Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

DATE: May 5, 2011

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

FROM: Samuel Z. Dea, Supervising Regional Planner
Special Projects Section

SUBJECT: AGENDA ITEM NO. 5
PROJECT NO. 04-181-(5)
VESTING TENTATIVE TRACT MAP NO. 61105
CONDITIONAL USE PERMIT CASE NO. 200500080
CONDITIONAL USE PERMIT CASE NO. 200500081
OAK TREE PERMIT NO. 200500043
OAK TREE PERMIT NO. 200500032
PARKING PERMIT NO. 200500011
SUBSTANTIAL CONFORMANCE REVIEW NO. 201000001

The above-mentioned item (Item No. 8 on the November 10, 2010 agenda and Item No. 6 on the March 16, 2011 agenda) is a request to authorize the implementation of phase two (Mission Village) of the approved Newhall Ranch Specific Plan (Specific Plan). The Specific Plan was adopted by the Board of Supervisors on May 27, 2003, for the development of 20,885 dwelling units, 629 acres of mixed use development and 67 acres of commercial uses on 11,963 acres. Mission Village comprises of 4,055 dwelling units and 1,555,100 square feet of commercial/mixed uses.

Commissioners will recall that the public hearing on the project was conducted on November 10, 2010 and continued to March 16, 2011 to allow the applicant time to respond to issues raised at the hearing and staff time to prepare the Final Environmental Impact Report (FEIR), including responses to comments and to prepare draft project findings and conditions for consideration.

At the continued public hearing on March 16, 2011, the applicant requested to continue the public hearing in order to provide the applicant with additional time to prepare adequate responses to the Commission's directions at the November 10, 2010 hearing. The Commission granted the applicant's request and continued the hearing to May 18, 2011.

At the Commission's regularly-scheduled public hearing held on March 22, 2011, during the public comment portion of the hearing, a representative of Santa Clarita Organization for Planning the Environment (SCOPE) read a letter dated March 16, 2011, regarding the

project's potential effect on chloride levels in the Santa Clara River, specifically as related to wastewater discharge from the Valencia Water Reclamation Plant ("WRP"). This letter (Comment Letter No. 22) and the responses are included in the Final EIR and are attached (**Attachment E and F**, respectively.) The responses provide, in brief, that the Mission Village project is expected to produce wastewater chloride concentrations similar to those in the existing Santa Clarita Valley Sanitation District service area; therefore, the interim discharge of wastewater from the Valencia WRP due to the Mission Village project's wastewater would not impact the Sanitation District's ability to comply with the adopted chloride Total Maximum Daily Load ("TMDL"), and the Sanitation District concurs, and has issued a memorandum to the Board of Supervisors dated March 8, 2011, which is attached (**Attachment G**).

On May 4, the applicant submitted the following additional material which are included as attachments for the Commission's review:

- Revised pages from the Planning Notebook (**Attachment H**) that have been modified as follows:
  - Pages 4, 25, 35, 36, 40, 51, 52, 53, 64 and 65 have been revised to reflect changes to the Tentative Map.
  - Pages 60, 61, 61a and 61b have been revised to address the Planning Commission's comments on the setback modification in the Village Center. These pages include additional guidelines for front and side yard setbacks along with revised graphics for additional clarity. It should be noted that several of the previous proposed setbacks for certain frontage types have been increased from 0-feet depending on the frontage.
  - Page 40 has been revised to reflect the new LID Performance Standard for Mission Village.

  A digital copy (disk) of The Planning Notebook submitted to the Commission on the November 10, 2010 public hearing is attached.

- Village Center Setback Modification Supplemental Notebook (**Attachment I**). This document is intended to provide supplemental information to the Planning Commission on the setback modification in the Village Center. This document includes similar information that can be found in the planning notebook but with additional explanatory pictures and illustrations. In addition, the document also contains illustrated street scenes with photo example case studies.

- Groundwater recharge technical paper (**Attachment J**) to addresses the Commission's comment on upland infiltration. Also, included with this technical paper is an infiltration illustrative that summarizes the proposed LID BMPs for Mission Village.

NOVEMBER 10, 2010 PUBLIC HEARING

At the November 10, 2010 hearing, the Commission heard the staff report, the applicant presented testimony regarding the project, and public testimony was presented by a representative of SCOPE, who requested that the Draft EIR public review period be extended.

Staff added that the applicant also needs to resolve the following issues with the Department of Public Works (Public Works) regarding the Tentative Map: an easement for the necessary off-site regional sewer improvement; an easement for the off-site grading and improvements for the extension of Magic Mountain Parkway and Westridge Parkway; provide a will serve letter from the Sanitation District to use the Valencia Water Reclamation Plant until the planned Newhall Ranch Water Reclamation Plant is operational; and provide detailed information regarding an agreement with Caltrans for mitigation of impacts to the state freeway system.

After discussion, the Commission continued the item to March 16, 2011 and extended the public comment period for the EIR to January 4, 2011 (total 99-day public comment period) to allow interested parties to review and provide comments on the project and its DEIR and to allow the applicant to resolve outstanding issues with Public Works and respond to the following topics: (i) whether the applicant's request to adjust Specific Plan trail widths from 12-feet to 8-feet is warranted; (ii) whether the applicant's request for a zero setback in the Village Center is justified; (iii) whether the project includes sufficient upland infiltration; (iv) whether pile-driving activities can be replaced with a quieter method; (v) whether the applicant should mitigate oak tree impacts by in kind planting or mitigation fee; and (vi) whether the project should include a trail head.

The Commission also directed staff to provide additional information on the following topics: (i) improvements within the SEA and river buffer; and (ii) development transfer among Specific Plan implementation phases.

STAFF RESPONSES TO THE COMMISSION'S DIRECTIVES

Below are staff's responses to the Commission's directive, from the November 10, 2010 public hearing, to provide additional information on the following topics: (i) improvements within the SEA and river buffer; and (ii) development transfer among Specific Plan implementation phases:

(i) Improvements within the SEA: The Commission asked for more details on the improvements proposed within the SEA, specifically if other locations were considered for such improvements.

The following improvements are proposed within the SEA:

- Commerce Center Drive Bridge: The Commerce Center Drive Bridge is one of the bridge crossings originally approved by the Board in the Specific Plan. It is the extension of Commerce Center Drive that provides connection between the project site and the northern side of the Santa Clara River. The

construction of this bridge includes bank stabilization and grading. With the approval of the Newhall Ranch Specific Plan and CUP No. 94-087-(5), the Board approved the general alignment for Commerce Center Drive Bridge in order to minimize impacts to sensitive habitat and species within SEA 23, and to minimize major access points to SR-126. The Board found the bridge crossing to be essential for a functional circulation system to serve the Specific Plan area and the region, and to advance many of the County's goals and policies related to transportation, land use, and other issues of public interest. The bridge crossing was found to comply with the County's engineering requirements, and to be strategically located and designed to provide maximum transportation effectiveness, while minimizing impacts to critical resources, habitat areas, and animal movement paths in riparian corridor areas. The Commerce Center Drive Bridge will connect the existing north terminus of Commerce Center Drive at SR-126 with the proposed southern extension of Commerce Center Drive and will serve central portions of Newhall Ranch. The bridge will span the width of the Santa Clara River, equating to a roadway segment of approximately 1,300 feet in length and 120 to 129 feet in width.

Consistent with previously approved SEA CUP No. 94-087 (5), the Mission Village project bank stabilization is consistent with the several objectives that were developed to balance the environment and flood control issues presented by the Santa Clara River, as required by the County General Plan.

- Utilities (including storm drain outlets, water quality basins, sanitary sewer, water, cable, gas, fiber optics, etc.): The location of the utilities was also approved as part of the Specific Plan and refined as part of Mission Village's tentative map process. There are five water quality basins which were technically positioned down gradient along the northern portion of the Mission Village development to capture storm water form the development. One of these basins encroaches into the SEA. However, this basin is necessary to capture the storm water coming from the middle section of the project.

  While utilities were addressed in the approved Specific Plan, the location of the underground utility corridor is further refined as part of Mission Village's tentative map process. The utility corridor runs east/west for approximately 2.5 miles along SR-126 from the approved Newhall Ranch WRP near the Los Angeles/Ventura County border to the I-5. The approximate 418-acre corridor is located completely outside of the Mission Village Tentative Map and approximately 165 of permanently impacted acres of the corridor are located outside of the Specific Plan and approximately 18.8 of permanently impacted acres are located within the SEA.

- Trails: A portion of the Regional River Trail is located within the SEA on the north side of the Santa Clara River, at the northern portion of Mission Village.

This trail is part of the Trails Plan approved as part of Specific Plan and will be constructed within the bank stabilization area and will not disturb additional area.

- Riparian mitigation sites: The riparian mitigation sites are necessary to maintain the riparian areas and enhancement to the river corridor. These mitigation sites are subject to California Department of Fish and Game (CDFG) review and approval.
- Neighborhood Park: The Specific Plan's Recreation/Open Area Plan depicts a Community Park within the SEA and a Neighborhood Park in close proximity to the SEA boundary (see **Attachment A**). The Mission Village project depicts only a portion of the Neighborhood Park within the SEA, while the Community Park was completely relocated to the eastern side of the project site, outside of the SEA. The proposed Neighborhood Park site is strategically located between two single-family neighborhoods and connected to the Village Center through trails. It is also located more than 100 feet above the level of the water quality basin and the Santa Clara River. The EIR discloses that no sensitive habitats associated with the SEA are within this area.

(ii) Residential unit transfer among Specific Plan implementation phases: The Commission asked for additional information regarding the transfer of residential and non-residential development proposed within the different phases of implementation of the Specific Plan. The Newhall Ranch Specific Plan has provisions and guidelines which govern the transfer of residential and non-residential development proposed within the Specific Plan. Critical to effective control of implementation is the Planning Director and Staff's determination that the Tentative Tract Subdivision Maps are prepared consistent with the Adjustment/Transfers/Conversion Provisions as set forth in Section 3.5 of the Specific Plan. These regulations include:

- Planning Area Boundary and Acreage Adjustments (planning area size adjustments not to exceed 20%);
- Transfer of Dwelling Units (not to exceed described limits in Table 5.4-1 – **Attachment B**);
- Transfer of Non-Residential Building Square Footage (not to exceed described limits in Table 5.4-1);
- Second Units Transfer and Exchange (not to exceed described limits in table 5.4-1);
- Land Use Conversions (subject to described limitations); and
- Land Use Overlay Adjustments (subject to described limitations).

To further illustrate the implementation guidelines of transferring residential and non-residential development between planning areas, please see the Newhall Ranch Tentative Tract Map Implementation Monitoring Summary (IMS) (**Attachment C**). The IMS depicts the Newhall Ranch Specific Plan Planning Area totals for the Villages of Riverwood, The Mesas, Long Canyon, Oak Valley, and Potrero Valley, the planned residential and non-residential development, as well as the maximum allowable development set forth by the Newhall Ranch Specific Plan. The IMS also summarizes the land use proposed by each of the Tentative Tract Maps within each of the Specific Plan Planning Areas incorporating the proposed density transfers between Specific Plan Planning Areas. The IMS is a tool which tracks density transfers between Newhall Ranch Planning Areas in compliance with the provisions set forth by the Newhall Ranch Specific Plan.

As can be seen in the attached IMS, with the current tentative maps that have been submitted to the County, there are 1,467 remainder units from the planned units from The Mesas village; 134 of these are being transferred to Riverwood and Long Canyon villages, 53 and 81 units respectively, within the Homestead Tentative Map. These transfers cannot exceed the subtotal of the planning area maximums for these villages, nor cause the Specific Plan to exceed the maximum unit count of 20,885. No transfer may cause the overall Specific Plan to exceed the maximum unit count, and any increase in a given planning area must be matched by a reduction in unit count in another village.

The remaining 1,333 units from The Mesas are available for use in either Oak Valley or Potrero Valley villages. Either of these villages could accept these units without exceeding the maximum for that village. However, all the sites that are receiving units within the designated village must comply with the development regulations such as height restrictions, setback and parking regulations. In addition to a Project Level EIR analysis, each tentative map must prepare a traffic report as part of its County review process to demonstrate that any traffic impacts can be mitigated.

In all cases, the maximum residential unit count of 20,885 and the maximum non-residential square footage of 5,549,000 cannot be exceeded.

PROJECT UPDATE

On December 3, 2010, the California Department of Fish and Game (CDFG) certified the EIR portion of the Newhall Ranch Resource Management Development Plan and Spineflower Conservation Plan (RMDP/SCP) and the related Environmental Impact Statement/Environmental Impact Report (EIS/EIR). Concurrently, CDFG issued final approvals for the RMDP/SCP project, including a master streambed alteration agreement and two incidental take permits, one of which is specific to the San Fernando Valley spineflower (spineflower).

In response, the applicant revised the originally proposed project, which was analyzed in the Draft EIR, consistent with the County's direction and CDFG comments. The applicant also revised the Vesting Tentative Tract Map and submitted it to the Subdivision Committee on December 15, 2010, which cleared the map on January 13, 2011. Key changes to the map are summarized below and are depicted in **Attachment D**:

- Residential Dwelling Units: The total number of proposed residential dwelling units has decreased from 4,412 to 4,055, a decrease of 357 total units. The number of single-family units decreased by 31 from 382 to 351, and the number of multi-family units decreased by 326 from 4,030 to 3,704.
- Development/Grading Footprint: The size of the development/grading footprint on the project site has decreased by 21.6 acres (a 2 percent decrease). The total amount of grading associated with the project has decreased by 1 million cubic yards, from 29.9 to 28.9 million cubic yards.
- San Fernando Valley Spineflower Preserves: The number of lots dedicated to spineflower preserves has increased from two to five. The total land area dedicated for preserves has increased from 65.6 to 85.8 acres.
- Oak Trees: Under the original project proposal, 209 of the 564 trees protected by County Ordinance would be impacted (158 removals and 51 encroachments). Under the revised project proposal, the total number of trees to be removed would decrease by four from 158 to 154. The total number of trees to be encroached upon would increase by one from 51 to 52 (A revised burden of proof for Oak Tree Permit No. 200500043 is attached – **Attachment K**.)
- Open Space: The revised project's total land area dedicated to open space-related purposes, which includes parks, recreation areas, spineflower preserves, River area, and disturbed and natural open space lots, has increased from approximately 636 to 693 acres (approximately 57 acres, or approximately nine percent). This additional open space area includes an expanded spineflower preserve (approximately 20.2 acres) and ungraded and graded open space (36.8 acres). The amount of River Corridor area has decreased by 4.4 acres, from 217.0 to 212.6 acres, the 4.4 acres is part of the spineflower preserve.

Under the revised project proposal, impacts associated with geotechnical and soil resources, hydrology, water quality, traffic/access, air quality, noise, water service, wastewater, biota, parks and recreation, library services, cultural/paleontological resources, sheriff services, solid waste services, mineral resources, utilities, and climate change generally would be reduced when compared to the original project due to the decrease in the number of dwelling units that would be built and the corresponding reduction in development. The revised project would have similar impacts with respect to floodplain modifications, visual qualities, fire services, education, agricultural resources, and environmental safety when compared to the original project. However, overall, the revised project would result in fewer impacts than the original project.

Significant and Unavoidable Impacts would occur under the original project with respect to the following environmental topic areas: visual qualities, air quality, solid waste services, and agricultural resources. While the revised project proposal would result in fewer impacts than the original project due to the decrease in the number of dwelling units that would be built and the corresponding reduction in development areas, these significant and unavoidable impacts would also occur with the revised project.

ENVIRONMENTAL UPDATE

The Mission Village Draft EIR was released in October 2010. The Draft EIR analyzed the potential environmental impacts associated with development of 4,412 dwelling units (382 single-family dwellings and 4,030 multi-family units) and 1.55 million square feet of mixed-use/commercial development on the proposed project site. Included within the proposed project was a 65.6-acre spineflower preserve.

Identified potential impacts found to be less than significant or less than significant with project mitigation, included:

- Geotechnical and Soil Resources
- Hydrology
- Water Quality
- Floodplain Modification
- Traffic/Access
- Environmental Safety
- Cultural/Paleontological Resources
- Utilities
- Global Climate Change
- Mineral Resources
- Water Service
- Wastewater Disposal
- Sheriff Services
- Fire Protection Services
- Education
- Library Services
- Parks and Recreation

The Draft EIR identified potentially significant impacts that cannot be mitigated to less than significant, and these project impacts will result in significant residual and/or cumulative impacts. The unavoidably significant impacts as described in the Draft EIR included:

- Biota
- Visual Quality
- Noise
- Agricultural Resources
- Solid Waste Service
- Air Quality

Subsequent to circulation of the Draft EIR, and as previously referenced, the CDFG approved the Newhall Ranch RMDP/SCP, which designates 85.8 acres of spineflower preserve, and enhanced connectivity to open space, on the Mission Village project site, an increase of 20.2 acres over the amount designated in the Draft EIR. As a result of the increased spineflower acreage/connectivity, the development component of the proposed Mission Village project has been reduced in size, and now includes a total of

4,055 dwelling units (a reduction of 357 dwelling units compared to the original, proposed Mission Village project); the 1.55 million square feet of mixed-use commercial development is unchanged. In addition, the applicant is proposing pile drilling or hydrohammer pile driving with noise reduction as an alternate method of pile installation for the proposed bridge to reduce the noise impacts during construction. The Final EIR includes mitigation measures requiring use of cast-in-drilled-hole piles, hydrohammer pile driving, or an alternative method that would achieve equivalent noise level reductions, which would reduce potential impacts to a less than significant level.

As to the project's biological impacts, the direct and indirect biological impacts associated with development and operation of the Mission Village project are consistent with the findings of the Newhall Ranch Specific Plan Program EIR (March 1999) and Revised Additional Analysis (May 2003). Implementation of the mitigation measures required by the Newhall Ranch Specific Plan Program EIR and the Specific Plan Resource Management Plan ("RMP"), as well as the additional mitigation measures required by the Mission Village EIR, would mitigate project-specific impacts to less-than-significant levels. Additional mitigation required by the Mission Village EIR includes, but is not limited to, measures such as: the dedication of agricultural and the planting of trees and/or shrubs to facilitate wildlife movement; supplemental restoration of coastal scrub; additional habitat mitigation through replacement or enhancement of nesting/foraging habitat; removal of quail brush or other documented host plants from occupied San Emigdio blue butterfly habitat shall be replaced at 1.5:1 ratio; and designate and operate all surfaces on new antennae and phone/utility towers with anti perching devices in conformance with APLIC standards to deter California condors and other raptors from perching. Due to the incorporation of additional mitigation measures required by the Mission Village EIR, those program-level significant unavoidable impacts identified in the Newhall Ranch Specific Plan Program EIR (i.e., loss of sensitive animal species, coastal sage scrub, and wildlife habitat, and the increase in human and domestic animal presence) would be mitigated to less than significant at the project level.

In May 2011, the Mission Village Final EIR (May 2011) was completed. The Final EIR includes the Draft EIR, all comments received on the Draft EIR and responses to those comments, technical appendices to the Draft and Final EIR, revised Draft EIR pages, and other information. A CD with the Final EIR is included in this package and a hard copy is available for your Commission review in the Commission's back room. The Final EIR was also made available to state and local agencies, organizations, and other interested parties.

As a result of the project changes and addition of mitigation measures mentioned above, the identified potential impacts found to be less than significant, or less than significant with project mitigation, include:

- Geotechnical and Soil Resources
- Hydrology
- Water Service
- Wastewater Disposal

- Water Quality
- Floodplain Modification
- Traffic/Access
- Environmental Safety
- Cultural/Paleontological Resources
- Utilities
- Global Climate Change
- Mineral Resources
- Sheriff Services
- Fire Protection Services
- Education
- Library Services
- Parks and Recreation
- Biota
- Noise

Identified potentially significant impacts that cannot be mitigated to less than significant, and will result in significant residual and/or cumulative impacts, include:

- Visual Quality
- Agricultural Resources
- Solid Waste Service
- Air Quality

STAFF RECOMMENDATION

The following recommendation is made prior to the close of the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing. If the Commission finds the request satisfies the conditional use permits, parking permit, oak tree permits and substantial conformance review burden of proof requirements and the requirements for the revised vesting tentative tract map, then staff recommends **APPROVAL** of Vesting Tentative Tract Map No. 061105, Conditional Use Permit Nos. 200500080 and 200500081, Oak Tree Permit Nos. 200500043 and 200500032, Parking Permit No. 200500011, and Substantial Conformance Review No. 201000001, with the Attached Findings, Conditions and Mitigation and Monitoring Program.

SUGGESTED APPROVAL MOTION:

"I MOVE THAT THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT ALONG WITH THE REQUIRED FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPT THE ATTACHED MITIGATION MONITORING AND REPORTING PROGRAM ASSOCIATED WITH THE PROJECT."

"I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE PROJECT NO. 04-181-(5), VESTING TENTATIVE TRACT MAP NO. 061105, CONDITIONAL USE PERMIT NOS. 200500080 AND 200500081, OAK TREE PERMIT NOS. 200500043 AND 200500032, PARKING PERMIT NO. 200500011, AND SUBSTANTIAL CONFORMANCE REVIEW NO. 201000001 WITH THE ATTACHED FINDINGS AND CONDITIONS."

ATTACHMENTS

A. Specific Plan's Recreation/Open Area Plan
B. Specific Plan Table 5.4-1 – Annotated Land Use Plan Statistical Table
C. Newhall Ranch Tentative Tract Map Implementation Monitoring Summary
D. Vesting Tentative Tract Map Key Changes Map
E. Letter from SCOPE dated March 16, 2011 (Comment Letter No. 22)
F. Response to Comment Letter No. 22
G. SCVSD Memorandum, March 8, 2011
H. Revised pages from the Planning Notebook
I. Village Center Setback Modification Supplemental Notebook
J. Groundwater Recharge Technical Paper
K. Revised Oak Tree Permit No. Burden of Proof
L. Revised Substantial Conformance Interpretation Pertaining to Modification of Setbacks (May 2, 2011)
M. Draft Findings
N. Draft Conditions
O. CEQA Findings and MMRP
P. Final Environmental Impact Report (CD)
Q. Audio for the Regional Planning Commission Public Hearings on 11/10/2010 and 3/16/2011 (CD)
R. Planning Notebook, August 2010 (CD)

SZD:CSB