, with appurtenant facilities to serve all lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each lot.
3. Offsite improvements are tentatively required.
4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.
5. Submit landscape and irrigation plans for each open space lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.
6. All line of sight easements must be depicted on the landscape and irrigation plans.



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

PP - Pamon

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision No: TR 53138 Tentative Map Date: July 12, 2011 - Amendment

C.U.P. 99-239 Vicinity Malibu 266

- FIRE DEPARTMENT HOLD on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.
- Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- The Fire Department has no additional requirements for this division of land.

Comments: See additional comment sheet.

By Inspector: Juan C. Padilla Date August 10, 2011

Land Development Unit - Fire Prevention Division - (323) 890-4243, Fax (323) 890-9783



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerçe, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS

ADDITIONAL PAGE

Subdivision No: TR 53138 Tentative Map Date: July 12, 2011 - Amendment

CONDITIONS OF APPROVAL

- 1 The maximum allowable units to record on a single means of access is 150, until such time that the westerly connection to Topanga Canyon is completed to the specifications of the Department of Public Works. Verification of completion shall be submitted to the Fire Department prior to recordation of the 151st unit.
- 2 The total area for each proposed structure within this development shall be restricted not to exceed 8,000 square feet in order to maintain the required fire flow rate as indicated in the Water System Requirements of this report.
- 3 All proposed streets, proposed private driveway and fire lanes to be used as streets, and cul-de-sacs bulbs shall comply with the Department of Public Works standards. Final street improvements/design plans shall be submitted to the Fire Department concurrently with the Department of Public Works for review and approval.
- 4 Single flag lot design and/or two adjoining flag lots design shall provide for a paved driveway width of 20ft. clear to the sky. Flags lots with 3 or more adjoining lots shall provide a minimum paved driveway width of 24ft. Indicate compliance on the Final Map by clearly dimension the width and labeling driveways as Private Driveway and Fire Lanes. Share driveways shall provide a reciprocal access agreement in compliance with the Department of Regional Planning.
- 5 A Fire Department turnaround will be required for any lot that a Fire Department apparatus needs to drive on-site a distance greater than 150' from the public right of way to reach all portions of the exterior walls within 150'.
- 6 The proposed gated entrances shall be installed in compliance with the approved details filed in our office and all applicable Fire Code sections and Regulations.
- 7 All proposed bridges shall comply with all applicable Fire Code sections and the Department of Public Works standards.
- 8 The required helispot shall be done in compliance with the following conditions of approval from our Los Angeles County Fire Department Planning Section:
 - Convey an easement to the Consolidated Fire Protection District of Los Angeles County for operation and maintenance of a helispot on Lot 341.
 - The graded flat helipad shall be a minimum dimension of 275' by 125'.
 - The helispot shall be improved as follows:
 - Construct a 15' by 35' reinforced concrete pad.
 - Locate a fire hydrant at the helipad.
 - Construct a sump pit with a locking water supply with valve, and a locking drain valve to assure that the sump does not fill with water from rain or other run-off. The sump shall be 3 1/2' deep, 12' wide, by 12' long. The sump shall be made of steel-reinforced concrete. Its sides shall be sloped at such an angle as to prevent a fall from the edge into the sump, and the sump sides shall also be rough-stamped in such a manner to discourage activities such as skating, skateboarding, bicycling, etc., and coarse enough to provide easy egress should someone accidentally fall into the sump when full of water.
 - Cover remaining graded area with #2 rock, 5" deep.
 - The precise location, specifications, and details of these improvements shall be determined by the air operations section after the site has been graded.
 - Establish Covenants, Conditions, and Restrictions (CC&Rs) which grant the Consolidated Fire Protection District of Los Angeles County (Fire District), or other agencies as agreed to by the Fire District, the exclusive use of the helispot. The CCRs shall also limit vertical obstructions such as trees, antennas, etc. within a specified radius of the site. Contact air operations section for specific details and approval of the CCRs.
 - Completion of the helispot shall be done prior to the occupancy of the 151st residential unit. Contact fire department air operations section for the inspection and approval of the completed helispot.

By Inspector: Juan C. Padilla

Date: August 10, 2011



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNICORPORATED

Subdivision No. TR 53138 Tentative Map Date: July 12, 2011 - Amendment

Revised Report yes

- Checkboxes for fire hydrant requirements: flow rates, installation, and testing. Includes text: 'The County Forester and Fire Warden is prohibited from setting requirements...' and 'The required fire flow for public fire hydrants at this location is 1250 gallons per minute...'.

Comments: All required fire hydrants shall be installed and tested or bonded for prior to Final Map clearance. The location of the required fire hydrant in Lot 341, Fire Department Helispot, will be determined by the Fire Department Planning Section prior to building permit issuance.

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Juan C. Padilla Date August 10, 2011



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION
PARK OBLIGATION REPORT**



Tentative Map #	53138	DRP Map Date: 07/12/2011	SCM Date: 08/11/2011	Report Date: 08/09/2011
Park Planning Area #	34	OAT MOUNTAIN	Map Type: AMENDMENT	

Total Units = Proposed Units + Exempt Units

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	2.52
IN-LIEU FEES:	\$342,720

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of \$342,720 in-lieu fees.

Trails:

See also attached Trail Report.

Comments:

The amended project reduces the number of detached single-family units from 375 to 314. Thus the in-lieu fee amount is reduced to \$342,720 from \$410,720.

In-lieu fee based on fee schedule in effect on 08/10/04 Board approval date.

***Advisory:

The Representative Land Values (RLVs) in Los Angeles County Code (LACC) Section 21.28.140 are used to calculate park fees and are adjusted annually, based on changes in the Consumer Price Index. The new RLVs become effective July 1st of each year and may apply to this subdivision map if first advertised for hearing before either a hearing officer or the Regional Planning Commission on or after July 1st pursuant to LACC Section 21.28.140, subsection 3. Accordingly, the park fee in this report is subject to change depending upon when the subdivision is first advertised for public hearing.

Please contact Clement Lau at (213) 351-5120 or Sheela Mathal at (213) 351-5121, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, CA 90020 for further information or to schedule an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements, please contact the Trails Coordinator at (213) 351-5134.

By: James Barber
James Barber, Land Acquisition & Development Section

Supv D 5th
August 09, 2011 12:37:22
QMB02F.FRX



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION
PARK OBLIGATION WORKSHEET**



Tentative Map #	53138	DRP Map Date: 07/12/2011	SMC Date: 08/11/2011	Report Date: 08/09/2011
Park Planning Area #	34	OAT MOUNTAIN	Map Type: AMENDMENT	

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

$$(P)\text{people} \times (0.003)\text{ Ratio} \times (U)\text{units} = (X)\text{ acres obligation}$$

$$(X)\text{ acres obligation} \times \text{RLV/Acre} = \text{In-Lieu Base Fee}$$

- Where:
- P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.
 - Ratio = The subdivision ordinance provides a ratio of 3.0 acres of park land for each 1,000 people generated by the development. This ratio is calculated as "0.0030" in the formula.
 - U = Total approved number of Dwelling Units.
 - X = Local park space obligation expressed in terms of acres.
 - RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units = Proposed Units ± Exempt Units

	People*	Ratio 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.68	0.0030	314	2.52
M.F. < 5 Units	2.29	0.0030	0	0.00
M.F. >= 5 Units	1.72	0.0030	0	0.00
Mobile Units	2.47	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				2.52

Park Planning Area = 34 OAT MOUNTAIN

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	2.52	\$136,000	\$342,720

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
2.52	0.00	0.00	2.52	\$136,000	\$342,720



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

August 11, 2011

TO: Mr. Ramon Cordova, Planner
Land Divisions Section
Regional Planning

FROM: Mr. Frank Moreno, Section Head,
Planning and Trails Research
Parks and Recreation

SUBJECT: **NOTICE OF TRAIL CONDITIONS FOR AMENDED
VESTING TENTATIVE TRACT NO. 53138 (Deerlake)
(MAP STAMPED BY REGIONAL PLANNING ON JULY 12, 2011)**

The Department of Parks and Recreation (Department) has completed the review of amended VTTM #53138. The proposed County regional trail alignment for this development is acceptable to the Department. The Applicant is required to provide a variable width trail easement (8'-12' wide) for the "Santa Susana Pass Trail" to Los Angeles County Department of Parks and Recreation, and constructed to the satisfaction of the Department's Trail Construction Guidelines.

Because of the necessity to show the trail alignments as they relate to topographical lines, all information pertaining to trail requirements, must be shown on the on the tentative map prior to final map recordation.

Trail Easement Recordation Conditions:

1. Dedications and the following language (in exact form) must be shown for trail dedications on the first phase of final map recordation:
 - a. Title Page: We hereby dedicate to the County of Los Angeles, Department of Parks and Recreation a variable width multi-use trail easement (8'-12' wide), estimated length of _____ miles, designated as the "Santa Susana Pass Trail."
 - b. If a waiver is filed, a Plat Map depicting the trail alignment must accompany the waiver.
2. Trail / pedestrian bridge adjacent to Canoga Avenue vehicular bridge shall be owned and maintained by an HOA with an overlaying trail easement dedicated to the Department of Parks and Recreation for multi-use trail purposes.

Trail Construction Conditions :

1. Full public access shall be provided for the multi-use (Equestrian, Mtn. Biking, & Hiking) variable width trail easements.
2. The Applicant shall provide the submittal of the rough grading plans, to include detailed grading information for the segment of trails the County will accept. The detailed grading information for the trail construction, shall include all pertinent information required, per Department trail standards and all applicable codes, but not limited to the following:
 - a. Cross slope gradients not to exceed four percent (4%) with two (2%) preferred, and longitudinal (running) slope gradients not to exceed twelve percent (12%) for more than fifty (50) feet. The Department will review and may allow slopes slightly greater than twelve percent (12%) on a case by case basis.
 - b. Typical trail section and details to include:
 - Longitudinal (running) gradients
 - Cross slope gradients
 - Name of trail
 - Width of trail or, if requested by Department of Parks and Recreation, denote as variable width.
 - c. Bush Hammer (or equivalent) finish at minimum width of eight feet wide for roadway trail crossings at all concrete surfaces.
 - d. Twelve foot (12') minimum vertical clearance at all approved bridge under-crossings.
 - e. Appropriate retaining walls as needed.
 - f. Appropriate fencing where deemed necessary, for user safety and property security, as approved by the Department.
 - g. Trail easement must be outside of the road right-of-way, and/or slope easement.

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- h. If street crossing requested, streetlight pole(s) must have cross-walk activation buttons at two heights to accommodate both pedestrian and equestrian traffic. Request coordination with Public Works to address crosswalk design standards.
3. The Applicant shall submit a cost estimate for the construction of the trails with the rough grading plans. An electronic copy (AutoCAD 2005 or newer version) of the rough grading plans shall also be submitted in a burned CD or DVD with the cost estimate.
 4. After Department approval of the trail alignments shown on the rough grading plans, the Applicant shall post Faithful Performance and Labor and Materials (FPLM) bonds with the Department for construction of the trail.
 5. The Applicant then shall submit a preliminary construction schedule showing milestones for completing the trail.
 6. Prior to the start of trail construction, the Applicant's authorized representative (project manager, licensed surveyor, etc.) shall stake or flag the centerline of the trail. The Applicant's representative shall then schedule a site meeting with the Department's Trails Coordinator, Park Planner or Landscape Architect Associate within the Planning and Trails Research Section for their (Department's) inspection and approval.
 7. The Applicant's representative shall provide updated trail construction schedules to the Department on a monthly basis. All schedule submittals shall provide a "Two Week Look-Ahead" schedule, to reflect any modifications to the original schedule.
 8. Within five (5) business days after completing the trail, the Applicant shall notify the Department for a Final Inspection Trail Walk.
 9. After the initial Final Inspection Trail Walk, any portions of the constructed trail not approved shall be corrected and brought into compliance, with the County of Los Angeles Department of Parks and Recreation Guidelines within thirty (30) calendar days. Applicant shall then call the Department for another final site inspection.
 10. Upon Departmental approval and acceptance of the constructed trails (Santa Susana Pass Trail), the Applicant shall:
 - a. Issue a letter to the Department requesting acceptance of the dedicated trail; and:
 - b. Submit copies of the As-Built Trail drawings.

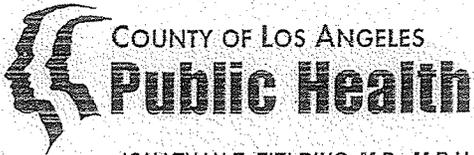
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11. Department issues trail acceptance letter only after receiving copy of the As-Built drawings.

For any questions concerning trail alignment or other trail requirements, please contact me at (213) 351-5136.

FM:JB:tls:Trlrpt53138-11d

c: James Barber, Parks and Recreation
Frank Moreno, Parks and Recreation
Jeremy Bok, Parks and Recreation



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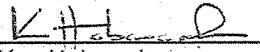
Tract Map No. 53138

Vicinity: Chatsworth

Tentative Map Date: July 12, 2011 (1st Revision to Amendment)

The Los Angeles County Department of Public Health – Environmental Health Division has no objection to amended Vesting Tentative Tract Map No. 53138. The following conditions still apply and remain in effect:

1. Public water shall be supplied by the Las Virgenes Water Municipal Water District.
2. Sewage disposal shall be provided by public sewer.

Prepared by 
Ken Habaradas

Phone: (626) 430-5382

Date: August 9, 2011

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 99-239-(5)
CUP MODIFICATION NO. 201100160**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of Conditional Use Permit Modification ("CUP Mod") No. 201100160 on February 21, 2011. CUP Mod No. 201100160 was heard concurrently with the Second Amendment to Vesting Tentative Tract Map No. 53138 ("Second Amendment") and Oak Tree Permit ("OTP") No. 201200001.
2. CUP Mod No. 201100160 is a request to modify Condition No. 3 of CUP 99-239-(5) to allow a reduction in the number of horse-keeping lots from 55 to 41, and to modify the text of Condition Nos. 1, 2, 16, 20, 22, 23, 24, 25, 26, 56, 57, 64 and 65 of CUP 99-239 – (5) to reflect the changes in numbers of lots, types of lots, lot numbers, types of streets, and street names approved by the proposed second amendment to TR 53138. Also requested is a change to Condition No. 61 to reflect additional language for trails construction, maintenance and enforcement.
3. The Second Amendment requests the following :
 - Reduction in the overall number of lots from 421 (including 375 single-family lots) to 345 lots (including 314 single-family lots).
 - Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;
 - Revised interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
 - Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards;
 - Waiver of street frontage on lots fronting private driveways and fire lanes;
 - Modification of Condition No. 11 to allow 34 lots to have less than the required street frontage;
 - Modification of Condition No. 38 for additional language related to trails construction, maintenance and enforcement; and
 - Modification of the text conditions of approval for the vesting tentative tract map to reflect the approved amendments.
4. OTP No. 201200001 is a request to remove 42 and encroach into the protected zones of 13 oak trees (no heritage oaks).
5. Condition No. 16 of CUP 99-239 – (5) states that the Community Character booklet is part of the Exhibit "A" for the CUP. The applicant has amended the Community Character booklet to reflect the changes requested by the Second Amendment and CUP Mod 201100160. Approval of the amended Exhibit "A" map will include approval of the amended Community Character booklet.
6. Approval of this request is contingent upon the approval of all the other requests for

entitlements included in Project No. 99-239 – (5).

7. If this CUP modification is denied at the public hearing and the denial is sustained by any subsequent appeals, the subdivider may proceed with the development approved under previous approvals once the final map is recorded.
8. Only items proposed for modification can be considered by the Commission at the public hearing. All other project features and conditions remain as previously approved.
9. The subject site is located at the north of California State Route 118 (Ronald Reagan Freeway) between Canoga Avenue and Topanga Canyon Boulevard, within the Chatsworth Zoned District.
10. The irregularly-shaped property is 230.58 gross acres in size with flat to hilly terrain. A large portion of the property is generally a plateau that is bordered to the west and south by Devil's Canyon and to the east by Brown's Canyon. It is generally vacant though five single-family residences and the foundations of several other residences exist on the site.
11. The majority of the subject property was historically known as the Deerlake Highlands Tract, a Record of Survey subdivision of approximately 2,275 lots recorded in the late 1920's. Since their creation in the late 1920's, these substandard lots have occasionally been conveyed, sold, and acquired. These lots have been merged into 624 lots, each with a minimum of 6,000 square feet through the processing and issuing of 624 unconditional certificates of compliance.
12. The residences will take access from internal private and future streets and private driveways and fire lanes, which take from Poema Place a 64-foot wide dedicated public street, and Canoga Avenue, a variable-width dedicated public street.
13. The subject property is depicted within the Non-Urban (R) and Rural Communities (RC) land use classifications on the Land Use Policy Map of the Los Angeles Countywide General Plan ("General Plan"). The Rural Communities designation permits residential density of one to six dwelling units per acre. The Non-Urban designation permits a maximum density of one dwelling unit per acres. The project's overall proposed density is approximately 1.7 dwelling units per acre.
14. Density transfer of 23 units from the southeasterly portion of the site designated Urban to a portion of the Non-Urban area within the southwesterly portion of the site was included in the original project. However, due to the reduction in overall number of units, this density transfer is not included in the amended project.
15. The project site is currently A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) and R-1-6,000 (Single-Family Residential - 6,000 Square Feet Minimum Required Lot Area). The zoning was established by Ordinance No. 7505 which became effective on April 14, 1959.
16. The proposed project is required to comply with the development standards of the A-1-1 and R-1-6,000 zones. Detached residences are permitted in the A-1-1 zone pursuant to Section

PROJECT NO. 99-239-(5)
CUP MODIFICATION NO. 201100160
DRAFT FINDINGS

22.24.070 of the Los Angeles County Code ("County Code") and in the R-1-10,000 zone, pursuant to Section 22.20.070 of the County Code.

17. The amended tentative tract map dated July 12, 2011, depicts 344 lots, including 314 single-family lots (including seven flag lots), one debris basin lot, one heli-spot lot (a flag lot), one sheriff's storefront facility lot, 26 open space lots, one sewer pump station lot, and one remainder lot on 230.58 acres. The single-family lots range in size from approximately 7,500 square feet in area to approximately 55,000 square feet in area. The lots are access from private driveways and fire lanes that connect with Poema Place and Canoga Avenue. Proposed grading is 1.8 million cubic yards of combined cut and fill total.
18. Staff received one letter from the Deerlake Ranch Construction Committee dated January 12, 2011, supporting the proposed amendments to TR 53138. The letter also requested that the Los Angeles County Department of Parks and Recreation take any necessary steps to ensure that individual lot owners do not impede the use of trails that cross their respective property lines.

The Committee was created by Condition No. 48 of CUP 99-239- (5), approved by the Los Angeles County Board of Supervisors ("Board") on August 10, 2004. The Committee, composed of six individuals who shall be property owners, tenants, business owners, and/or other interested persons in the Chatsworth area as appointed by the Supervisor of the Fifth Supervisorial District, is to meet quarterly (or less frequently at the direction of the Committee) with the permittee and his contractor representatives.

Staff received two letters from neighbors to the project site expressing concerns about removal of oak trees; development of the natural area; and access to the trail network that, in part, crosses private property within a gated community.

19. The subject CUP modification, and associated oak tree permit and amended map were initially heard by a Los Angeles County Hearing Officer ("Hearing Officer"), Gina Natoli, on February 21, 2012.
20. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer heard a presentation from staff that summarized the requested entitlements and noted that more than one protest to the CUP modification had been received.
21. During the February 21, 2012 Hearing Officer public hearing, the applicant's representatives discussed the procedure for denying the CUP modification. They questioned whether opponents must state a reason for their opposition for that opposition to be valid and whether the nature of the opposition was within the limited scope of the hearing. County Code Section 22.56,1630 (A) does not require opponents to explain the nature of their opposition for that opposition to be valid.
22. During the February 21, 2012 Hearing Officer public hearing, one person representing Equestrian Trails Incorporated Corral No. 54 and the Deerlake Ranch Construction Committee testified in support of the project. They indicated support for the proposed modifications; stated that several features in the proposed plan will help insure that the trails will be properly maintained and not a burden to the property owners whose lots the trails

PROJECT NO. 99-239-(5)
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- cross; and that the Los Angeles County Sheriff's Department would deal with any property owner who impeded access to the trail.
23. During the February 21, 2012 Hearing Officer public hearing, two persons indicated they opposed the project but, due to the fact that the project was to be denied, reserved their remarks on the merits of the project until further proceedings are initiated by the applicant.
 24. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer noted that the denial of the condition modification request is not a withdrawal of the project; that that basis for the denial was clearly stated in County Code Section 22.56,1630 (A); and that the County Code does not require opponents to explain the nature of their opposition for that opposition to be valid.
 25. During the February 21, 2012 public hearing, the Hearing Officer clarified that only the requested modifications are considered during any proceeding on an amendment map and CUP modification, both at the hearing and at the appeal level.
 26. After all testimony and discussion on February 21, 2012, the Hearing Officer closed the public hearing and denied CUP Mod 201100160, Second Amendment to Vesting Tentative Tract Map No. 53138, and OTP 201200001 because more than two protests had been received.
 27. On July 18, 2012, the Commission conducted a duly-noticed public hearing to hear the appeal of the subject project.
 28. During the July 18, 2012 Commission public hearing, the Commission heard a presentation from staff and the applicant's representative. No other testimony was heard.
 29. During the July 18, 2012 Commission public hearing, the applicant's representative made a presentation and gave testimony regarding the timely installation of trails and enforcement of public trail easements, indicating that both would be provided for the community through project conditions of approval. They also indicated that the nature of the opposition which warranted the applicant's appeal was not within the limited scope of the minor changes being proposed by the applicant.
 30. During the July 18, 2012 Commission public hearing, County Counsel explained that the appeal brought forth by the appellants does not substantively relate to the limited scope of the amendments proposed, and thus, the Commission may decide the appeal on the basis of the merits of the proposed amendments.
 31. The Commission finds that the requested modification to Condition No. 3 of CUP 99-239 – (5), a reduction in the number of horse-keeping lots from 55 lots to 41 lots, is acceptable as this reduction is proportional to the reduction in the number of single-family lots.
 32. The Commission finds that modifications to the text of CUP 99-239–(5) approval Condition Nos. 1, 2, 16, 20, 22, 23, 24, 25, 26, 56, 57, 64, and 65 are acceptable as these modifications reflect only changes in the number of lots, type of lots, lot numbers, types of streets, and street names approved by the second amendment to and do not modify the

intent of these conditions.

33. The Commission finds that the burden of proof for the conditional use permit as modified has been satisfied as required by Section 22.56.040. The burden of proof indicates the effect of the proposed modification proposed by the second amendment to TR 53138.
34. The Commission finds 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. Only text changes are proposed to Condition Nos. 1, 2, 16, 20, 22, 23, 24, 25, 26, 56, 57, 64 and 65 of CUP 99-239 – (5). The proposed reduction in the number of horse-keeping lots required by Condition No. 3 of CUP 99-239 – (5) results from the overall reduction in number of lots proposed by the second amendment to TR 53138.
35. The Commission finds that approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit. Regional Planning required the applicant to apply for the CUP modification in order to allow text changes in certain conditions of approved CUP 99-239 – (5) to make the conditions of that CUP consistent with the requested modifications of TR 53138.
36. Future development on the proposed parcels must comply with the Los Angeles County Low Impact Development, Green Building, and Drought-Tolerant Landscaping Ordinances, as applicable, prior to building permit issuance.
37. An addendum to the Final Environmental Impact Report has been recommended as the appropriate environmental document for this project pursuant to the California Environmental Quality Act (“CEQA”) and the Los Angeles County Environmental Guidelines. It was determined that, pursuant to CEQA Guidelines Section 15164, some changes to the previously certified FEIR are necessary but none of the conditions described in CEQA Guidelines Section 15162, calling for the preparation of a subsequent EIR, have occurred.
38. After consideration of the addendum to the FEIR and the FEIR itself, together with any 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 proposed amendment will have a significant effect on the environment, finds the addendum reflects the independent judgment and analysis of the Commission, and approves the addendum.
39. 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 the Los Angeles Department of Regional Planning (“Regional Planning”), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. That the burden of proof for the conditional use permit as modified has been satisfied as required by Section 22.56.040;

- B. 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
- C. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit.

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

THEREFORE, in view of the findings of fact and conclusions presented above, Conditional Use Permit Modification 201100160 is approved subject to the attached conditions.

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PROJECT NO. 99-239- (5)
CONDITIONAL USE PERMIT MODIFICATION NO. 201100160
DRAFT CONDITION MODIFICATIONS

Conditional Use Permit Modification ("CUP Mod") No. 201100160 proposes modifications to certain conditions of approved CUP 99-239 – (5), as indicated below.

1. Condition No. 1, as currently approved, read as follows:

The grant authorizes the use of the subject property for a total of 375 single-family residential lots, 14 private and future street lots, four debris basin lots, one helispot lot, one sheriffs storefront facility, 21 open space lots, four "remainder parcels," and project-associated infrastructure to be developed in compliance with hillside management and density-controlled development design review criteria, as depicted on the approved Exhibit "A" (dated March 24, 2004) subject to the following conditions of approval.

With the requested modification, the applicant is revising and adding the following to Condition No. 1 and it would read as follows:

The grant authorizes the use of the subject property for a total of ~~375~~ 314 single-family residential lots, ~~14 private and future street lots~~, four one debris basin lots, one helispot lot, one sheriffs storefront facility, ~~21~~ 25 open space lots, ~~four~~ one "remainder parcels," and project-associated infrastructure to be developed in compliance with hillside management and density-controlled development design review criteria, as depicted on the approved Exhibit "A" (dated March 24, 2004) as amended on September 16, 2008 subject to the following conditions of approval.

2. Condition No. 2, as currently approved, read as follows:

A minimum of 50 percent of the 375 lots, or 188 lots, shall be 15,000 square feet in size, or larger

With the requested modification, the applicant is revising and adding the following to Condition No. 2 and it would read as follows:

A minimum of 50 percent of the ~~375~~ 314 lots, or ~~188~~ 157 lots, shall be 15,000 square feet in size, or larger.

3. Condition No. 3, as currently approved, read as follows:

A minimum of 55 lots shall be specifically designated to accommodate horse keeping.

With the requested modification, the applicant is revising and adding the following to Condition No. 3 and it would read as follows:

A minimum of 41 lots shall be specifically designated to accommodate horse keeping.

4. Condition No. 16, as currently approved, read as follows:

The subject property shall be graded, developed and maintained in substantial compliance with the approved Exhibit "A", which includes the tentative tract map (dated March 24, 2004), Community Character booklet, and exhibit maps. Amended or revised tentative maps approved for Vesting Tentative Tract Map No. 53138 may, at the discretion of the Director, constitute a revised Exhibit "A".

With the requested modification, the applicant is revising and adding the following to Condition No. 16 and it would read as follows:

The subject property shall be graded, developed and maintained in substantial compliance with the approved Exhibit "A", which includes the amended vesting tentative tract map (dated ~~March 24, 2004~~ March 10, 2011), Community Character booklet, and exhibit maps. Amended or revised tentative maps approved for Vesting Tentative Tract Map No. 53138 may, at the discretion of the Director, constitute a revised Exhibit "A".

5. Condition No. 20, as currently approved, reads as follows:

Any future development of the four lots designated as remainder parcels shall be subject to the regulations in effect at the time of such development, including the provisions of section 66410 et. seq. of the California Government Code (Subdivision Map Act) and the requirements of the Subdivision and Zoning Ordinances.

With the requested modification, the applicant is revising and adding the following to Condition No. 20 and it would read as follows:

Any future development of the one ~~four~~ a remainder parcels shall be subject to the regulations in effect at the time of such development, including the provisions of section 66410 et. seq. of the California Government Code (Subdivision Map Act) and the requirements of the Subdivision and Zoning Ordinances.

6. Condition No. 22, as currently approved, read as follows:

Two private active use areas shall be provided on open space lots 376 and 384 to the satisfaction of the Director. Amenities such as benches, playground equipment or other similar features shall be provided as depicted on the approved Exhibit "A".

With the requested modification, the applicant is revising and adding the following to Condition No. 22 and it would read as follows:

Two private active use areas shall be provided on open space lots ~~376~~ 315 and ~~384~~ 324 to the satisfaction of the Director. Amenities such as benches, playground equipment or other similar features shall be provided as depicted on the approved Exhibit "A".

7. Condition No. 23, as currently approved, read as follows:

A natural park shall be provided on a portion of open space lot 416 as shown on the approved Exhibit "A".

With the requested modification, the applicant is revising and adding the following to Condition No. 23 and it would read as follows:

A natural park shall be provided on a portion of open space lot ~~416~~ 343 as shown on the approved Exhibit "A".

8. Condition No. 24, as currently approved, read as follows:

An equestrian rest area shall be provided and permanently maintained by the Homeowners' Association on the remainder parcel adjacent to Lot 262, as depicted on the approved Exhibit "A". If necessary, an alternative location in the same general vicinity may be considered subject to the approval of a revised Exhibit "A".

With the requested modification, the applicant is revising and adding the following to Condition No. 24 and it would read as follows:

An equestrian rest area shall be provided and permanently maintained by the Homeowners' Association on the remainder parcel adjacent to Lot 262 336, as depicted on the approved Exhibit "A". If necessary, an alternative location in the same general vicinity may be considered subject to the approval of a revised Exhibit "A".

9. Condition No. 25, as currently approved, read as follows:

The permittee shall pay the Quimby in-lieu fee of \$410,040 as required by the Department of Parks and Recreation.

With the requested modification, the applicant is revising and adding the following to Condition No. 25 and it would read as follows:

The permittee shall pay the Quimby in-lieu fee of ~~\$410,040~~ 342,720 as required by the Department of Parks and Recreation.

10. Condition No. 26, as currently approved, read as follows:

The area of individual lots shall substantially conform to that shown on the approved Exhibit "A" and shall include at least 55 lots containing a minimum of 15,000 square feet and specifically designed to accommodate horse keeping. Each horse-keeping lot shall include a minimum area of 2,000 square feet designated specifically for horse-keeping. No portion of the designated area shall be close than 35 feet to any habitable structures and shall comply with the requirements of the County Code. Site plans depicting compliance shall be submitted to the Director prior to issuance of building permits.

With the requested modification, the applicant is revising and adding the following to Condition No. 26 and it would read as follows:

The area of individual lots shall substantially conform to that shown on the approved Exhibit "A" and shall include at least 55 41 lots containing a minimum of 15,000 square feet and specifically designed to accommodate horse keeping. Each horse-keeping lot shall include a minimum area of 2,000 square feet designated specifically for horse-keeping. No portion of the designated area shall be close than 35 feet to any habitable structures and shall comply with the requirements of the County Code. Site plans depicting compliance shall be submitted to the Director prior to issuance of building permits.

~~With the requested modification, the applicant is revising and adding the following to Condition No. 26 and it would read as follows:~~

~~The area of individual lots shall substantially conform to that shown on the approved Exhibit "A" and shall include at least 41 lots containing a minimum of 15,000 square feet and specifically designed to accommodate horse keeping. Each horse-keeping lot shall include a minimum area of 2,000 square feet designated specifically for horse-keeping. No portion of the designated area shall be close than 35 feet to any habitable structures and shall comply with the requirements of the County Code. Site plans depicting compliance shall be submitted to the Director prior to issuance of building permits. In addition, construct and dedicate equestrian and hiking trails to the County of Los Angeles, or other public agency approved by the County of Los Angeles, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of the Department of Regional Planning prior to recordation of the final map or unit map, which includes all, or a portion of the trail. No building permit shall be issued within any final map, or unit map, until the equestrian and hiking trail within that map has been constructed. In addition, comply with the following:~~

10. a) Condition No. 28, as currently approved, read as follows:

- ~~_____ Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53138 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:~~
- ~~A. _____ complies with the conditions of this grant and the standards of the zone; and~~
 - ~~B. _____ is compatible with hillside resources~~

~~With the requested modification, the applicant is revising and adding the following to Condition No. 28 and it would read as follows:~~

- ~~_____ Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53138 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:~~
- ~~A. _____ complies with the conditions of this grant and the standards of the zone;~~
 - ~~B. _____ is compatible with hillside resources; and~~
 - ~~C. _____ includes all equestrian and hiking trails within that development phase, including final grading, finished trails surfaces and drainage devices,~~

railing, and other appurtenances required by the Director of Parks & Recreation

10. b) ~~Condition No. 29, as currently approved, read as follows:~~

~~Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.~~

~~With the requested modification, the applicant is revising and adding the following to Condition No. 29 and it would read as follows:~~

~~— Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, building setbacks, and finished grading for all equestrian and hiking trails, finished trails surfaces and drainage devices, railing, and other appurtenances required by the Director of Parks & Recreation.~~

10. c) ~~Condition No. 32, as currently approved, read as follows:~~

~~Prior to recordation of any final map for associated Vesting Tentative Tract Map No. 53138, the permittee shall submit copies of the Covenants, Conditions and Restrictions ("CC&R's") for the project to the Director. The CC&R's shall include a prohibition on the use of water softener units in the single family residences which discharge chemical agents into the public sewer system.~~

~~With the requested modification, the applicant is revising and adding the following to Condition No. 32 and it would read as follows:~~

~~Prior to recordation of any final map for associated Vesting Tentative Tract Map No. 53138, the permittee shall submit copies of the Covenants, Conditions and Restrictions ("CC&R's") for the project to the Director. The CC&R's shall include a prohibition on the use of water softener units in the single family residences which discharge chemical agents into the public sewer system. In addition, the CC&R's shall advise all residents of the following concerning the equestrian and hiking trails located within the project:~~

- ~~• That the trails are publicly owned by Los Angeles County, and~~

~~are not private property, regardless of their location relative to private properties.~~

- ~~• That any private use, damage or blockade of the trails is against the law, and that violators will be prosecuted by Los Angeles County officials.~~

11. Condition No. 56, as currently approved, read as follows:

No access of heavy construction equipment or vehicles, or delivery of construction materials, shall be permitted onto the project site via Canoga Avenue prior to 9:00 a.m. and after 2:00 p.m. Mondays through Fridays. No such access or deliveries shall be permitted on weekends or holidays. IN addition, permittee, in consultation with the Los Angeles County Department of Public Works and in a manner consistent with the timing requirements of the construction of the "A" Street Bridge, shall specify authorized routes for construction-related vehicles, including deliver and contractor employee vehicles, consistent with Condition No. 57(d)(ii) of this grant. Permittee will post necessary signs and/or personnel at all entries to Twin Lakes and local streets no permitted as authorized routes to ensure enforcement of these prohibitions.

With the requested modification, the applicant is revising and adding the following to Condition No. 56 and it would read as follows:

No access of heavy construction equipment or vehicles, or delivery of construction materials, shall be permitted onto the project site via Canoga Avenue prior to 9:00 a.m. and after 2:00 p. m. Mondays through Fridays. No such access or deliveries shall be permitted on weekends or holidays. In addition, permittee, in consultation with the Los Angeles County Department of Public Works and in a manner consistent with the timing requirements of the construction of the "A" Street Poema Place Bridge, shall specify authorized routes for construction-related vehicles, including deliver and contractor employee vehicles, consistent with Condition No. 57(d)(ii) of this grant. Permittee will post necessary signs and/or personnel at all entries to Twin Lakes and local streets no permitted as authorized routes to ensure enforcement of these prohibitions.

12. Condition No. 57, as currently approved, read as follows:

Upon completion of "A" Street and the bridge, as shown on the Tentative Subdivision Map, access to the project via Canoga Avenue by construction equipment or vehicles shall be prohibited, and all construction traffic shall use Topanga Canyon Boulevard. In addition, the following conditions shall apply during the construction of the "A" Street Bridge:

- Upon expiration of all appeal periods, including the statutory time period for legal challenge to the EIR, permittee shall prepare all necessary engineering drawings for the construction of the "A" Street Bridge (aka Topanga Bridge).

- B. Prior to recordation of the first final unit map, the permittee shall have applied to the Department of Public Works for and received a permit to construct the "A" Street Bridge, or the "A" Street Bridge shall be included in an Improvement Agreement for the first final unit map.
- C. Prior to the issuance of the first residential building permit, construction shall commence on the "A" Street Bridge.
- D. Prior to completion of the "A" Street Bridge, construction traffic on Canoga Avenue shall be subject to the following controls:
1. (iii). Until construction of the "A" Street Bridge has been completed and construction-related traffic is no longer permitted to use Canoga Avenue, the permittee shall have two crossing guards on duty when local schools, day camps, or summer camps are in session: one crossing guard at the intersection of Canoga Avenue with Chatsworth Street and one crossing guard at the intersection of Canoga Avenue with Tulsa Street;
 2. (iv) Until construction of the "A" Street Bridge has been completed and construction-related traffic is no longer permitted to use Canoga Avenue, the permittee shall have one or two flag persons, as determined by the Department of Public Works, on south-bound Canoga Avenue to alert motorists to oncoming construction vehicles;
 3. (v) The "A" Street and Canoga Avenue bridges shall be completed and open for construction traffic prior to the issuance of the 130th residential building permit;
 4. (vi) No construction equipment, materials and supply deliveries shall be permitted on Canoga Avenue after the issuance of the 130th residential building permit. Upon completion of the "A" Street Bridge, construction traffic shall be restricted to travel only from Topanga Canyon Boulevard, to Poema Place, to the site; and
 5. (vii) Upon completion of the "A" Street Bridge, the permittee shall post "No Construction Traffic" signs on the Canoga Avenue entrance to the site prohibiting construction traffic to Canoga Avenue and diverting such traffic to Topanga Canyon Boulevard and "A" Street.
- E. The applicant shall ensure that access for existing homeowners and equestrians will not be impeded by traffic to and from the temporary construction trailers site along that portion of existing Canoga Avenue extending between the existing driveway to the temporary construction trailers site and the 118 freeway overpass;

- F. No mass grading shall be permitted on the temporary construction trailers site except that which is necessary to provide a safe transition between the existing driveway and Canoga Avenue, consistent with Exhibit "A" of CUP No. 99-239, and the minor grading required providing an all weather parking lot on the temporary construction trailers site;
- G. All applicable conditions of approval of CUP 99-239, including those pertaining to dust and storm water runoff controls, shall apply to the temporary construction trailers site;
- H. The applicant shall obtain required permits from the Departments of Public Works, Building & Safety Division, and the Department of Health Services, prior to any construction or placements on the temporary construction trailers site;
- I. Fifteen days after the completion of the "A" Street bridge, the temporary construction trailers shall be removed from this site, and no further construction-related traffic shall be permitted to use Canoga Avenue, consistent with Condition No. 57 of CUP No. 99-239;
- J. Relocation of the temporary construction trailers within 15 days of completion of the "A" Street bridge shall be to a location within the Deerlake Ranch project site that provides access to and from Topanga Canyon Boulevard; and
- K. After relocation of the temporary construction trailers, the leased site shall be restored to its existing condition within 30 days.

With the requested modification, the applicant is revising and adding the following to Condition No. 57 and it would read as follows:

Upon completion of "~~A~~" Street Poema Place and the bridge, as shown on the Tentative Subdivision Map, access to the project via Canoga Avenue by construction equipment or vehicles shall be prohibited, and all construction traffic shall use Topanga Canyon Boulevard. In addition, the following conditions shall apply during the construction of the "~~A~~" Street Poema Place Bridge:

- L. Upon expiration of all appeal periods, including the statutory time period for legal challenge to the EIR, permittee shall prepare all necessary engineering drawings for the construction of the "~~A~~" Street Poema Place Bridge (aka Topanga Bridge).
- M. Prior to recordation of the first final unit map, the permittee shall have applied to the Department of Public Works for and received a permit to construct the "~~A~~" Street Poema Place Bridge, or the "~~A~~" Street Poema Place Bridge shall be include in an Improvement Agreement for the first final unit map.

- N. Prior to the issuance of the first residential building permit, construction shall commence on the "A" Street Poema Place Bridge.
- O. Prior to completion of the "A" Street Poema Place Bridge, construction traffic on Canoga Avenue shall be subject to the following controls:
1. (iii). Until construction of the "A" Street Poema Place Bridge has been completed and construction-related traffic is no longer permitted to use Canoga Avenue, the permitted shall have two crossing guards on duty when local schools, day camps, or summer camps are in session: one crossing guard at the intersection of Canoga Avenue with Chatsworth Street and one crossing guard at the intersection of Canoga Avenue with Tulsa Street;
 2. (iv) Until construction of the "A" Street Poema Place Bridge has been completed and construction-related traffic is no longer permitted to use Canoga Avenue, the permittee shall have one or two flag person, as determined by the Department of Public Works, on south-bound Canoga Avenue to alert motorists to oncoming construction vehicles;
 3. (v) The "A" Street Poema Place and Canoga Avenue bridges shall be completed and open for construction traffic prior to the issuance of the 130th residential building permit;
 4. (vi) No construction equipment, materials and supply deliveries shall be permitted on Canoga Avenue after the issuance of the 130th residential building permit. Upon completion of the "A" Street Poema Place Bridge, construction traffic shall be restricted to travel only from Topanga Canyon Boulevard, to Poema Place, to the site; and
 5. (vii) Upon completion of the "A" Street Poema Place Bridge, the permittee shall post "No Construction Traffic" signs on the Canoga Avenue entrance to the site prohibiting construction traffic to Canoga Avenue and diverting such traffic to Topanga Canyon Boulevard and "A" Street Poema Place.
- P. The applicant shall ensure that access for existing homeowners and equestrians will not be impeded by traffic to and from the temporary construction trailers site along that portion of existing Canoga Avenue extending between the existing driveway to the temporary construction trailers site and the 118 freeway overpass;
- Q. No mass grading shall be permitted on the temporary construction trailers site except that which is necessary to provide a safe transition

between the existing driveway and Canoga Avenue, consistent with Exhibit "A" of CUP No. 99-239, and the minor grading required providing an all weather parking lot on the temporary construction trailers site;

- R. All applicable conditions of approval of CUP 99-239, including those pertaining to dust and storm water runoff controls, shall apply to the temporary construction trailers site;
- S. The applicant shall obtain required permits from the Departments of Public Works, Building & Safety Division, and the Department of Health Services, prior to any construction or placements on the temporary construction trailers site;
- T. Fifteen days after the completion of the "A" Street Poema Place bridge, the temporary construction trailers shall be removed from this site, and no further construction-related traffic shall be permitted to use Canoga Avenue, consistent with Condition No. 57 of CUP No. 99-239;
- U. Relocation of the temporary construction trailers within 15 days of completion of the "A" Street Poema Place bridge shall be to a location within the Deerlake Ranch project site that provides access to and from Topanga Canyon Boulevard; and
- V. After relocation of the temporary construction trailers, the leased site shall be restored to its existing condition within 30 days.

13. Condition No. 61, as currently approved, read as follows:

During grading and until completion of the permanent trails within the project, the permittee shall coordinate with representatives of the various local equestrian groups and other interested persons to locate and build temporary riding and hiking trails which, when physically possible, will connect to existing trails from Devil's Canyon and Brown's Canyon north of the project. These temporary trails may be relocated from time to time due to the need to accommodate construction activity. The proposed locations and construction of the temporary trails shall be reviewed by the Trails Coordinator of the Los Angeles County Department of Parks and Recreation.

With the requested modification, the applicant is revising and adding the following to Condition No. 61 and it would read as follows:

During grading and until completion of the permanent trails within the project, the permittee shall coordinate with representatives of the various local equestrian groups and other interested persons to locate and build temporary riding and hiking trails which, when physically possible, will connect to existing trails from Devil's Canyon and Brown's Canyon north of the project. These temporary trails may be relocated from time to time due to the need to accommodate construction activity. The proposed

locations and construction of the temporary trails shall be reviewed by the Trails Coordinator of the Los Angeles County Department of Parks and Recreation. In addition,

- A. The permittee shall make an irrevocable offer of dedication of all trails shown on Exhibit "A" to the County of Los Angeles on the final tract map(s) which includes any portion of the trails.
- B. The permittee shall construct all equestrian and hiking trails as depicted on Exhibit "A" to the satisfaction of the Department of Public Works and the Department of Parks and Recreation.
- C. The permittee shall complete the trail grading prior to rough grading certification, and the completion of this trail grading work shall be confirmed by the appropriate County staff in connection with the inspection and issuance of rough grading certification. Posting of security in lieu of such actual completion of trails shall not be permitted.
- D. The permittee shall post temporary signs sufficient in size and number so as to be visible and legible from every home site whose lot is traversed by a trail. Each sign shall give notice that a Los Angeles County equestrian trail, open to the public, is located in the area. The Department of Public Works shall not sign off on permittee's completion of rough grading until the Department has confirmed that the signs have been posted.
- E. The temporary signs shall be continually maintained until the residences are constructed and occupied.
- F. These conditions may be satisfied incrementally within each project phase so long as the trails are complete prior to any rough grading certification which includes any portion of the trails.

14. Condition No. 64, as currently approved, read as follows:

Pursuant to Chapter 22.72 of the County Code, pay a fee to the Los Angeles County Librarian prior to issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The current fee amount is \$638 per dwelling unit ($\638×375 dwelling units = \$239,250). The permittee or its successor in interest may contact the County Librarian at (562) 940-8430.

With the requested modification, the applicant is revising and adding the following to Condition No. 64 and it would read as follows:

Pursuant to Chapter 22.72 of the County Code, pay a fee to the Los Angeles County Librarian prior to issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The current fee amount is ~~\$638~~ 829 per dwelling unit (~~\$638~~ 829 X ~~375~~ 314 dwelling units = ~~\$239,250~~ 260,306). The permittee or its successor in interest may contact the County Librarian at (562) 940-8430.

15. Condition No. 65, as currently approved, read as follows:

The permittee shall construct a sheriff's storefront sub-station facility, not to exceed 800 square feet in size but not less than 600 square feet, as depicted on the approved Exhibit "A". The facility shall be offered to the Sheriff's Department under appropriate terms and conditions as provided for in an agreement between the County and the permittee. The Sheriff's facility shall be constructed as soon as "A" Street has been completed and Mayan Drive has been relocated, as shown on the approved Exhibit "A", to the satisfaction of the Los Angeles County Department of Public Works. In addition to parking required to serve the Sheriff's facility, an additional four parking spaces, at minimum, shall be provided to trail users.

With the requested modification, the applicant is revising and adding the following to Condition No. 65 and it would read as follows:

The permittee shall construct a sheriff's storefront sub-station facility, not to exceed 800 square feet in size but not less than 600 square feet, as depicted on the approved Exhibit "A". The facility shall be offered to the Sheriff's Department under appropriate terms and conditions as provided for in an agreement between the County and the permittee. The Sheriff's facility shall be constructed as soon as "A" Street Poema Place has been completed and Mayan Drive has been relocated, as shown on the approved Exhibit "A", to the satisfaction of the Los Angeles County Department of Public Works. In addition to parking required to serve the Sheriff's facility, an additional four parking spaces, at minimum, shall be provided to trail users.

16. All other conditions of CUP 99239 remain as previously approved.

17. Prior to the use of this grant, the terms and conditions of the modification shall be recorded in the office of the Los Angeles County Recorder.

18. Permission is granted to develop the subdivision in accordance with the Exhibit "A," including the Community Character booklet, dated July 12, 2011.

19. Permission is granted to make the following changes to the Exhibit "A":

- Reduction in the overall number of lots from 421 (including 375 single-family lots) to 344 lots (including 314 single-family lots).
- Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;

- Revision of interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
- Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards;
- Allowing Lot Nos. 12, 13, 15, 16, 17, 18, 19, 33, 34, 37, 55, 63, 64, 65, 66, 67, 68, 69, 78, 92, 95, 96, 97, 98, 99, 101, 157, 244, 296, 298, 299, 307, 310, 311 to have less than the required street frontage.

DRAFT

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 99-239-(5)
OAK TREE PERMIT NO. 201200001**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of Oak Tree Permit No 201200001 ("OTP 201200001") on July 18, 2012. OTP 201200001 was heard concurrently with the Second Amendment to Vesting Tentative Tract Map No. 53138 ("Second Amendment") and Conditional Use Permit Modification ("CUP Mod.") No. 201100160.
2. OTP 201200001 is a request to allow the removal of 42 oak trees and encroachment into the protected zone of 13 oak trees). None of the trees is a heritage oak. The oaks are identified as Tree Nos. 1 through 14, 41 through 53, 55, 57 through 60, 64, 66 through 73, 76 (removals) and 21, 23 through 26, 29 through 31, 40, 61 through 63, 65 (encroachments) on the permittee's oak tree location map and oak tree report prepared by L. Newman Design Group, Inc., consulting arborist, dated January 3, 2012 ("Oak Tree Report").
3. The Second Amendment requests the following amendments to TR 53138:
 - Reduction in the overall number of lots from 421 (including 375 single-family lots) to 345 lots (including 314 single-family lots).
 - Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;
 - Revised interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
 - Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards;
 - Waiver of street frontage on lots fronting private driveways and fire lanes;
 - Modification of Condition No. 11 to allow 34 lots to have less than the required street frontage;
 - Reduction in the number of horse-keeping lots from 55 to 41;
 - Reduction in the number of oak trees to be removed from 61 to 42 and increase in the number of encroachments from 10 to 13; and
 - Modification of the text conditions of approval for the vesting tentative tract map and CUP to reflect the changes proposed by the amendment.
 - Modification of Condition No. 38 for additional language related to trails construction, maintenance and enforcement.
4. CUP Mod No. 201100160 is a related request to modify the text conditions of CUP 99-239 – (5) to reflect the changes proposed by the amended tentative tract map and to reduce the number of horse-keeping lots. Also requested is a change to Condition No. 61 to reflect additional language for trails construction, maintenance and enforcement.
5. Approval of this request is contingent upon the approval of all the other requests for entitlements included in Project No. 99-239 – (5).

6. If this oak tree permit is denied at the public hearing and the denial is sustained by subsequent appeals, the subdivider may proceed with the development approved under previous approvals once the final map is recorded.
7. The subject site is located at the north of California State Route 118 (Ronald Reagan Freeway) between Canoga Avenue and Topanga Canyon Boulevard, within the Chatsworth Zoned District.
8. The irregularly-shaped property is 230.58 gross acres in size with flat to hilly terrain. A large portion of the property is generally a plateau that is bordered to the west and south by Devil's Canyon and to the east by Brown's Canyon. It is generally vacant, though five single-family residences are included in "Not A Part" areas surrounded by the project site.
9. The majority of the subject property was historically known as the Deerlake Highlands Tract, a Record of Survey subdivision of approximately 2,275 lots recorded in the late 1920's. Since their creation in the late 1920's, these substandard lots have occasionally been conveyed, sold, and acquired. These lots have been merged into 624 lots, each with a minimum of 6,000 square feet through the processing and issuing of 624 unconditional certificates of compliance.
10. The residences will take access from internal private and future streets and private driveways and fire lanes, which take from Poema Place a 64' dedicated public street, and Canoga Avenue, a variable width dedicated public street.
11. The subject property is depicted within the Non-Urban (R) and Rural Communities (RC) land use classifications on the Land Use Policy Map of the Los Angeles Countywide General Plan ("General Plan"). The Rural Communities designation permits residential density of one to six dwelling units per acre. The Non-Urban designation permits a maximum density of one dwelling unit per acre. The project's overall proposed density is approximately 1.7 dwelling units per acre.
12. Density transfer of 23 units from the southeasterly portion of the site designated Urban to a portion of the Non-Urban area within the southwesterly portion of the site was included in the original project. However, due to the reduction in overall number of units, this density transfer is not included in the amended project.
13. The project site is currently A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) and R-1-6,000 (Single-Family Residential - 6,000 Square Feet Minimum Required Lot Area). The zoning was established by Ordinance No. 7505 which became effective on April 14, 1959.
14. The proposed project is required to comply with the development standards of the A-1-1 and R-1-6,000 zones. Detached residences are permitted in the A-1-1 zone pursuant to Section 22.24.070 of the Los Angeles County Code ("County Code") and in the R-1-10,000 zone, pursuant to Section 22.20.070 of the County Code.

15. The applicant has submitted an Oak Tree Report that identifies and evaluates oak trees on the project site, of which 42 are proposed to be removed and 13 are proposed to be encroached upon. There are 202 total oak trees on the project site.
16. The applicant has submitted an oak tree permit burden of proof to support his request for the oak tree permit. Staff finds the burden of proof satisfactorily supports the applicant's request for oak tree removals and encroachments, as 79 percent (160) of the 202 existing oak trees will remain. The 42 trees to be removed are distributed throughout the project site, not concentrated in one area.
17. The Los Angeles County Forester and Fire Warden, ("Forester"), has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition, and species of the oak trees on the site. The Forester has recommended approval of the requested oak tree encroachments, subject to the Forester's recommended conditions of approval.
18. The locations of the encroached oak trees are identified on an oak tree exhibit map.
19. The proposed construction of the project would impact 55 (42 removals and 13 encroachments) oak trees that are the subject of this approval.
20. The proposed encroachments are necessary in order to provide a safe interior circulation system and allow for a grading plan that supports the proposed residential uses. Encroachment into the protected zone of the oak trees will not harm the oaks, provided the conditions of approval are met, and will allow for development of the property in a manner consistent with the Los Angeles County Code ("County Code"), which allows for development of detached residential units in the R-1-6,000 and A-1-1 zones; therefore, the encroachments will not be contrary to or in conflict with the intent or purpose of the oak tree ordinance.
21. Staff received one letter from the Deerlake Ranch Construction Committee ("Committee") dated January 12, 2011, supporting the proposed amendments to TR 53138. The letter also requested that the Los Angeles County Department of Parks and Recreation take any necessary steps to ensure that individual lot owners do not impede the use of trails that cross their respective property lines. The Committee was created by Condition No. 48 of CUP 99-239- (5), approved by the Los Angeles County Board of Supervisors ("Board") on August 10, 2004. The Committee, composed of six individuals who shall be property owners, tenants, business owners, and/or other interested persons in the Chatsworth area as appointed by the Supervisor of the Fifth Supervisorial District, is to meet quarterly (or less frequently at the direction of the Committee) with the permittee and his contractor representatives.

Staff received two letters from neighbors to the project site expressing concerns about removal of oak trees; development of the natural area; and access to the trail network that, in part, crosses private property within a gated community.
22. The subject oak tree permit, and associated CUP modification and amended map were initially heard by a Los Angeles County Hearing Officer ("Hearing Officer"), Gina Natoli, on February 21, 2012.

23. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer heard a presentation from staff that summarized the requested entitlements and noted that more than one protest to the CUP modification had been received.
24. During the February 21, 2012 Hearing Officer public hearing, the applicant's representatives discussed the procedure for denying the CUP modification. They questioned whether opponents must state a reason for their opposition for that opposition to be valid and whether the nature of the opposition was within the limited scope of the hearing. County Code Section 22.56,1630 (A) does not require opponents to explain the nature of their opposition for that opposition to be valid.
25. During the February 21, 2012 Hearing Officer public hearing, one person representing Equestrian Trails Incorporated Corral No. 54 and the Deerlake Ranch Construction Committee testified in support of the project. They indicated support for the proposed modifications; stated that several features in the proposed plan will help insure that the trails will be properly maintained and not a burden to the property owners whose lots the trails cross; and that the Los Angeles County Sheriff's Department would deal with any property owner who impeded access to the trail.
26. During the February 21, 2012 Hearing Officer public hearing, two persons indicated they opposed the project but, due to the fact that the project was to be denied, reserved their remarks on the merits of the project until further proceedings are initiated by the applicant.
27. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer noted that the denial of the condition modification request is not a withdrawal of the project; that that basis for the denial was clearly stated in County Code Section 22.56,1630 (A); and that the County Code does not require opponents to explain the nature of their opposition for that opposition to be valid.
28. During the February 21, 2012 public hearing, the Hearing Officer clarified that only the requested modifications are considered during any proceeding on an amendment map and CUP modification, both at the hearing and at the appeal level.
29. After all testimony and discussion on February 21, 2012, the Hearing Officer closed the public hearing and denied CUP Mod 201100160, Second Amendment to Vesting Tentative Tract Map No. 53138, and OTP 201200001 because more than two protests had been received.
30. On July 18, 2012, the Commission conducted a duly-noticed public hearing to hear the appeal of the subject project.
31. During the July 18, 2012 Commission public hearing, the Commission heard a presentation from staff and the applicant's representative. No other testimony was heard.
32. During the July 18, 2012 Commission public hearing, the applicant's representative made a presentation and gave testimony regarding the timely installation of trails and enforcement of public trail easements, indicating that both would be provided for the community through project conditions of approval. They also indicated that the nature of

the opposition which warranted the applicant's appeal was not within the limited scope of the minor changes being proposed by the applicant.

33. During the July 18, 2012 Commission public hearing, County Counsel explained that the appeal brought forth by the appellants does not substantively relate to the limited scope of the amendments proposed, and thus, the Commission may decide the appeal on the basis of the merits of the proposed amendments.
34. After hearing all testimony and discussing the matters at hand, the Commission finds that construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code.
35. The Commission finds that the removal of 42 and encroachment within the protected zone of 13 oak trees are necessary for development reasons as the location of the trees at the present location frustrates the planned improvements and/or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density.
36. The Commission finds that the removal of 42 and encroachment into the protected zones of 13 oak trees proposed will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure. The oak tree permit procedure is used to allow street improvement required by Public Works.
37. An addendum to the Final Environmental Impact Report has been recommended as the appropriate environmental document for this project pursuant to the California Environmental Quality Act ("CEQA") and the Los Angeles County Environmental Guidelines. It was determined that, pursuant to CEQA Guidelines Section 15164, some changes to the previously certified FEIR are necessary but none of the conditions described in CEQA Guidelines Section 15162, calling for the preparation of a subsequent EIR, have occurred.
38. After consideration of the addendum to the FEIR and the FEIR itself, together with any 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 proposed amendment will have a significant effect on the environment, finds the addendum reflects the independent judgment and analysis of the Commission, and approves the addendum.
39. 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 the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. That construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code;

- B. That the removal of 42 and encroachment within the protected zone of 13 oak trees is necessary for development reasons as continued existence of the trees at the present location frustrates the planned improvements and/or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density; and
- C. That the removal and encroachment into the protected zones of the oak trees proposed will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure;

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for an oak tree permit as set forth in Section 22.56.2100 of the Los Angeles County Code (Zoning Ordinance).

THEREFORE, in view of the findings of fact and conclusions presented above, Oak Tree Permit No. 201200001 is approved subject to the attached conditions.

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**DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 99-239-(5)
OAK TREE PERMIT NO. 201200001
CONDITIONS**

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the Los Angeles County Forester and Fire Warden ("Forester") at either 818-890-5719 or 323-881-2481).

1. This grant allows the removal of 42 trees and encroachment within the protected zone of 13 trees (no heritage oaks) of the oak genus (*Quercus agrifolia*) identified as trees numbered 1 through 14, 41 through 53, 55, 57 through 60, 64, 66 through 73, 76 (removals) and 21, 23 through 26, 29 through 31, 40, 61 through 63, 65 (encroachments) on the permittee's oak tree location map and oak tree report prepared by L. Newman Design Group, Inc., consulting arborist, dated January 3, 2012, ("Oak Tree Report"). This grant also allows structural pruning of remaining oak trees to provide clearance and ensure the continued health of trees, including prunes greater than two inches in diameter.
2. 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.
3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions have been recorded as required by Condition No. 4 and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this condition No. 3 and Condition Nos. 32, 33, 34 and 35 shall be effective immediately upon final approval of this grant by the County.
4. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of this grant in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee, or the property owner if other than the permittee, shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
5. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, 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 such full compliance shall be a violation of these conditions.

7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
8. No oak tree shall be encroached upon until the permittee has obtained all permits and approvals required for the work which necessitates such encroachment.
9. The permittee shall comply with the requirements of the Forester's letter dated January 24, 2012, which is incorporated by reference as if set forth fully herein.
10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department the sum of \$500.00. These fees will be used to compensate the Forester for the review of the new/revised Oak Tree report. The Director of Regional Planning ("Director of Planning") and the Forester shall retain the right to make regular and unannounced site inspections.
11. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forester stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Planning and the Forester any failure to fully comply with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. This report shall include a diagram showing the exact number and location of all mitigation trees planted, if mitigation trees are required, as well as planting dates.
12. The permittee shall arrange for the consulting arborist or similarly qualified person to maintain any remaining oak trees on the subject property that are within the zone of impact as determined by the Forester for the life of the Oak Tree Permit or Conditional Use Permit.
13. The permittee shall install temporary chain-link fencing, not less than four feet in height, to secure the protected zone of all remaining oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the Forester. The term "protected zone" refers to the area extending five feet beyond the dripline of the oak tree (before pruning) or fifteen feet from the trunk, whichever is greater. Specifically, tree nos. 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32-39, 40, 56, 61, 62, 65, 65, 74, 75, 77 identified in the Oak Tree Report shall be fenced.
14. The permittee shall keep copies of the Oak Tree Report, Oak Tree Map, Mitigation Planting Plan (if required) and Conditions of Approval on the project site and available for review. All Individuals associated with the project as it relates to the oak resource shall be provided with a copy or otherwise made familiar with the Oak Tree Report, Oak Tree Map, Mitigation Planting Plan (if required) and Conditions of Approval.
15. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any

major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

16. In addition to work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected oak tree or to improve its appearance or structure may be performed. Such pruning shall include removal of deadwood and stubs and medium pruning of branches two inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the Forester. In no case shall more than 20 percent of the tree canopy of any one tree be removed.
17. Except as otherwise expressly authorized by this grant, the Oak trees shall be maintained in accordance with the principles set forth in the publication "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.
18. The permittee shall provide mitigation trees of the oak genus at a rate of two to one (2:1) for each tree removed for a total of 84 trees.
19. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one inch or more in diameter at one foot above the base. Free form trees with multiple stems are permissible provided that the combined diameter of the two largest stems of such trees measures a minimum of one inch in diameter one foot above the base.
20. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source.
21. Mitigation tree shall be planted within one year of the permitted oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the Forester according to the most current edition of the International Society for Arboriculture's "Guide for Plant Appraisal."
22. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two years will start anew with new replacement trees. Subsequently, additional monitoring fees shall be required.
23. All mitigation oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

24. Encroachment within the protected zone of any additional trees of the Oak genus on the project site is prohibited.
25. Should encroachment within the protected zone of any additional trees of the oak genus on the project site not permitted by this grant result in its injury or death within two years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
26. No planting or irrigation system shall be installed within the drip line of any oak tree that will be retained.
27. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.
28. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any oak.
29. Any violation of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.
30. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forester for all enforcement efforts necessary to bring the subject property into compliance.
31. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Los Angeles County Regional Planning Commission ("Commission") or 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 health or safety or as to be a nuisance.
32. The permittee shall defend, indemnify, and hold harmless the County , its agents, officers, and employees from any claim, action, or proceeding against the County, or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall promptly notify the permittee of any such claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the subdivider of any claim, action, or proceeding, or if the local agency fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the local agency.

33. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall, within ten days of the filing, pay Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including, but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
- a. If during the litigation process, actual costs incurred by the department 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 permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

34. This grant shall expire unless used within two years after the recordation of a final map for TR 53138. In the event that TR 53138 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
35. This grant shall terminate upon the completion of the authorized oak tree encroachments and the completion of all required mitigation and monitoring to the satisfaction of the Forester and Regional Planning.