



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



December 24, 2007

Bruce W. McClendon FAICP
Director of Planning

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice Chair
Esther L. Valadez, Commissioner
Pat Modugno, Commissioner
Wayne Rew, Commissioner

FROM: Samuel Dea, Section Head 
Special Projects Section

SUBJECT: **LANDMARK VILLAGE
GENERAL/LOCAL/SPECIFIC PLAN AMENDMENT CASE NOS. 00-196-(5)
VESTING TENTATIVE TRACT MAP NO. 53108-(5)
CONDITIONAL USE PERMIT CASE NOS. 00-196-(5) AND 2005-01121-(5)
OAK TREE PERMIT CASE NO. 00-196-(5)
AGENDA ITEM NO. 6 a, b, c, d, e, f, g; January 9, 2008**

This item is scheduled before your Commission on the January 9, 2008 consent calendar. A resolution recommending to the Board of Supervisors for adoption of the General/Local/Specific Plan Amendment, findings and conditions recommended for approval of the Tentative Tract Map, Conditional Use Permits and Oak Tree Permit and the Final EIR are attached for your consideration.

PUBLIC HEARING SUMMARY

As you may recall, Landmark Village is the first subdivision proposal within the adopted Newhall Ranch Specific Plan ("Specific Plan"), and proposes to create a maximum of 1,444 dwelling units and 1,033,000 square feet of nonresidential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school on 292.6 gross acres. The project is within the "Riverwood" Village of the Specific Plan, and located north of the Santa Clara River, south of State Route 126 ("SR-126"), east of the Ventura County boundary, and west of Interstate 5 Freeway. A Draft Environmental Impact Report ("EIR") was prepared for the project as a tiered document from the certified Specific Plan EIR, and concluded that impacts could not be mitigated to less than significant, include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources; Noise is the only impact factor for this project that was considered significant different than the certified Specific Plan EIR.

At the January 31, 2007 public hearing, the Commission heard the staff report and was advised by staff that a few minor technical corrections needed to be made to the tentative map. The Commission heard testimony from the project applicant and interested members of the public.

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Based on testimony, the Commission requested additional information from staff and the applicant related to the following items: potential incorporation of wireless technology within the project; interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Gastaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society. Consequently, the Commission then continued the public hearing to February 28, 2007 and extended the EIR public comment period to February 20, 2007.

On February 28, 2007, the Commission conducted the continued hearing on Landmark Village. The applicant provided submitted response to the County addressing those items raised by the Commission at the January hearing. At the continued hearing additional testimony was taken, including the applicant's rebuttal. The applicant responded to the items raised by the Commission on January 31, 2007. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

Staff also reminded the Commission that there were outstanding technical corrections to be made to the map including, minor grading elevation adjustments to match the approved drainage concept, inclusion of an 11,000 square foot fire station, changes in the configuration of the school and park, the inclusion of a trailhead west of Long Canyon Road, minor changes to the off-site improvements exhibit, including proposed water tank locations, and inclusion of various transit related facilities.

At the conclusion of testimony and discussion, the Commission closed the public hearing, directed staff to prepare the Final Environmental Impact Report, project findings and conditions for consideration, directed the applicant to resubmit the tentative tract map for approval by the Subdivision Committee to address the necessary technical corrections and directed the applicant to provide final versions, reflecting Commission directed changes, of the Landmark Planning Booklet and the Landmark Village Sustainability Summary.

TENTATIVE TRACT MAP ACTIVITY

On May 2, 2007, a revised map was submitted for review by the Subdivision Committee. The map included the corrections required by staff and design changes requested by the Commission. The committee has reviewed the revised map and recommends approval based on technical feasibility. The conditions of the Subdivision Committee are included with the project findings and conditions.

SUMMARY OF CHANGES

The following changes to the project have been implemented at the direction of the Regional Planning Commission:

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- The applicant will work with the Castaic School District to ensure opening of the Landmark Village Elementary School as soon as possible in accordance with District requirements;
- The applicant has prepared a Sustainability Summary (attached) for Landmark Village pursuant to the Commission's direction. The applicant has agreed to incorporate green building measures into the project (all structures will be built to a standard that is 15% better than existing Title 24) and to identify and incorporate renewable energy into components of the project (i.e., solar, wind, cogeneration, etc.);
- The applicant has redesigned the school/park layout resulting in an increased buffer from the elementary school to SR 126;
- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians who will provide monitoring and consulting services throughout development of Newhall Ranch;
- The applicant has incorporated the fire station and trailhead into the map and project;
- Pursuant to the letter from the William S. Hart Union School District to the Commission, the applicant has committed to working with the District on a Plan that will address facilities need to accommodate those students generated in Newhall Ranch before the opening of the Newhall Ranch High School. All costs associated with any of the potential solutions identified in the Plan will be the responsibility of the applicant (attachment); and
- The applicant has incorporated language into the Newhall Ranch Affordable Housing Program (attachment) that requires a 15-year resale control (deed restriction) on for-sale homes. In addition, a provision has been added to the Program that allows the homebuyer of the affordable home to share in the future value appreciation based on the length in which the buyer lives at the home (25% of the appreciation/five years, 50% of the appreciation/10 years and 100% of the appreciation/15 years).

ENVIRONMENTAL DOCUMENTATION

As you know, a Draft Environmental Impact Report was prepared for this project and was initially released for public review on November 20, 2006. The Final EIR, including the Responses to Comments, was delivered to Commission on December 6, 2007. Consistent with County policy, the Final EIR was distributed to commenting agencies and members of the public on December 7, 2007 – at 12 days in advance of the Commission potentially certification of the Final EIR to the Board. There have been requests from members of the public and environmental organizations to extend the Commission's meeting on Landmark until early next year. As indicated above, the Landmark Village Draft EIR has been available for public review since November 20, 2006, was the primary topic of the public hearings conducted by the Commission earlier this year, and though not required at this stage (since the Commission is not certifying the EIR) County staff sent the Final EIR (including Responses to Comments) out prior to the Commission's January 9, 2009 meeting. Interested members of the public will also have opportunity to again comment on the Final EIR at the Board level.

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Additional materials included for your review are the updated Landmark Village Planning Notebook, the Sustainable Community Design booklet, letter from the Hart District, project findings and conditions, the revised tentative tract map approved by the Subdivision Committee, CEQA findings and Mitigation Monitoring Program.

If you need further information, please call or contact me at (213) 974-6443 or sdea@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SD:sd

Attachments (some of the documents are single-sided)



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6433

PROJECT No. 00-196-(5)
TRACT MAP NO. 53108
GPA/LPA/SPA 00-196-(5)
CUP 00-196-(5), 2005-01121-(5)
OTP 00-196-(5)

RPC CONSENT DATE
 January 9, 2007

AGENDA ITEM
 #6 a,b,c,d,e,f,g

PUBLIC HEARING DATE
 January 31, and February 28, 2007

APPLICANT Newhall Land and Farming		OWNER Newhall Land and Farming		REPRESENTATIVE Psomas	
REQUEST "Landmark Village" <u>Tentative Tract Map:</u> 458 lots consisting of 308 single-family, 20 multi-family (11 condominium lots with 282 detached condos, 4 condominium lots with 347 attached condos in 47 buildings, 3 apartment lots with 451 for-lease apartments in 28 buildings, and two condo or for lease lots with 56 units in nine buildings), 14 commercial with 15 for-lease buildings, 10 commercial with no development planned, 12 private driveway, 3 recreation, 2 park, 1 school, 25 open space and 20 open space/desilting basin lots on 292.6 acres <u>General/Local/Specific Plan Amendments:</u> To remove "A" Street from the County Master Plan of Highways and SCVAP Circulation Plan, and redesignate from a secondary highway to a local collector street <u>Conditional Use Permits:</u> To ensure compliance with the requirements of development within a Significant Ecological Area/Special Management Area, onsite project grading; and offsite project grading and utilities, including water tanks <u>Oak Tree Permit:</u> To authorize removal of 67 oak trees (including 10 heritage oaks) and encroachment within the protected zone of 14 oak trees (including three heritage oaks)					
LOCATION/ADDRESS North of the Santa Clara River, south of Highway 126, east of Ventura County boundary and west of Interstate 5 ("I-5") Freeway within Newhall Ranch Specific Plan			ZONED DISTRICT Newhall		
			COMMUNITY Newhall Ranch: Landmark Village		
ACCESS State Route ("SR") Highway 126			EXISTING ZONING SP (Specific Plan)		
SIZE 292.6 Gross Acres		EXISTING LAND USE Agricultural		SHAPE Irregular	
				TOPOGRAPHY Slight to steeply sloping	

SURROUNDING LAND USES & ZONING

North: Single-family residences, water tank/City of Agoura Hills		East: Single-family residences, religious facility and vacant property/City of Agoura Hills	
South: Fire station, single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area), A-1-2, A-1-10, O-S (Open Space)		West: Single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area) and City of Agoura Hills	

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Newhall Ranch Specific Plan	Portions of RW-09, 27, 29, 30, 31, 32, 33, 34a, 34b, 35, 36, 37	1,444 DU	Yes

ENVIRONMENTAL STATUS
 Draft Environmental Impact Report: Impacts that cannot be mitigated to less than significant include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources.

DESCRIPTION OF SITE PLAN ("Landmark Village")
 The tentative map and exhibit "A" depict the residential and commercial mixed-use development. Residential types include single-family homes, detached and attached condominiums, apartments. Also proposed are for sale and lease-only commercial uses. Onsite project grading consists of 209,000 cubic yards of cut and 5,555,400 cubic yards of fill, with 5,346,400 cubic yards of import. Offsite grading will include Adobe Canyon (cut 6,969,000 cubic yards, fill 218,000 cubic yards, export 5,705,700 cubic yards) and Chiquito Canyon (cut 1,019,100 cubic yards, fill 666,300 cubic yards fill, no export). Open space consists of 20 acres with an additional 16-acre public park and an additional approximately 19 acres of open facility open space areas. A minimum 12-foot riding and hiking trail easement is provided along Santa Clara River with additional interpretive/nature trail boardwalk to be maintained by the development's homeowners' association.

KEY ISSUES
 Public has requested that a continuance be granted for the public comment period to the Draft EIR; requests are for either an additional 30 or 60 days. Original public notice period was for 60 days, and extended once to coincide with the public hearing date
(If more space is required, use opposite side)

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		*(O) = Opponents (F) = In Favor
SPEAKERS* () (F)	PETITIONS (O) (F)	LETTERS (O) (F)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

- APPROVAL DENIAL
- No-improvements _____ 20 Acre Lots _____ 10 Acre Lots _____ 2½ Acre Lots _____ Sect 191.2
- Street improvements Paving Curbs and Gutters Street Lights
- Street Trees _____ Inverted Shoulder Sidewalks _____ Off Site Paving _____ ft.
- Water Mains and Hydrants
- Drainage Facilities
- Sewer Septic Tanks Other _____
- Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

Parks & Rec.

Health

Planning

ISSUES AND ANALYSIS

The Draft EIR analyzes potentially significant impacts of the project, and concludes that impacts that cannot be mitigated to less than significant include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources.

**A RESOLUTION OF THE REGIONAL PLANNING COMMISSION
OF THE COUNTY OF LOS ANGELES RELATING TO
THE ADOPTION OF AN AMENDMENT TO THE LOS ANGELES
COUNTY GENERAL PLAN, THE SANTA CLARITA VALLEY
AREA PLAN, AND THE NEWHALL RANCH SPECIFIC PLAN
FOR PROJECT NO. 00-196**

WHEREAS, pursuant to article 8 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65450), the County of Los Angeles ("County") is authorized to adopt amendments to its general plan and Specific Plan; and

WHEREAS, the applicant, Newhall Land and Farming, has requested the approval of General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196 to amend the County's Master Plan of Highways to reclassify "A" Street/Wolcott Road from a secondary highway to a local collector street; and

WHEREAS, the Regional Planning Commission of Los Angeles County ("Commission") conducted a public hearing on January 31, and February 28, 2007 regarding the following: (i) General Plan Amendment No. 00-196-(5); (ii) Santa Clarita Valley Area Plan Amendment No. 00-196-(5); (iii) Specific Plan Amendment No. 00-196-(5); (iv) Vesting Tentative Tract Map No. 53108; (v) Conditional Use Permit No. 2005-01121-(5); (vi) Oak Tree Permit No. 00-196-(5); and (vii) CUP No. 00-196-(5), including off-site grading transport and modification of the adopted County Floodway limits (collectively, "Project"); and

WHEREAS, the Project Approvals are sought in connection with Landmark Village, located within the boundary of the Newhall Ranch Specific Plan, which was adopted by the County on May 27, 2003, to guide the long-term development of the 11,963-acre Newhall Ranch community comprised of a broad range of residential, mixed-use, and non-residential developments; and

WHEREAS, the Landmark Village project site is located in unincorporated Los Angeles County, within the Santa Clarita Valley Planning Area, immediately west of the confluence of Castaic Creek and the Santa Clara River. The Santa Clara River forms the southern boundary of the project site, while the northern project boundary is defined by State Route 126 ("SR-126"). The eastern Landmark tract map boundary abuts Castaic Creek, and the City of Santa Clarita is located further east of the project site, just beyond Interstate 5 ("I-5"); and

WHEREAS, the applicant proposes to develop the 292.6-acre Landmark Village tract map site, which includes the development of 1,444 residential dwelling units (308 single-family units, 1,136 multi-family units), up to 1,033,000 square feet of mixed-use/commercial uses, nine-acre elementary school, 16-acre community park, fire station site, public and private recreational facilities, trails, and road improvements; and

WHEREAS, the Regional Planning Commission finds as follows:

1. Within the Vesting Tentative Tract No. 53108, the circulation plan is characterized by a system of local streets that would access the site to and from a road identified as "A" Street. "A" Street traverses within the tract map site in an east-west direction. Two north/south roadways, Wolcott Road and Long Canyon Road, would connect "A" Street to the off-site highway system; and
2. The primary function of "A" Street is to provide connectivity between the Landmark Village neighborhoods and access from local streets to the arterial highway system. However, while "A" Street is an integral component of the Landmark Village circulation system, it is not critical to the overall Specific Plan and areawide circulation system; and, as a result, the applicant is requesting that the existing Secondary Highway designation be amended to a Collector Street; and
3. The forecasted traffic volumes on "A" Street support the change in designation of "A" Street from a Secondary Highway to a Collector Street. A Collector Street can typically accommodate approximately 10,000 average daily trips ("ADT") at a Level of Service ("LOS") C. "A" Street would have traffic volumes substantially less than 10,000 ADT for the entire length of the roadway, except for the short segment between future Long Canyon Road and the roundabout near the future "A" Street/Long Canyon Road intersection. For that segment, which would have volumes ranging from 16,000 ADT to 20,000 ADT, two travel lanes in each direction are proposed. Accordingly, based on the traffic volumes forecasted for "A" Street, the roadway designation can change to a Collector Street; and

General Plan, Highway Plan (see attached Exhibits 1 and 2)

4. The applicant is requesting an amendment to the County's Highway Plan, which is contained within the Transportation Element of the Los Angeles County General Plan ("General Plan"), for purposes of downgrading proposed "A" Street, located with the Landmark Village tract map site, from a four-lane Secondary Highway, as designated in the current General Plan (see attached Exhibit 1), to a two-lane Collector Street (see attached Exhibit 2); and

Area Plan, Circulation Plan (see attached Exhibits 3 and 4)

5. The applicant is requesting an amendment to the Santa Clarita Valley Area Plan, Circulation Plan, to downgrade "A" Street from a Secondary Highway (see attached Exhibit 3) to a Collector Street (see attached Exhibit 4) for the same reasons identified in paragraphs 2 and 3, above; and

Specific Plan Amendment, Circulation Plan (see attached Exhibits 5 and 6)

6. The applicant is requesting an amendment to the previously adopted Newhall Ranch Specific Plan, Master Circulation Plan, to change "A" Street from a

Secondary Highway (see attached Exhibit 5) to a Collector Street (see attached Exhibit 6) for the same reasons identified in paragraphs 2 and 3, above; and

7. Compatibility with surrounding land uses will be ensured through the related subdivision, conditional use permits, and environmental controls; and
8. There is no evidence that the proposed Landmark Village project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site; and
9. The subject property lies within an urban expansion area and is in compliance with the County's Development Monitoring System ("DMS"). The project is consistent with the infrastructure portion (Urban Services Analysis) of DMS since there is or will be adequate water service, sewage discharge capacity, schools, libraries, and fire service. These services were evaluated as part of the environmental analysis and the resultant environmental document; and
10. The project is consistent with the access/social portion of DMS since there is adequate road service, and commercial and employment facilities are located in close proximity. The road service was evaluated as part of the environmental analysis and the resultant environmental document. The proximity to commercial and employment facilities was evaluated as part of the field investigation and/or general plan evaluation and as part of the environmental analysis and the resultant environmental document; and
11. The project is consistent with the environmental portion of the DMS since there are no significant unmitigated geotechnical, flood hazard, or fire impacts, and the project does not affect publicly-held or privately-dedicated open space, as shown in the County's General Plan. Both the Landmark Village Draft and Final EIRs evaluated numerous environmental topics as part of the assessment of the project. Mitigation measures and alternatives were evaluated as part of the environmental analysis in both the Draft and Final EIRs; and
12. In summary, the project:
 - (a) avoids premature conversion of undeveloped land to urban uses because it is proximate to, and a natural extension of, existing development, and because the project site is part of the previously approved Newhall Ranch Specific Plan;
 - (b) promotes a distribution of population consistent with service system capacity, resource availability, environmental limitations, and accessibility;
 - (c) directs urban development and revitalization efforts to protect natural and man-made amenities and to avoid severe hazard areas, such as flood prone areas, active fault zones, steep hillsides, landslide areas, and fire hazard areas;

- (d) encourages the efficient use of land through a more concentrated pattern of urban development, including the focusing of new urban growth into areas of suitable development;
 - (e) ensures that new development in urban expansion areas will occur in a manner consistent with stated plan policies and will pay for public costs that it generates;
 - (f) focuses urban uses in an area that is part of the previously-approved Newhall Ranch Specific Plan, which is designed to effectively provide public services, including transportation facilities;
 - (g) provides for housing to meet increasing demand in areas, which will have relatively lesser environmental consequences; and
13. The proposed General Plan, Area Plan, and Specific Plan amendments will not place an undue burden on the community's ability to provide necessary facilities and services, as described in the Landmark Village Draft and Final EIRs; and
 14. The proposed General Plan, Area Plan, and Specific Plan amendments are needed, proper, and appropriate because "A" Street is not critical to the overall Specific Plan and areawide circulation system, and because the forecasted traffic volumes on "A" Street support the change in designation of "A" Street from a Secondary Highway to a Collector Street; and
 15. The proposed General Plan, Area Plan, and Specific Plan amendments do not change or increase the density or future population projected within the adopted Newhall Ranch Specific Plan; and
 16. Approval of the proposed General Plan, Local Plan, and Specific Plan amendments is in the interest of the health, safety, and general welfare, and in conformity with good planning practices, for the reasons stated in paragraph 14, above; and
 17. Based on the above findings, the proposed General Plan, Local Plan, and Specific Plan amendments are consistent with the goals, policies, and programs of the General Plan, Local Plan, and Specific Plan, and help to implement the various objectives of the Landmark Village project; and
 18. The applicant in this case has satisfied the "Burden of Proof" for the requested General Plan, Local Plan, and Specific Plan amendments, which are needed and appropriate; and
 19. The project site, including its inherent biological resources and characteristics, and its proposed development were reviewed by the County's Significant Ecological Technical Advisory Committee ("SEATAC") through various reports

prepared by the applicant's consultants, as required by the Los Angeles County Code for areas designated as SEAs. SEATAC's findings with respect to the above were recorded in the minutes of SEATAC's meetings, and comments were provided to the Regional Planning Commission by planning staff as well as incorporated in the environmental documentation or appendices for the proposed Landmark Village project. Many of SEATAC's recommendations were incorporated in the project design throughout the processing of the project. The Regional Planning Commission has considered the recommendations of SEATAC; and

20. The Draft and Final EIRs for the Landmark Village project have been prepared in accordance with CEQA, the CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Landmark Village Final EIR consists of the Draft EIR and the technical appendices relating thereto; the comments and responses to the Draft EIR; the revised Draft EIR pages; and revised Section 4.4, Biota. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Draft and Final EIRs has been prepared, and its requirements have been incorporated into the conditions of approval for the Landmark Village project. The Regional Planning Commission has independently reviewed the information contained in the Landmark Village Draft and Final EIRs; and
21. Implementation of the project will result in specifically identified significant effects upon the environment. However, except for significant unavoidable effects related to biota, visual qualities, noise, air quality, solid waste services, and agricultural resources, which cannot be found to be completely mitigated, such specifically identified significant effects can be reduced to acceptable levels with the mitigation measures identified in the Landmark Village Draft and Final EIRs, and incorporated into the adopted Mitigation Monitoring Plan for the Landmark Village project; and
22. With respect to the adverse effects upon biota, visual qualities, noise, air quality, solid waste services, and agricultural resources, which cannot be mitigated to below a level of significance, the Regional Planning Commission has determined that the substantial benefits resulting from implementation of the project outweigh the potential significant unavoidable effects and are acceptable based upon the overriding considerations set forth in the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan)." These findings and statement of overriding considerations, which are concurrently adopted by the Regional Planning Commission are incorporated herein by this reference, as if set forth in full; and
23. The mitigation measures set forth in the Landmark Village Draft and Final EIRs are incorporated into the conditions of approval for the Project. The Mitigation Monitoring Plan for the Landmark Village project is attached as an exhibit to the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan)," and it identifies

the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.

NOW, THEREFORE BE IT RESOLVED that the Regional Planning Commission of the County of Los Angeles hereby recommends that the Board of Supervisors:

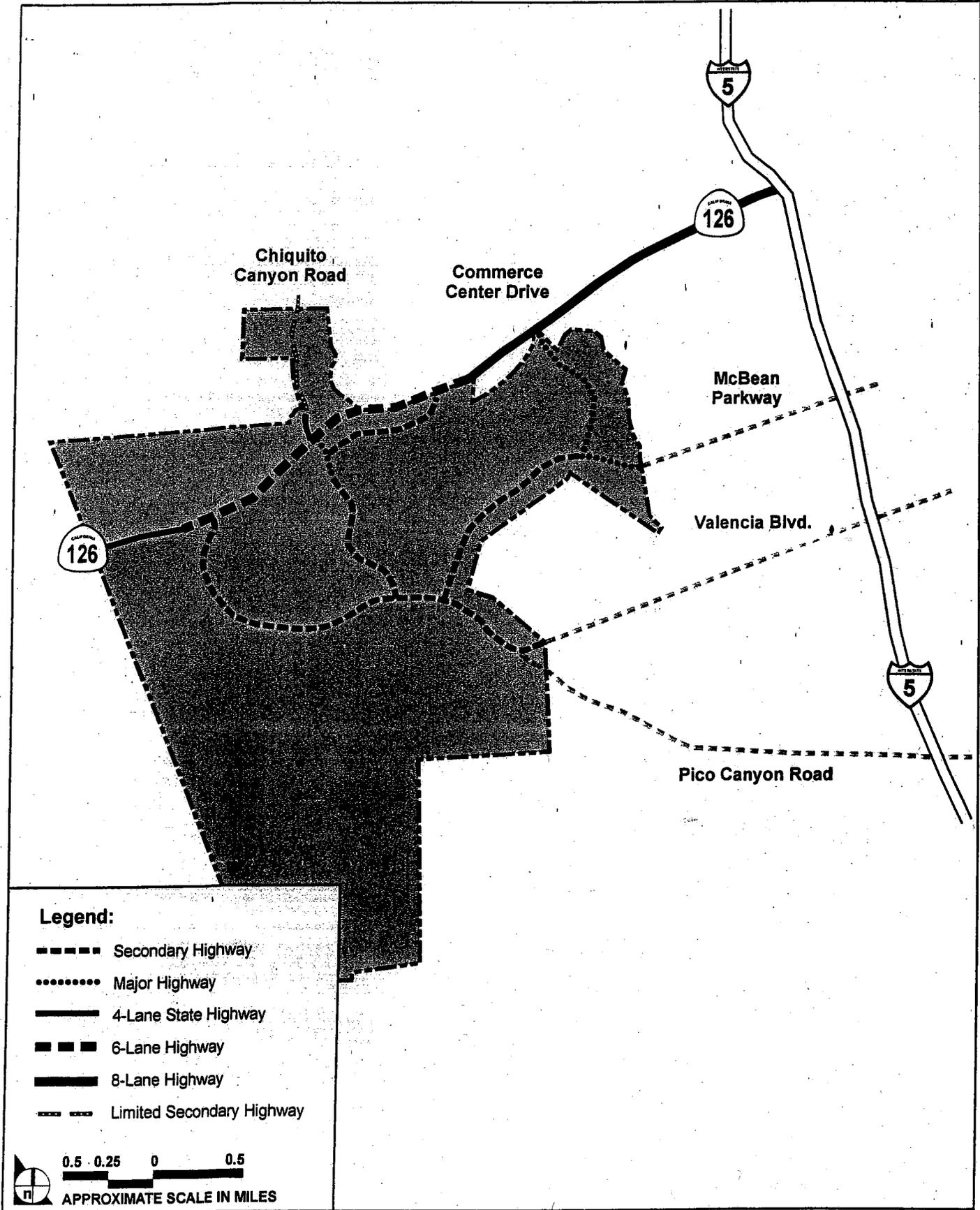
1. Hold a public hearing to consider the above recommended general plan/specific plan/local plan amendment;

Approve the Draft and Final EIRs (SCH No. 2004021002) prepared for the Landmark Village project and certifies that it has reviewed and considered the information contained in that documentation; and
2. Certifies that the Draft and Final EIRs (SCH No. 2004021002) concluding that they have been completed in compliance with CEQA, the CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines; and
3. Certifies that the Regional Planning Commission has reviewed and considered the information contained in the Draft and Final EIRs (SCH No. 2004021002) and that the environmental documentation reflects the independent judgment of the Regional Planning Commission as to the environmental consequences of the project; and
4. Determine that the conditions of approval and mitigation measures discussed in the Landmark Village Draft and Final EIRs, and the Mitigation Monitoring Plan for the project, are the only feasible mitigation measures for the project, and that the significant unavoidable effects of the project, after adoption of the conditions of approval and mitigation measures, are as described in the Landmark Village Draft and Final EIRs; and
5. Determine that the remaining significant unavoidable effects of the Landmark Village project have been reduced to an acceptable level and are outweighed by specific benefits of the project as identified in the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan);" and
6. Approve and adopt the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan);" and
7. Approve and adopt the Mitigation Monitoring Plan for the Landmark Village project, and, pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan, which is incorporated herein by this reference, as if set forth in full, is adequately designed to ensure compliance with the mitigation measures during project implementation; and

8. Find that the recommended general plan amendment is consistent with the goals, policies and programs of the Los Angeles County General Plan, Santa Clarita Valley Area Plan and Newhall Ranch Specific Plan; and
9. Approve and adopt General Plan, Area Plan, and Specific Plan Amendment Nos. 00-196-(5) amending the Highway Plan of the Los Angeles County General Plan, the Circulation Plan of the Santa Clarita Valley Area Plan, and the Circulation Plan of the adopted Newhall Ranch Specific Plan, as depicted on Exhibits 1 through 6 attached hereto and incorporated by reference.

I hereby certify that the foregoing was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on January ____, 2008.

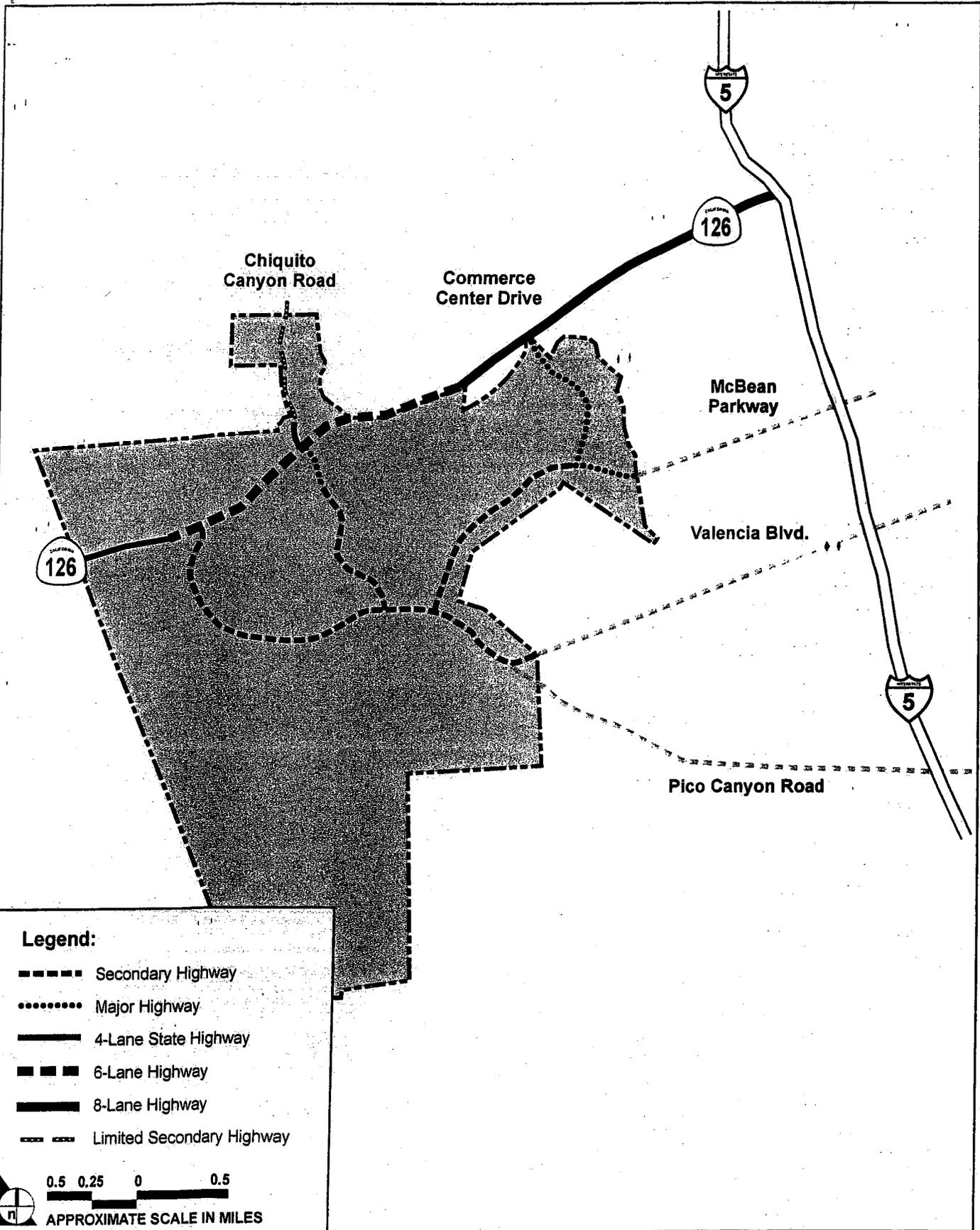
Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission



SOURCE: Newhall Ranch Specific Plan, Resolutions and Findings – March 1999

FIGURE **EXHIBIT 3**

Santa Clarita Valley Areawide Plan – Circulation Plan



SOURCE: Newhall Ranch Specific Plan, Resolutions and Findings – March 1999

FIGURE **EXHIBIT 4**

Santa Clarita Valley Areawide Plan – Circulation Plan – Proposed Amendment

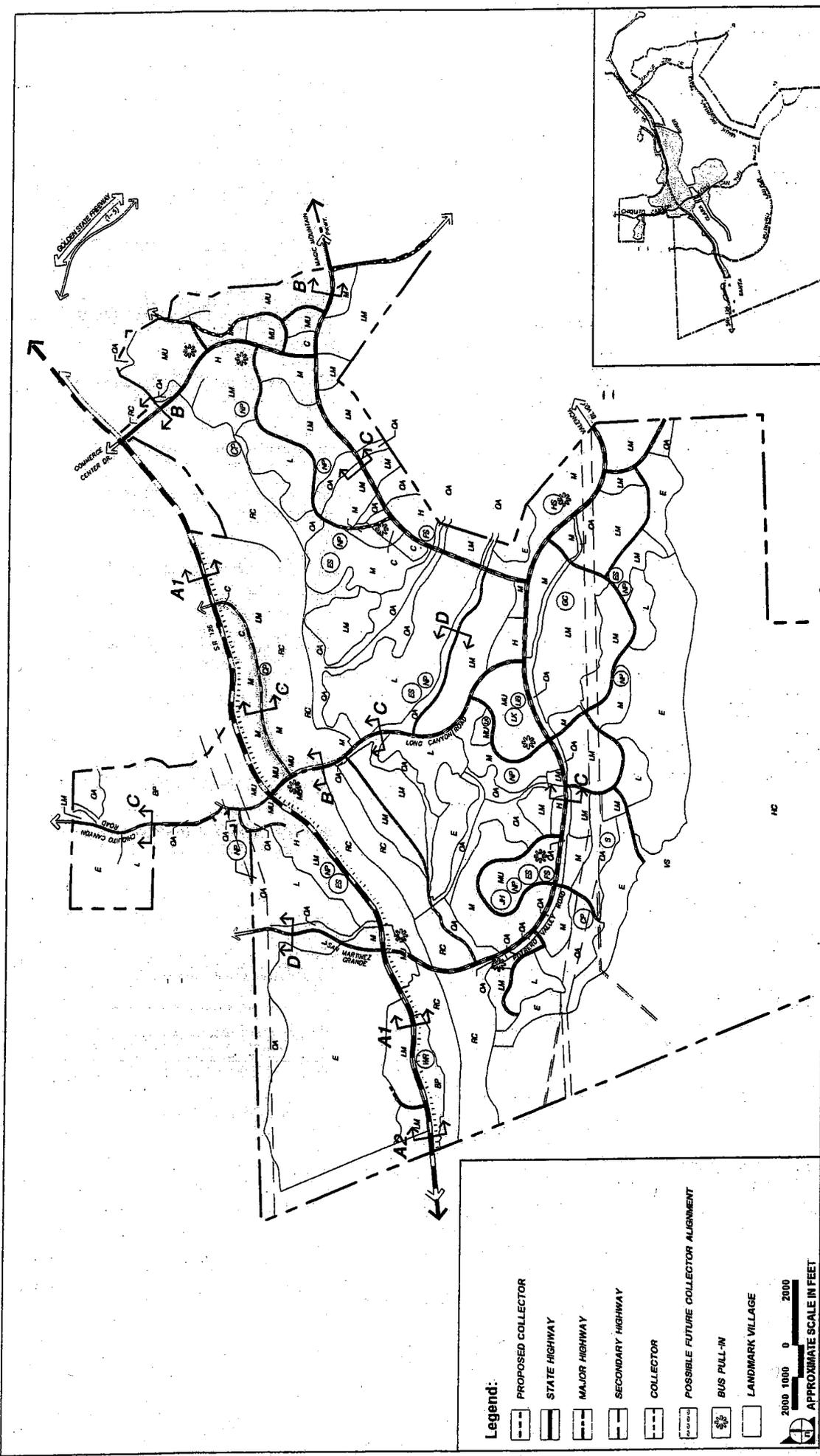


FIGURE EXHIBIT 6

Proposed Collector Street Designation - Master Circulation Plan of Newhall Ranch Specific Plan

**CONDITIONAL USE PERMIT AND OAK TREE PERMIT NOS. 00-196-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION HEARING DATE: January 31 and
February 28, 2007**

SYNOPSIS:

The applicant, Newhall Land and Farming ("Newhall"), approval for a 291-acre master-planned community development (Landmark Village) for the development of maximum 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail/residential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school. This project is within the "Riverwood" village of the adopted Newhall Ranch Specific Plan ("Specific Plan") approved by the Board of Supervisors in 2003.

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Area Plan") to amend the Master Plan of Highways and Circulation Plan to eliminate "A" Street/Wolcott Road as a secondary highway, and amendment to the Specific Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks). The applicant also requests a determination of substantial conformance to the development regulations and implementation procedures of the Specific Plan related to shared parking, street widths, front yard setbacks and hillside resources.

The project site is located north of the Santa Clara River, south of SR-126, east of the Ventura County boundary, and west of Interstate 5 Freeway within the Specific Plan and in the Newhall Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:

January 31, 2007 Public Hearing

A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Valadez, Bellamy, Rew, Helsley and Modugno were present. After opening the public hearing, the Regional Planning Commission heard the staff report, received testimony from the applicant and public testimony with concerns or in opposition to the project, the public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was

continued to February 28, 2007, and the public comment period for the EIR was extended to February 20, 2007 (total 90-day public comment period). An initial list of comments on the project was also provided by the Commission for the applicant to respond at the continued public hearing to include the following items: potential incorporation of wireless technology within the project, interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society.

February 28, 2007 Continued Public Hearing

At the February 28, 2007 continued public hearing, Commissioners Valadez, Bellamy, Rew, and Modugno were present; Commissioner Helsley was absent. The applicant's provided rebuttal to issues and concerns raised by members of the public and responded to the items raised by the Commission at the January 31, 2007. Additional testimony was also taken from members of the public and various agencies regarding the project. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

At the conclusion of testimony and discussion, the Commission discussed various issues presented at the public hearing and voted (4-0) to closed the public hearing, directed staff to prepare the Final Environmental Impact Report and prepare findings and conditions for consideration, directed the applicant to including the additional items raised by Commission, resubmit the tentative tract map for review by the Subdivision Committee to address the necessary technical corrections to accommodated the necessary changes reflecting Commission instruction.

Findings

1. The applicant is requesting approval of Conditional Use Permit No. 00-196 is to ensure project compliance with the requirements of developments within a Significant Ecological Area and Special Management Area, on-site grading project and conformance with the Specific Plan. Major engineering features associated with the project include bridge crossing (Long Canyon Road), trails, bank stabilization along the Santa Clara River and desilting basins and swales. Approximately 5.4 million cubic yards of earth to be imported to the tract map site from a borrow site (Adobe Canyon) within the Specific Plan.

2. Oak Tree Permit No. 00-196-(5) is to authorize the removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks) located within Tentative Tract Map No. 53108.
3. Conditional Use Permit and Oak Tree Permit Nos. 00-196-(5) were heard concurrently with General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196 to amend the County's Master Plan of Highways to reclassify "A" Street/Wolcott Road from a secondary highway to a local collector streets, Vesting Tentative Tract Map No. 53108 to create 458 lots for 1,444 dwelling units on 292.6 acres and Conditional Use Permit No. 2005-01121-(5) for offsite project grading and utilities, including water tanks, and transport of materials. The approval of this grant will not become effective until the Board of Supervisors has approved the general plan/local plan/specific plan amendment.
4. The subject property is approximately 292.6 acres in size, and consists of four existing parcels. The total project site, including offsite improvements, is approximately 1,044 gross acres in size (including the utility corridor, Chiquito Canyon and Adobe Canyon grading sites). The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types, including upland scrub habitat and sensitive riparian habitat. The project boundary also includes coastal sage chaparral scrub, live oak woodland, southern cottonwood willow riparian habitat; and wildlife habitat including horned lizards, sparrows, blackbirds, kites, hawks and plovers, jackrabbits, woodrats and mountain lion. The Santa Clara River, which within and south of the subdivision boundary, is also an SEA/SMA.
5. The current SP zoning on the subject property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Change Case No. 94-087-(5). The zone change was associated with the Specific Plan. The Specific Plan was adopted by the Los Angeles County Board of Supervisors ("Board") on May 27, 2003, along with a general and local (sub-plan) amendments, a conditional use permit and a tentative parcel map. The Specific Plan authorized the development of the approximately 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development (including 4,101 of the 20,885 units approved); 67 acres of commercial uses; 249 acres of business park land use; 37 acres of visitor-serving uses; 1,010 acres of open area (including 141 acres of community parks and 869 acres of other open areas); 5,159 areas within SMAs; 50 acres within 10 neighborhood parks; a 15-acre lake; public trail system; 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five

elementary schools, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated community facilities, such as roads and bridges.

6. Conditional Use Permit No. 94-087 was approved by the Board that authorized Specific Plan development within the SEA boundary, including bridge crossings, trails, bank stabilization, and other improvements. As part of the Board of Supervisors' project approvals for the Specific Plan, adjustments was made to the existing boundary of Significant Ecological Area (SEA) 23, consistent with General Plan policies requiring protection of natural resources within SEAs, Specific Plan development within the SEA boundary, including bridge crossings (e.g., Long Canyon Road Bridge), trails, bank stabilization, and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundary.
7. The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The Santa Clara River is also a major Open Area feature within Riverwood.
8. The Land Use Plan of the Specific Plan depict development by various land uses, and within the Riverwood Village for this property, is designated for Low-Medium Density, Medium Density, Mixed Use and Commercial as well as River Corridor. Flexibility was built into the Specific Plan to allow for adjustments, transfers and conversions of uses, boundaries and square footage. The Landmark Village project proposes conversions as well as boundary adjustments. The Medium Density was adjusted with reduction of 1.3 acres, and the adjacent Low-Medium Density area increased by 12.1 acres. The Commercial area was reduced by 4.2 acres, while 5.8 acres of the Low-Medium Density was converted to Mixed Use. The proposal to development 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail uses on the project site is consistent with the parameter established by the Specific Plan.
9. The surrounding properties are zoned as follows:
 - North: Specific Plan, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing);
 - East: Specific Plan, A-2-5, M-1-½, P-R (Parking Restricted) and C-R (Commercial-Recreation);
 - South: Specific Plan; and
 - West: Specific Plan

10. The subject property is used for agricultural activity and related storage, and consists of four parcels from the previously approved Newhall Ranch Tentative Parcel Map No. 24500).
11. Surrounding land uses consist of the following uses:
 - North: SR-126, vacant property, scattered single-family residences, Chiquita Canyon Landfill and business parks;
 - East: Castaic Creek, RV park, and further east light industrial uses, agricultural land and Valencia WRP;
 - South: Santa Clara River and vacant land; and
 - West: Vacant property and agricultural land.
12. Pursuant to Section 22.56.2050 of the County Code, an oak tree report was submitted by Impact Sciences, Inc. Of the 201 oak trees associated with the project and subject to the Oak Tree ordinance as identified in the June 2006 and updated September 2006 report, 82 trees are included in the associated Oak Tree Permit. Sixty-seven (67) oak trees, including 10 heritage oaks are proposed to be removed as part of onsite and offsite improvements. Fourteen (14) oak trees, including three heritage oaks are proposed to be encroached within its protected zone due to potential impacts from construction.
13. Mitigation measures recommended by the County Forester/Fire Warden include replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 214 mitigation trees. A contribution to the Los Angeles County Oak Forest Special Fund would also be required for any tree that dies within two years as a result of a permitted encroachment. The oak tree report also identified 26 trees which would be candidates for relocation within the Specific Plan boundaries.
14. The applicant has submitted an oak tree report prepared by a certified arborist, dated June, 2006. The Los Angeles County Forester and Fire Warden, Forestry Division, has reviewed the oak tree report with the addendum 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 County Forester has recommended approval of the requested removals and encroachments, subject to recommended conditions of approval.
15. Vesting Tentative Tract Map No. 53108 and Conditional Use Permit Case Nos. 00-196-(5) and 2005-01121-(5) Exhibit "A", dated May 2, 2007, depict a subdivision of 458 lots consisting of single-family, multi-family, commercial, recreation, park, school, open space and open space/public facility lots on 292.6 gross acres. The housing types range from single-family detached and attached homes as well as live-work units.

16. A range of housing types is provided in various clusters within the project. Traditional single-family lots (i.e. one home on each lot) are clustered in three areas along the southern portion of the subdivision: to the west, across from the proposed elementary school, and to the east. These lots have been designed for garage access from the front, and by alley from the back; and range in size from minimum 3,200 square feet to 6,000 square feet. Multi-family housing is also proposed both as for-lease apartments and for-sale condominiums, and generally in the northern portions of the subdivision and conceptual designs for site layout are depicted on the exhibit maps. Apartments, including 152 senior affordable rental units, are proposed in the western portion, just east of the office and retail center identified in the Specific Plan as the Village Center. A total of 1,444 dwelling units are provided within the residential lots (308 single-family units and 1,136 multi-family units).
17. The Village Center is located east and west of Long Canyon Road on the western portion of the project. Retail and office are anticipated, with an approximate maximum of 1,033,000 square feet of office and retail space.
18. Two park sites (one public and one private) are depicted within the project site, an elementary school site and fire station are also proposed. Actual site designs for the school and fire station are to be determined at a later stage. A minimum of 45 open space lots are provided, with 25 lots for open space and 20 lots for open space and utility purposes. These open space lots are depicted along the northern and southern boundaries of the project, adjacent to SR-126 and the Santa Clara River.
19. Access to the development will be served by Long Canyon Road and Wolcott Road. Both Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the internal main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. SR-126 is expected to be grade-separated (higher) than Long Canyon Road in the future, with the future interchange depicted as five northbound lanes (one left turn dedicated to SR-126, two for thru traffic under SR-126, and two for right turn traffic). Long Canyon Road also spans over the Santa Clara River as a 100-foot wide bridge to be constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way consisting of four travel lanes, a six-foot parkway and six-foot sidewalk on each side, and a 14-foot wide planter in the center. Wolcott Road is also depicted with a future interchange with SR-126.

20. "A" Street is depicted as a collector street with a 110-foot wide right-of-way, with varying widths of improvements. At its widest improvements, which is from Long Canyon Road to 200 feet east of Long Canyon Road, seven travel lanes are provided with bike lane on one side, and four feet of parkway and six feet of sidewalk on both sides; no on-street parking would be provided. At its narrowest, two travel lanes with center lane is provided, along with bike lanes on each side, 10-foot-parkway and six-foot sidewalk on one side, and 24 foot-wide swale and eight-foot trail provided on the other side. Private driveway lots are also proposed within the development, providing internal access in single-family and multi-family neighborhoods between the Village Center and the park/school, with widths ranging from 34 feet to 110 feet wide.
21. The Specific Plan locates the Landmark Village subdivision within its Riverwood Village, and identifies land uses within each Village with associated acreage, density and/or nonresidential square footage. The Specific Plan also includes exhibits for trails, circulation, resource management, drainage and water quality, water and sewer as well as its land use plan. The applicant has demonstrated the project's consistency with the provisions, goals and objectives within the Specific Plan.
22. The Specific Plan also requires affordable housing, with a total of 2,200 affordable units through the Specific Plan area (Specific Plan Section 3.10). Landmark Village proposes 301 affordable units: 161 for-sale homes for moderate income households, and 140 for-rent units for very low families.
23. Traffic studies were performed to indicate that the expected traffic volume can be accommodated with the proposed project circulation system as design. The circulation system includes features such as bike lanes and trails along both sides of the street, roundabouts, curb extensions and rear or alley access intended to reduce design speed, eliminate cul-de-sacs, introduce traffic-calming features, reduced street widths to enhance pedestrian mobility.
24. The Master Plan of Trails within the Specific Plan is general in nature, and detailed trail locations are identified on the subdivision tentative map. These include walkways and parkways along streets, paseos, community trails and the regional river trail, in a hierarchy of trail sizes and functionality. Access points are also identified from the project to the regional river trail system as well as locations for observation and interpretive nature points. The regional river trail system is depicted in greater detail within the project site, and depict both an eight-foot wide County trail outside the subdivision boundary but on top of the bank stabilization, and a 16-foot wide riding and hiking trail that will also serve as the Los Angeles County Flood Control access road, and will be maintained by a Landscape Maintenance District

("LMD"). An interpretive trail is also depicted through private Recreation Lot No. 337 with a lookout point and interpretive nature station.

25. The Specific Plan Master Drainage Plan has been updated to reflect innovative methodologies to meet NPDES (National Pollutant Discharge Elimination System) requirements, and reflects a comprehensive system of flood control and desilting basins to maintain water quality standards. Open space that also double as open facility basins, are located adjacent to the subdivision boundary and the Santa Clara River to the south, as well as along SR-126 to the north. Additional water quality features such as grass swales and depressed roundabouts, provide additional area for water retention.
26. The Master Water Plan was designed in the Specific Plan for this portion with water main and reclaimed water lines along "A" Street. The Potable and Reclaimed Water Plan includes infrastructure lines to serve this development. A 2.7 million gallon water tank that is depicted on the Master Water Plan is depicted within the Chiquito Canyon area. Water tanks are being proposed north of Landmark at Chiquito Canyon within the Valencia Commerce Center, and Round Mountain.
27. The Master Sewer Plan also depicts sewer infrastructure anticipated, with the sewer line system connecting to the Newhall WRP. A detailed Sewer Plan was prepared for this project that provides further refinement to the location of sewer main lines. Sewer service and connections is also proposed by two methods. Connection lines are proposed to extend east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Landmark requires connection. Eventual connection for the Landmark Village development will be Newhall WRP, which is located further west. Connections for Landmark are shown with both options.
28. The River Corridor allows for certain uses, with mitigation required as stated in Section 2.6-2 of the Specific Plan. These mitigation requirements include restoration as well as enhancement, and establish requirements for management of this area. Access to the SMA through hiking, equestrian and biking trails is permitted as limited to the trail system itself. Adequate transition areas are provided by this development lies to the Santa Clara River. These include provision of a trail between the River Corridor and the development, ungrouted rock or buried bank stabilization where required to protect development areas, and minimum 100-foot buffers adjacent to the Santa Clara River.
29. The Commission has determine that Landmark Village is on substantial conformance with the criteria contained in the Specific Plan for shared

parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.

30. The applicant requests that reciprocal, offsite parking be included within the Joint Use or Shared Parking Plan option provided in the Specific Plan, with same requirements for making findings at such time when the uses are determined and actual parking requirements calculated.
31. The applicant has also requested a determination of substantial conformance for alternative street sections to reflect the intent of the development to be neotraditional, where emphasis is on pedestrian traffic as opposed to automobile traffic. Features in these alternative street sections include traffic calming devices, like chokers, curb extensions, roundabouts, etc. Such features have been much discussed with Public Works and the Los Angeles County Fire Department ("Fire Department") as well as Regional Planning to ensure that traffic capacity and life/safety issues are still addressed with these alternative street features. These are proposed on "A" Street and internal streets.
32. Within the development regulations of the Specific Plan, setbacks for the garage face are provided at 18 feet. The intent is for cars that are parked in the driveway, not block the sidewalk or travel lanes of the street. However, the Specific Plan did not provide in much detail, front yard setbacks for homes where the garage is oriented for a side entrance, or located in the rear of the lot for alley entrance. In these cases, the applicant has requested that a determination of substantial conformance be made that in these cases, a minimum front yard setback of 10 feet be maintained since driveways will be such that cars parked will not block the street as the intent of the 18-foot setback.
33. In approving this development, the Commission consider the following findings regarding development within an SEA:
 - a. The proposed development would be consistent with the adopted General Plan and Area Plan for the Newhall Ranch Specific Plan site. The development such as bridge crossing, trails, bank stabilization, utilities, wells, mitigations sites, transport of grading materials within the SEA 23 boundary will be compatible with the existing biotic resources present, particularly when taking into account major factors influencing the realization of applicable General Plan objectives, including competing priorities between resource preservation and other General Plan policies and objectives;
 - b. The development was designed to be highly compatible with biotic resources present in the existing SEA 23, including the setting aside of appropriate and sufficient undisturbed areas;

- c. The development was designed to maintain waterbodies, watercourses, and their tributaries in a natural state within the existing SEA 23;
 - d. The development was designed so that wildlife movement corridors are left in a natural and undisturbed state within the existing SEA 23;
 - e. The development retained sufficient natural vegetative cover and/or open spaces to buffer critical resources within the existing SEA 23 from the proposed development; and
 - f. The development provided fences or walls where necessary to buffer important habitat within the existing SEA 23 from proposed development.
34. The Commission also determine the project as proposed is consistent with previously approved SEA CUP No. 94-087-(5), the Landmark Village project bank stabilization is consistent with the following 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. These objectives are as follows:
- a. The flood corridor must allow for the passage of Los Angeles County Capital Flood flows without the permanent removal of natural vegetation (except at bridge crossings);
 - b. The bank of the river will generally be outside of the "waters of the United States" as defined by federal laws and regulations, and as determined by the delineation completed by the United States Army Corps of Engineers ("Corps") in August 1993;
 - c. Where the Corps delineation width is insufficient to contain the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow without the necessity of permanently removing vegetation or significantly increasing velocity;
 - d. Where development is proposed within the existing Los Angeles County 50-year Capital Floodplain, the land where development is to occur will be elevated in conformance with Los Angeles County policies to remove it from the Floodplain; and
 - e. Bank stabilization will occur only where necessary to protect against erosion.

35. The Commission finds that the requested oak tree permit is necessary to allow the construction of the single-family residence as proposed due to site constraints such as topography and drainage. The applicant has re-designed the project to reduce the project's impact on oak trees, and the placement of the trees on the subject property precludes the reasonable and efficient use of the subject site for a single-family residence.
36. The proposed oak tree removals and encroachments will not result in soil erosion through the diversion or increased flow of surface waters. All areas disturbed by the proposed grading will be replanted in accordance with County grading and landscaping requirements.
37. The proposed project includes community facilities such as schools, parks, utilities and fire station, which can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of Newhall Ranch Specific Plan, Area Plan, and General Plan.
38. The site is physically suitable for the type of development being proposed, since the project site is relatively level; has access to a County-maintained street; shall be served by public sewers; shall be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and shall have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works. Utilities planned to serve the Landmark Village project include water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics and reclaimed water lines. Much of the utility corridor within the project site is not located within the River Corridor SMA/SEA 23, however, its off-site connections will run through parts of the River Corridor SMA/SEA 23, which is consistent with the approved Newhall Ranch Specific Plan.
39. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the recommended conditions of approval.
40. Notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesy mailing list for projects in the Newhall and Castaic Canyon Zoned Districts. The public hearing notice was published in The Signal and La Opinion on November 20, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon County Jo Anne Darcy Library beginning November 20, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions,

were received at the Newhall Library on December 29, 2006. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property along SR-126 on December 29, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

41. The applicant has also presented the project on several occasions to the Castaic Area Town Council. Comments have not yet been received from the Castaic Area Town Council regarding the project.
42. Correspondence from interested parties, environmental organizations, and responsible agencies was received in regard to the project. Many comments requested additional time to review the large volume of material associated with the EIR. The EIR comment period was extended for a total of ninety (90) days from November 20, 2006 to February 20, 2007.
43. Comments and recommendations from County departments and other agencies consulted during the environmental review process include the California Department of Fish and Game, Regional Water Quality Control Board, Native American Heritage Commission, California Highway Patrol, California Department of Transportation, Southern California Association of Governments, as well as City of Santa Clarita, County of Ventura, and United Water Conservation District. Other agencies that have provided correspondence include, among others, the Castaic Lake Water Agency, Audubon California, Sierra Club, California Water Network, Santa Clarita Organization for Planning and the Environment, Piru Neighborhood Council and Friends of the Santa Clara River. During the public hearing, much of the public testimony reiterated comments received in written correspondence on the Landmark Village Draft EIR.

During the public hearings, the applicant was requested to provide additional information on the following: potential incorporation of wireless technology within the project, elementary school site plan, community sustainability and smart growth, ownership and maintenance of the passive park, potential revisions to elementary school and public community park design, waste-to-energy facilities, concerns raised by the Native American Tataviam Band, trailhead and trail connections, cul-de-sacs along the project's western edge, setbacks from riparian areas, comments regarding studies from the Nature Conservancy, status of perchlorate clean-up, United Water Conservation District comments, and comments from the Audubon Society. The following responses have been provided:

- It has been determined that high-speed wireless technology (WiFi or its future equivalent) can be incorporated into commercial, mixed-use, and public areas.

- Discussions were held with the Castaic School District and the Los Angeles County Parks Department, which resulted in a proposed school plan depicting a nine-acre site more centrally located and now surrounded on three sides by the community park. The revised design provides additional buffer from the elementary school to SR-126.
 - The passive portion of the Community Park will be maintained by a homeowners' association, but will be open to the public.
 - Discussions with the Sanitation Districts of Los Angeles County determined that waste-to-energy facilities are no longer considered to be feasible due to permitting and regulatory requirements.
 - The trailhead location will generally be located west of Long Canyon Road in a final location to be determined based on discussions with Parks and Recreation.
 - The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians and their concerns have been resolved.
 - A 100 foot setback is provided from the Santa Clara River, as required by the adopted Newhall Ranch Specific Plan.
 - The Castaic Lake Water Agency and local water purveyors are proceeding with a containment and action plan to address perchlorate contamination in portions of the Saugus and Alluvium aquifers.
 - The United Water Conservation District provided comments that the EIR complies with the terms of the settlement agreement.
 - Additional wintering surveys have been completed for birds cited by Audubon and those surveys are included in the Landmark Village Final EIR. Those surveys do not change the conclusions of the Final EIR. Finally, prior to site disturbance, nesting studies will be undertaken.
 - The applicant has prepared a Sustainability Summary, which incorporates sustainability measures into the Landmark Village project.
44. A program-level EIR was certified with the adoption of the Newhall Ranch Specific Plan, which found that there would be significant unavoidable

impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. A Statement of Overriding Considerations was adopted by the Board, which concluded that there were significant overriding benefits with approval of the project. Public benefits include preservation of nearly 1,000 acres of the Santa Clara River, 4,200 acres of the High Country SMA/SEA 20, 1,517 acres of the Salt Creek area and other Open Areas; preservation of the River Corridor SMA/SEA 23 to retain significant riparian vegetation and habitat; over 50 miles of trails included the Santa Clara River Trail; and provisions for improved parks, schools, fire stations and 2,200 affordable homes.

45. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and State and County Guidelines related thereto. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report (EIR) would be required. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: **Aesthetic/Visual Quality, Agricultural Resources, Biota, Noise, Solid Waste Disposal, Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources.**
46. In accordance with state CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines, an EIR was prepared for the project. Identified potential impacts analyzed in the EIR found to be less than significant with project mitigation, include: **Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources.** The Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in:

**Biota
Aesthetic/Visual Quality
Noise
Agricultural Resources
Solid Waste Disposal**

Of these impacts which cannot be mitigated to less than significant, noise is the only category that was not previously identified and included in the Statement of Overriding Considerations adopted as part of the adopted Newhall Ranch Specific Plan Program EIR.

47. A Final EIR for the Landmark Village project has been prepared in compliance with CEQA (Public Resources Code section 21000 *et seq.*), the state CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Landmark Village Final EIR consists of the Draft EIR, the technical appendices to the Draft and Final EIR, the responses to comments, and revised Draft EIR pages.
48. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Final EIR has been prepared. The Mitigation Monitoring Plan identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project is ensured, and its requirements have been incorporated into the conditions of approval for this project.
49. Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Plan, are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.
50. The Commission finds substantial benefits resulting from the implementation of the project outweigh its avoidable effects on biota, visual quality, noise, agricultural resources and solid waste disposal.
51. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials is the Section Head of the Major Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;
- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be

materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;

- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private facilities as are required;
- E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;
- F. The development has provided adequate vehicular access, parking and loading so as to prevent undue traffic congestion on local streets and highways;
- G. That the proposed use with the attached conditions and restrictions will be consistent with the Newhall Ranch Specific Plan;
- H. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- I. That the proposed site is adequate in size and shape to accommodate the development features to occur within the River Corridor SMA/SEA 23 in order to integrate said use with the uses in the surrounding area;
- J. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private facilities as are required; and,
- K. That the proposed project and the provisions for its design and improvement are consistent with the density, goals and policies of the General Plan and Newhall Ranch Specific Plan, including SEAs, in that:

- i.. The requested development is designed to be highly compatible with the biotic resources present including the setting side of appropriate and sufficient undisturbed areas;
 - ii. The requested development is designed to maintain water bodies, watercourses and their tributaries in a natural state;
 - iii. The requested development is designed so that wildlife movement corridors are left in an undisturbed and natural state;
 - iv. The requested development retains sufficient natural vegetative cover and/or open space to buffer critical resource areas for said requested development is compatible with the natural biotic, cultural, scenic, and open space resources of the area;
 - v. Where necessary, fences or walls are provided to buffer important habitat areas from development;
 - vi. Roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths; and
 - vii. The approval of the proposed development within the River Corridor SMA/SEA 23, to include project-related improvements, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance, the General Plan, and Newhall Ranch Specific Plan.
- L. The proposed development will be accomplished without endangering the health of the remaining oak trees on the subject property that are subject to Part 16 of Title 22 of the Los Angeles County Code, if any;
- M. The proposed removal of sixty-seven (67) oak trees and the encroachment into the protected zones of fourteen (14) oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactory mitigated;
- N. The proposed removal of the oak trees is necessary as continued existence at their present locations frustrates the proposed use of the subject property to such extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized; and
- O. The removal and encroachment into the protected zones of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure;

AND THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for an Oak Tree Permit and Conditional Use Permit as set forth in Sections 22.56.040, 22.56.210, 22.56.2100, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report and subject to the Board's final action, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission and determines that that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal, technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference;
2. Approves and adopts the Mitigation Monitoring Program for the proposed project incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation; and
3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 00-196-(5) and Oak tree Permit are approved with the attached conditions subject to the Board's final action.

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

**CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 00-196-(5)**

DRAF CONDITIONS

For Information Only

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific and the permittee is required to comply with its provisions and standards.
2. This grant authorizes the use of the subject property for a maximum total of 1,444 residential units; 1,033,000 square feet of non-residential development; 73 acres of open space; an approximately 16-acre active/passive community park; approximately 5 acres of private recreational facilities; trail system; elementary school; and fire station. This permit also authorizes on-site and off-site project-related infrastructure in order to support the proposed Landmark Village project, including domestic and reclaimed water systems; water tanks; utilities (including sanitary sewers, cable, gas and fiber optics), located in the designated utility corridor; private driveways; and public streets, and authorizes the grading for, and construction of, off-site project-related infrastructure. **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.
3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.
- ~~4.~~ This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the Office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 41, below, and until all required monies have been paid pursuant to Condition Nos. 42 and 44, below.
5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if it 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 so as to be a nuisance.

7. 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 notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
 8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000.00 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 reach 80 percent of the amount of 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; and
 - (b) At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
- The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.
9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map 53108 should expire without recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.
 10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on the **Exhibit A**, subject to

the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director.
12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.
13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 53108, and ~~Oak Tree Permit No. 00-196-(5)~~ *9 CUP 94-087*
14. All utilities shall be placed underground to the satisfaction of the Department of Public Works.
15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.
17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences.
18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Department of Public Works.

19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.
20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.
21. Phased grading has been requested and approved. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of the Department of Public Works.
22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.
23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.
24. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.
25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.
26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.
29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.
30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.
31. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of the Department of Public Works.
32. During construction, all large size truck trips shall be limited to off-peak commute periods.
33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or materials, which requires the use of over-size transport vehicles on State highways.
34. The applicant shall provide approximately 73 acres of open space within the Vesting Tentative Tract Map No. 53108.
35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and industrial buildings completed, the dates of dedication or completion for all required

infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deem necessary by the Director.

36. All commonly owned areas shall be preserved as permanent open space. Such reservation shall be by establishment of a homeowners association, maintenance district, or other appropriate means or methods to ensure to the satisfaction of the Director the permanent reservation and continued perpetual maintenance of required commonly owned areas.
37. As a means to further ensure the permanent reservation of commonly owned areas, no dwelling unit shall be sold, conveyed, or otherwise alienated or encumbered separately from an undivided interest in any commonly owned areas comprising a part of such development. Such undivided interest shall include either an undivided interest in the commonly owned area or a share in the corporation or voting membership in an association owning the commonly owned area.
38. No residential development shall be permitted within lots designated for parks, recreation, open space and public facility purposes (park lots 337 and 344, recreation lots 330, 336 and 340, open space lots 295, 317-324, 348, 355, 356, 362-366, 378-381, 386, 387, 391, 392, 398, 416-419, 422-434, 436-453, 455-458, or debris basin lots 310-316, 382, 383, 390, 393-397, 399-402.
39. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or a revised **Exhibit A** approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

41. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion of the subject property during the term of this grant, 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.
42. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the

Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the site plan on file. The fund provides for ten (10) annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time payment is due (currently \$150.00 per inspection).

43. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.
44. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of \$2,500.00 payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.
45. Record a covenant with the County agreeing to comply with the approved environmental mitigation measures.
46. Upon completion of the appeal period, the permittee shall deposit the sum of \$3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented as reported in the required Mitigation Monitoring Report.

The mitigation measures set forth in the Mitigation Monitoring Plan in the EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring reports to the Department of Regional Planning as frequently as may be required by the department.

47. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

48. As a means of ensuring the compliance with the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002), the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval prior to the issuance of any grading permits.
49. 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. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:
 - (a) comply with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and
 - (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.
50. 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.
51. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the approved mitigation measures to the satisfaction and approval of the Department of Public Works.

Prior to Recordation of a Final Map

52. As a means of ensuring the effectiveness of the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) mitigation monitoring shall be submitted to the Director of Planning (Director) for approval prior to the recordation of a final map.
53. Include conditions in the project CC&Rs, which require continued maintenance of the planting for lots having planted slopes.
54. Provide for the private driveway and fire lanes within the project and provide proof of guaranteed maintenance in the project CC&Rs as well as draft easement documents with exhibits, granting access to respective off-site property owners.
55. Provide in the project CC&Rs restrictions on parking or storage of recreational vehicles as required by Condition No. 38 of Conditional Use Permit 94-087-(5) to the satisfaction of the Director.
56. The permittee shall comply with the provisions of the park development agreement with the Department of Parks and Recreation, including dedication of lot 337 to the County for park purposes. Provide evidence of compliance.
57. Provide in the project CC&Rs for the ownership and maintenance of the passive park (lot 344) by a homeowners' association.
58. Provide in the project CC&Rs for the ownership and maintenance of recreation lots 330, 336, and 340 by a homeowners' association.
59. Dedicate all open space lots (295, 317-324, 348, 355, 356, 362-366, 378-381, 386, 387, 391, 392, 398, 416-419, 422-434, 436-453, 455-458, and debris basin lots 310-316, 382, 383, 390, 393-397, 399-402) to the County or other acceptable agency or provide for their ownership and maintenance by a homeowners' association or by an alternative method, or means, as described in the approved Newhall Ranch Specific Plan.
60. This development shall reserve at least 161 for-sale residential units for moderate-income households or homebuyers and 140 for-rent units for very low income households or renters in accordance with the Newhall Ranch Affordable Housing Implementation Plan dated **September 18, 2007** to the satisfaction of the Director. The applicant shall record and continually administer a covenant and agreement or other mechanism furnished by the applicant deemed appropriate and subject to prior approval by the County Counsel and the Community Development

Commission to effectively insure the continuing availability of the designated affordable housing for qualified persons and families for the time specified in the Plan.

61. The applicant shall submit a form of security such as, but not limited to, letters of credit in an amount sufficient to assure completion of all designated affordable housing units to the satisfaction of the Department of Regional Planning.

Prior to Issuance of a Building Permit

62. Prior to the issuance of any building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed construction:
 - (a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and
 - (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.
63. 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.
64. Prior to the issuance of building permits for any construction, the applicant shall submit a landscaping plan(s) for the landscaping associated with the construction to be approved by the Director. All graded slopes (cut and fill) shall be revegetated. Three copies of a landscape plan(s), which may be incorporated into a revised site plan, shall be submitted to and approved by the Planning Director before issuance of a building permit. The landscape plan(s) shall show size, type, and location of all plants, trees, and sprinkler facilities, including all landscaping and irrigation. Watering facilities shall consist of a permanent water-efficient irrigation system such as "bubblers" or drip irrigation. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary.

In addition to the review and approval by the Director of Planning, the landscaping plan(s) shall be reviewed by the staff biologist of the Department of Regional Planning, the Los Angeles County Fire

Department, and the Department of Public Works. The review will include an evaluation of the balance of structural diversity (e.g., trees, shrubs and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements and determination of compliance with water conservation requirements.

The landscaping plan(s) must show that landscaped areas must contain 50 percent locally indigenous species, including trees, shrubs, and ground covering. However, if the permittee demonstrates to the satisfaction of the Director that compliance with this requirement is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting is required. In those areas where staff approves a reduction to less than 50 percent locally indigenous vegetation, the amount of such planting required shall be at least 30 percent. The landscaping will include trees, shrubs, and ground covering at a mixture and density determined by the Director and the Forester and Fire Warden. Fire retardant plants should be given first consideration.

63. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of the Department of Public Works.
64. A determination of substantial conformance in compliance with the provisions of the approved Newhall Ranch Specific Plan has been made relative to front yard setbacks, hillside grading, shared parking, and street widths. Prior to the approval of building permits, the applicant shall submit monitoring reports to demonstrate conformance to the satisfaction of the Director. This may include submittal of a parking program if determined to be necessary.
65. As agreed, the permittee shall comply with the provisions of the project's Sustainability Plan. A covenant shall be recorded agreeing to comply with this Plan, including transferability to future owners of the property. Prior to the issuance of a building permit, a Revised **Exhibit A** and a monitoring report describing compliance shall be submitted to the Director.
66. Prior to the issuance of building permit, the permittee shall provide evidence to the Director of Planning showing compliance with the Hart High School District letter dated October 31, 2007 to execute an update to the Hart School Funding Agreement.
67. The applicant has submitted a Planning Notebook which depicts conceptual building and design standards. Prior to the issuance of building permit, the applicant shall show that the project is substantial compliance with the Planning Notebook date October, 2007 to the satisfaction of the Director of Planning.

**CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT NO. 00-196**

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

For Information Only

1. This grant authorizes the removal of 67 oak trees and encroachment into the protected zone of 14 trees as shown in the Oak Tree Report and subject to all the following conditions of approval.
2. This grant allows removal of a total of 67 trees including 63 trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers: 8, 9, 10, 51, 60, 61, 63, 64, 83*, 84, 248, 249, 250, 335, 336, 337, 338*, 339, 340, 341, 342, 343, 344*, 345, 346, 347, 348, 349*, 350, 351, 352*, 354, 355, 356, 357*, 396, 397, 398, 400, 401, 492*, 594, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 3073, 4003*, 4016, 4017, 4018, 4019, 4022, 4025, 4026, 4027, 4028, 4055, 4056 and 4057, and four (4) trees of the Oak genus (*Quercus lobata*) numbered 87*, 1587, 1597* and 1591 on the applicant's site plan and Oak tree report. A total of ten (10) of these trees to be removed are identified as Heritage* (in bold with an asterisk*) having a diameter greater than 36 inches.
3. This grant allows encroachment within the protected zone of 14 trees of the Oak genus identified as Tree numbers: 92, 93, 98, 99, 100, 439, 448, 488*, 489*, 498, 503*, 592, 1605, 4007 on the applicant's site plan and Oak Tree Report. Three (3) of these trees are identified as Heritage*. 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.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. 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 full compliance shall be a violation of these conditions.
6. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

7. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.
8. The term "Oak Tree Report" refers to the updated document on file at the Department of Regional Planning by Impact Sciences, Inc. the consulting arborist, dated June, 2006.
9. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53108.
10. The permittee shall keep copies of the Oak Tree Report, Oak Tree Map, Mitigation Planting Plan 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 familiar with the Oak Tree Report, Oak tree map, and conditions of approval.
11. In addition to the 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 the removal of deadwood and stubs and medium pruning of branches two inches in diameter or less accordance with the guidelines published by the national Arborist Association. Copies of these guidelines are available from the Forestry Division of the County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.
12. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, Oak Trees: Care and Maintenance, prepared by the Forestry Division of the County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.
13. The permittee shall provide mitigation trees of the Oak genus at a rate of 2:1 for each tree removed and at a rate of 10:1 for each Heritage tree removed for a total of 214 mitigation trees.
14. Each mitigation tree shall be at least a fifteen-gallon specimen in size and measure one inch or more in diameter one foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees shall measure a minimum of one inch in diameter one foot above the base.
15. Mitigation trees shall be at a ratio consistent with the species of Oaks removed for a total of one-hundred ninety (190) *Quercus agrifolia* and twenty-four (24) *Quercus lobata* of indigenous varieties grown from a local seed source.

16. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted in the same watering zone as each mitigation.
17. Mitigation trees shall be planted within one year of the permitted oak tree removals. Additional mitigation trees shall be planted within one year of the death of any tree which results from permitted encroachment. Mitigation trees shall be planted on-site or within the Specific Plan boundaries in locations approved by the project arborist in consultation with the County Forester. In circumstances where on-site planting is shown to be infeasible, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resources loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
18. If the replacement trees are to be planted on the subject property, the permittee shall plant one acorn of the *Quercus agrifolia* variety for each replacement tree planted. The acorns shall be planted at the same time as and within the watering zone of each replacement tree.
19. All replacement trees shall be planted on native undisturbed soil. The first two irrigations or watering of planted trees shall incorporate the addition of a mycorrhizae product (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopies of removed trees shall also be applied to the area beneath the canopies of replacement trees to further promote the establishment of mycorrhizae within their rooting zones. The seed source for the replacement trees shall be local to the project site.
20. 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 five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
21. The project arborist shall inspect all mitigation trees on a quarterly basis for two years after completion of construction. The arborist's observations shall be reported to the County Forester, including any loss of trees.
22. 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 the trees have survived the required maintenance period.
23. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

24. 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.
25. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
26. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) 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 County Forrester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
27. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.
28. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.
29. 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.
30. Violations 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.
31. 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 Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance.
32. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it 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.
33. The permittee shall defend, indemnify and hold harmless Los Angeles County (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 notify the permittee of any such claim, action, or proceeding and the County shall reasonably cooperate in the defense.

34. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a) If during the litigation process, actual costs incurred by the department reach 80 percent of the amount on deposit 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 according to Section 2.170.010 of the Los Angeles County Code.

35. As a means of ensuring the effectiveness of the mitigation monitoring measures set forth in the attached Mitigation Monitoring Program, the permittee shall submit mitigation monitoring reports to the Director. The reports shall describe the status of compliance with the mitigation measures adopted as conditions of this grant. The reports shall be submitted and approved in the following sequence:
- a) Prior to the submittal of a Revised Exhibit A to be approved by Regional Planning prior to the issuance of grading permits;
 - b) Prior to the recordation of a final map;
 - c) Prior to issuance of building permits;
 - d) On an annual basis until such time as all mitigation measures have been implemented or completed; and
 - e) Additional reports as required by the Director.
36. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map No. 53108 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.

37. This grant shall terminate upon the completion of all authorized oak tree removals and the completion of all required mitigation and monitoring to the satisfaction of the Department of Regional Planning and County of Los Angeles Forester and Fire Warden, Forestry Division.
38. Except as otherwise modified herein, the permittee shall comply with all recommended conditions and requirements set forth in the attached County of Los Angeles Forester and Fire Warden letter dated December 4, 2006, to the satisfaction of the Forester and Fire Warden.

Prior to Use of Permit

39. 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 Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and that the conditions have been recorded as required by Condition No. 40 and until all required monies have been paid pursuant to Condition No. 41 and 42.
40. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the terms of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
41. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is \$ 2,500.
42. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of \$5000.00. Such fees shall be used to compensate the County Forester to cover expenses incurred while inspecting the project to determine the permittee's compliance with these conditions of approval.

The above fees provide for one (1) pre-construction meeting required to determine fencing placement in order to secure the protected zone of all remaining Oak trees, inspection of temporary fencing prior to the commencement of any construction and a subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

The Director of Planning and the County Forester shall retain the right to make regular and unannounced site visits.

43. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department 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 County Forester any failure to fully comply with the conditions of this grant. The arborist shall submit at the end of each year an annual monitoring report. The report shall include a diagram showing the exact number and location of all migration trees planted and describe the health, planting dates, any mortality and mitigation timeframe relating to permit compliance!

Prior to Issuance of a Grading Permit

41. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site to be determined prior to any grading. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester or the Director of Planning. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak Tree (before pruning) or 15 feet from the trunk, whichever is greater.
42. Prior to the planting of the trees, and before issuance of a grading permit the biologist/ arborist for the permittee shall determine planting sites, prepare planting plans and specifications, and a monitoring program, all of which shall be approved by the County Forester and the Department of Regional Planning.
43. Installation of fencing around the perimeter of the properties shall be of wrought iron or wood post type construction wherever the fencing passes within 10 feet of any oak trunk. No block walls or other type of fence or wall construction which requires substantial trenching for foundations shall be located within ten feet of any Oak tree in order to limit damage caused by such types of construction.

Attachments:

December 4, 2006: Letter from County Forester



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

RECEIVED
DEC 07 2006

December 4, 2006

Daniel Fierros, Regional Planning Assistant
Los Angeles County Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fierros:

**OAK TREE PERMIT #00-196, LANDMARK VILLAGE (RIVER VILLAGE) PROJECT,
TM #53108**

We have reviewed the "Request for Oak Tree Permit #00-196. The project is located south of State Route 126 near the intersection of Chiquito Canyon Rd., north of the Santa Clara River and west of Interstate 5. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on site. The term "Oak Tree Report" refers to the document on file by Impact Sciences the consulting arborist, dated June, 2006.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

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.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRWINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$5000. Such fees shall be used to compensate the County Forester to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval.

The above fees provide for one (1) pre-construction meeting required to determine fencing placement in order to secure the protected zone of all remaining Oak trees, inspection of temporary fencing prior to the commencement of any construction and a subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division 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 Regional Planning and the County Forester any failure to fully comply with the conditions of the grant.

The arborist shall submit at the end of each year an annual monitoring report. The report shall include a diagram showing the exact number and locations of all mitigation trees planted and describe their health, planting dates, any mortality and mitigation timeframe relating to permit compliance.

4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site to be determined prior to any grading. The fencing shall be determined and installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.

6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of a total of sixty-seven (67) Oak trees. Sixty-three (63) trees are of the Oak genus (*Quercus agrifolia*) numbered : 8, 9, 10, 51, 60, 61, 63, 64, 83*, 84, 248, 249, 250, 335, 336, 337, 338*, 339, 340, 341, 342, 343, 344*, 345, 346, 347, 348, 349*, 350, 351, 352*, 354, 355, 356, 357*, 396, 397, 398, 400, 401, 492*, 594, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 3073, 4003*, 4016, 4017, 4018, 4019, 4022, 4025, 4026, 4027, 4028, 4055, 4056, 4057. Four (4) trees are of the of the genus (*Quercus lobata*) numbered **87***, 1587, 1597*, and 1591 on the applicants site plan and Oak tree report. A total of ten (10) of these trees to be removed are identified as **Heritage*** (in bold with an asterisk*), having a diameter greater than 36 inches.

This grant allows encroachment within the protected zone of fourteen (14) trees of the Oak genus identified as Tree Numbers: 92, 93, 98, 99, 100, 439, 448, 488*, 489*, 498, 503*, 592, 1605, 4007 on the applicant's site plan map and Oak Tree Report. Three (3) of these trees are identified as **Heritage***. 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.

8. In addition to the 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 the removal of deadwood and stubs and medium pruning of branches two (2) inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one (1) tree be removed.
9. Except as otherwise expressly authorized by this grant, the remaining 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.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for each tree removed and at a rate of ten to one (10:1) for each Heritage tree removed for a total of 214 mitigation trees.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall be at a ratio consistent with the species of Oaks removed for a total of one hundred ninety (190) *Quercus agrifolia* and twenty four (24) *Quercus lobata* of indigenous varieties grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree, which results from its permitted encroachment. Mitigation trees shall be planted either on site or at an off-site location approved by the County 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 County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five (5) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. 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.

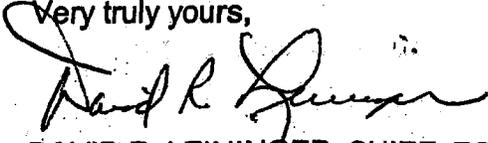
NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) 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 County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. 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 tree.
21. Violations 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.
22. 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 County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

Mr. Daniel Fierros
December 4, 2006
Page 6

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:es

Enclosure



OAK TREES: Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
<http://planning.co.la.ca.us>

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.



Valley Oak

QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 5"-4" LONG: PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS: FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE AND URBAN DEVELOPMENT.



Coast Live Oak

QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG: SPINY, ROUNDED, AND HOLLY-LIKE BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.



Interior Live Oak

QUERCUS WIGLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT - NOT CURLED UNDER.

OTHER COMMON OAKS:

CALIFORNIA BLACK OAK: QUERCUS KELLOGGI
CANYON LIVE OAK: QUERCUS CHRYSOLEPIS
ENGELMANN OAK: QUERCUS ENGELMANNII

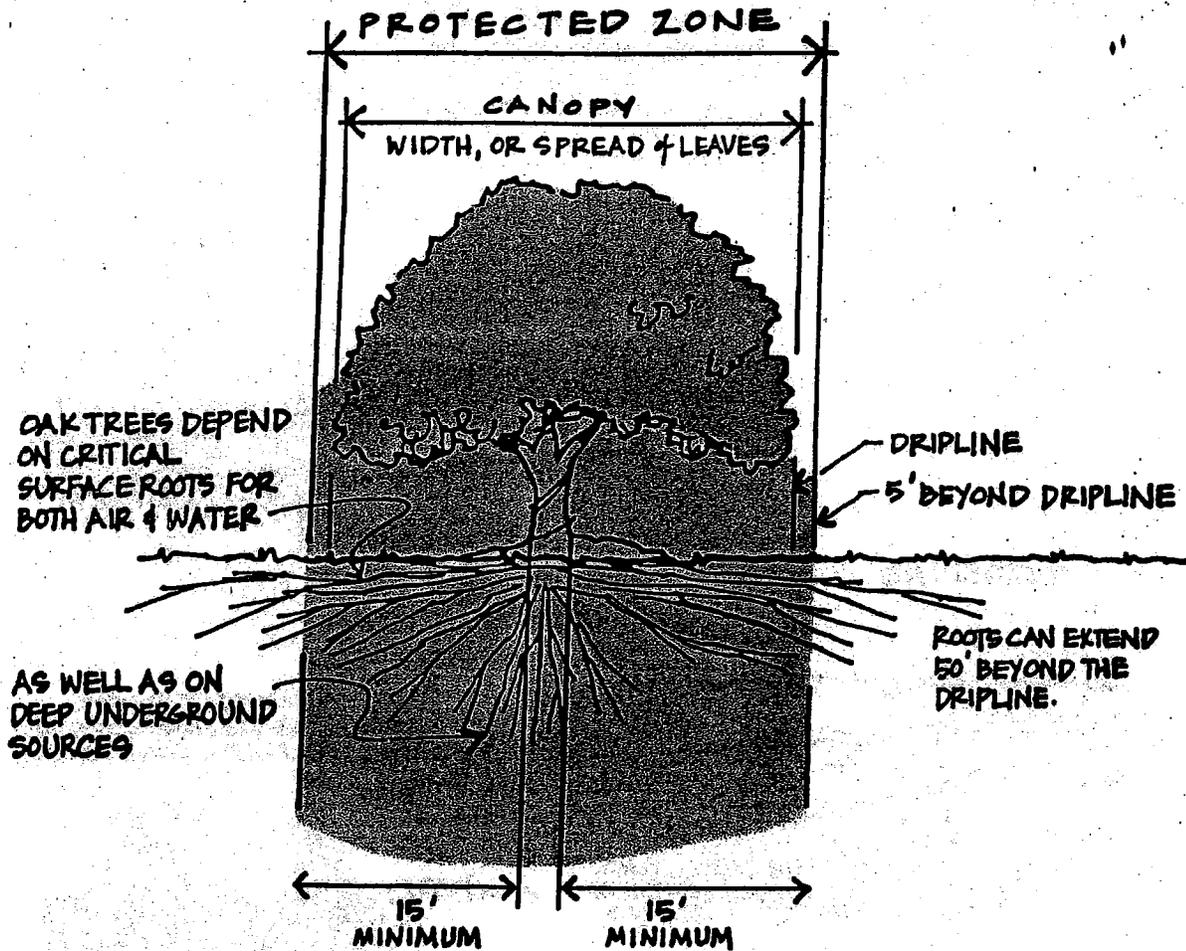
THE PROTECTED ZONE

The *protected zone* defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

"The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should be avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

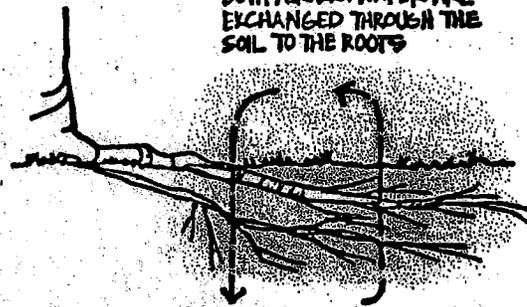
Soil Compaction and Paving

The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

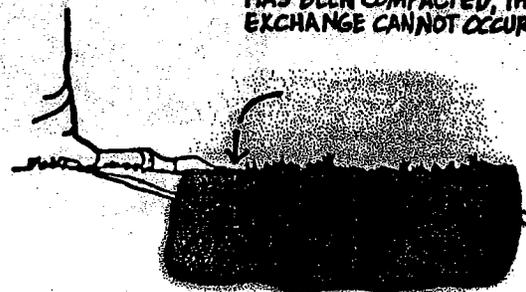
If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under mulching).

SOIL COMPACTION

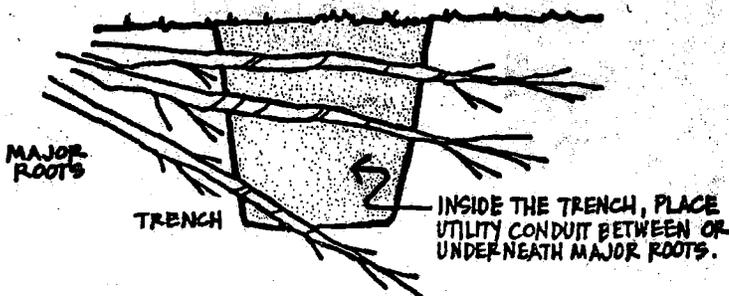
BOTH AIR AND WATER ARE EXCHANGED THROUGH THE SOIL TO THE ROOTS



HOWEVER, IF THE SOIL HAS BEEN COMPACTED, THIS EXCHANGE CANNOT OCCUR.



TRENCHING



MAINTENANCE

Watering

The key is prevention – do not over water. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

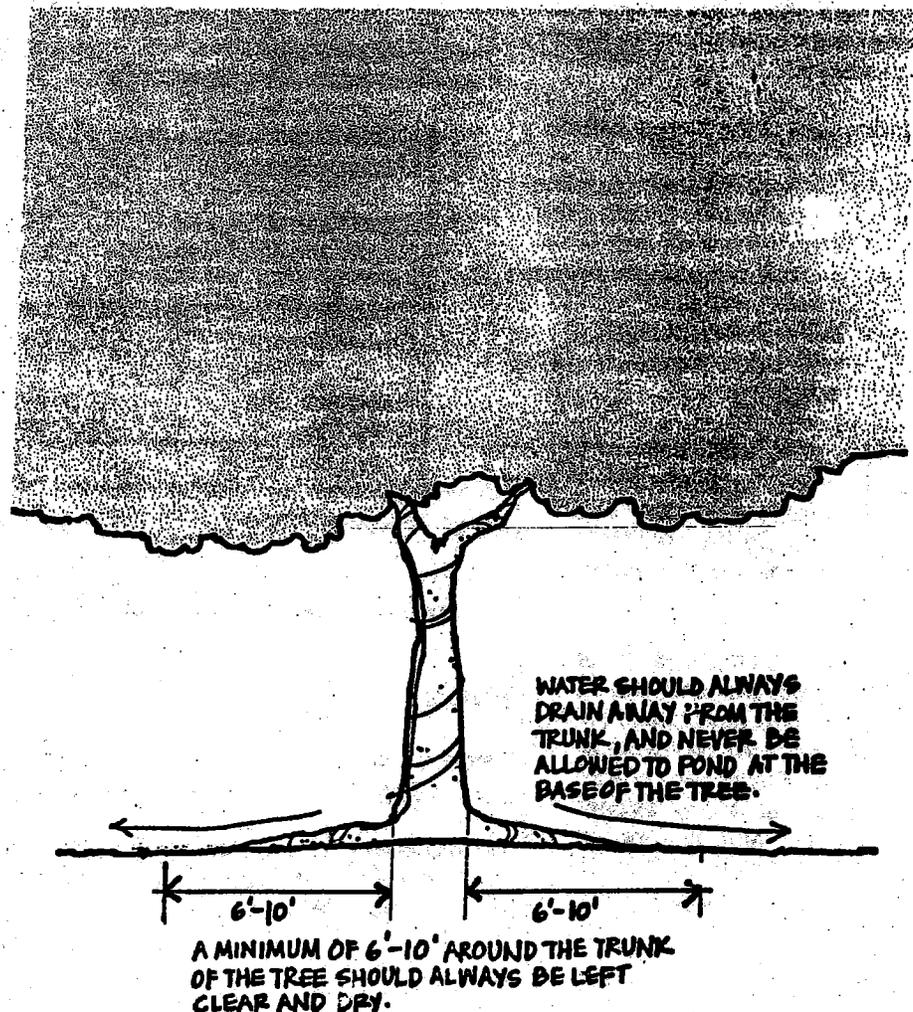
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
<i>Arctostaphylos densiflora</i> 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
<i>Arctostaphylos edmundsii</i> Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
<i>Arctostaphylos hookeri</i> Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
<i>Ceanothus griseus horizontalis</i> Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
<i>Heuchera</i> spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
<i>Mahonia aquifolium compacta</i> Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
<i>Ribes viburnifolium</i> Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the Sunset Western Garden Book to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
<http://lacofd.org/forestry.htm>

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
<http://danr.ucop.edu/ihmp>

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

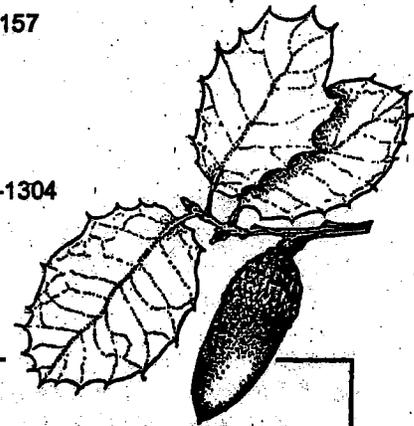
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik... [et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.



County of Los Angeles Fire Department Forestry Division

County of Los Angeles Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

**GENERAL PLAN, SANTA CLARITA VALLEY AREA AND SPECIFIC PLAN
AMENDMENT
BURDEN OF PROOF**

Request

Newhall Land is requesting an amendment to the Los Angeles County General Plan, the Santa Clarita Valley Area-wide Plan (SCVAP), and the Newhall Ranch Specific Plan to modify the existing "secondary highway" designation for the "A" Street/Wolcott Road (also referred to as the Franklin Avenue extension), located between Long Canyon Road and SR-126, within the Newhall Ranch Specific Plan, which was approved by the County on May 27, 2003. The proposed amendment would reclassify "A" Street/Wolcott Road from a secondary highway to a collector street, and result in the removal of "A" Street/Wolcott Road from the General Plan's "Master Plan of Highways," since collector streets are not shown on this policy map. The proposed amendment would also result in the removal of "A" Street/Wolcott Road from the Circulation Plan of the SCVAP and would modify the street's designation on the approved Newhall Ranch Specific Plan's "Mobility Plan," on the Specific Plan's "Master Circulation Plan" exhibit, and on accompanying cross-sections.

The requested amendment is necessary to achieve a street designation that is safest, most consistent with, and most appropriate for the level of permitted development and anticipated circulation requirements under the "Traditional Neighborhood Development" (TND) land-use plan for the Landmark Village development within the Newhall Ranch Specific Plan. Since the street's original classification as a secondary highway, changes in circumstances have occurred to render the existing street classification inappropriate, unnecessary, and potentially unsafe for the current type and level of development proposed.

Background

In 1994, Newhall Land filed its entitlement application for the future development of Newhall Ranch, including the Newhall Ranch Specific Plan (NRSP), with the Department of Regional Planning (DRP). Among the entitlement applications submitted concurrently with the NRSP were requests for amendments to the Los Angeles County General Plan, the SCVAP, and the Newhall Ranch Specific Plan, to establish what is now referred to as "A" Street/Wolcott Road as a secondary highway within the future Landmark Village community. At the time, the secondary highway designation was appropriate based on the projected future traffic demands on this street segment. The Specific Plan proposed a maximum of 24,700 residential dwelling units and a total of approximately 5.7 million square feet (sf) of non-residential development within Newhall Ranch. Of those totals, 1,750 dwelling units and 1 million sf of non-residential floor-area were proposed for the portion of Newhall Ranch adjacent to and containing the proposed "A" Street and Wolcott Road. This Newhall Ranch community, referred to as "Landmark Village," is the area within Vesting Tentative Tract Map No. 53108.

Based on the proposed development for Landmark Village (1,750 dwelling units and 1 million sf of non-residential uses) and Newhall Ranch overall, future traffic volumes on "A" Street/Wolcott Road were projected to equal approximately 30,000 average daily trips (ADTs). (Austin-Fourst

Associates, *Newhall Ranch Traffic Analysis*, July 1996.) This level of traffic warranted designation of the street as a secondary highway, which provides traffic capacities of 32,000 ADT's.

In October 1996, the Regional Planning Commission held its first meeting regarding the Newhall Ranch Specific Plan and directed Newhall Land to reduce the overall scale and intensity of proposed development. Newhall Land revised the Specific Plan to provide for a reduced number of proposed dwelling units and a lower level of non-residential development. In December 1997, the Regional Planning Commission approved the NRSP with the scaled-back development proposal. The Board of Supervisors further reduced the level of development permitted by the Specific Plan during its reviews in 1998 and 2003.

As a result of these changes to Newhall Ranch, the approved Specific Plan now permits a maximum of up to 20,885 residential dwelling units and a maximum of 5.5 million square feet of non-residential uses. This represents a reduction of approximately 15 percent from the 24,700 dwelling units originally proposed, and a decrease of approximately 3 percent in permitted non-residential development from that originally requested in 1994. For the Landmark Village community of Newhall Ranch, the maximum number of residential units was reduced from 1,750 dwelling units to a maximum of up to 1,444 dwelling units. This represents a reduction of approximately 17 percent in permitted residential development. (There was no change to the permitted non-residential development at Landmark Village.)

In addition to the general reduction in the scale of development and number of permitted residential units and non-residential floor-area, another significant change in circumstances has occurred since the development plan was first submitted in 1994 that warrants a "downgrading" of "A" Street/Wolcott Road from a secondary highway to a collector street classification. In its more detailed development plan for Landmark Village prepared following approval of the Specific Plan, Newhall Land has chosen a TND land-use plan for Landmark Village, which emphasizes pedestrian safety, comfort and the concept of "walkability." In summary, the land plan has been developed so that key community features, such as parks, schools and shopping, are within a reasonable walking distance from most homes. In order for the land plan to be effective, streets must be designed to promote pedestrian safety and prevent excessive traffic (including "cut-through" traffic) and unsafe vehicle speeds. In fact, the failure to appropriately match street design to the land plan could result in increased risk of accidents, greater public liability, and degraded pedestrian safety.

As part of this TND approach, the intended function and design of "A" Street/Wolcott Road, has changed over the years. "A" Street/Wolcott Road was originally conceived as an arterial highway extension of Franklin Avenue, in the Commerce Center area northeast of Landmark Village, connecting with Long Canyon Road. Under the TND approach, the function of "A" Street/Wolcott Road would be limited to providing connectivity between Landmark Village neighborhoods and from the local streets to the arterial highway system. In this way, "A" Street/Wolcott Road would discourage "cut-through" traffic as an alternative to SR-126. The street design was adjusted to match this shift in intended function. The alignment was made curvilinear, lengthening the total roadway distance; traffic-calming design features such as a

periodic landscaped median, curb bulb-outs, and on-street parking were incorporated; and modern roundabouts are proposed.

With the reduced scale of development permitted by the revised NRSP and the shift in the street's intended function as part of the TND land plan, projected traffic volumes on "A" Street/Wolcott Road may now be accommodated by a collector street, which has a capacity of approximately 10,000 ADT. Traffic volumes on "A" Street/Wolcott Road are projected to be less than 10,000 ADT's for all but a short segment on the west end, which is proposed to be served by a higher-capacity, four-lane section providing adequate capacity. (Austin-Foust Associates, *Landmark Village Traffic Impact Analysis*, October 2003.)

In summary, a change in street classification for "A" Street/Wolcott Road from a four-lane secondary highway to a collector street is appropriate and warranted because of the reduction in proposed development, the implementation of a TND land-use plan, and the resulting decrease in projected traffic volumes. Projected traffic volumes would be adequately served by a collector street designation, and the existing secondary highway designation would provide unnecessarily excessive capacity. Furthermore, requiring the secondary highway could result in the potential for increased vehicular speeds under the proposed TND land plan, while the collector street would be the appropriate context-sensitive designation.

Justification

Due to the changes in circumstances since the Newhall Ranch Specific Plan and accompanying entitlements were first filed and approved, as detailed above, the existing secondary highway street classification is no longer appropriate for "A" Street/Wolcott Road. In addition to the justification provided above, the following four responses must be demonstrated in the affirmative in support of this request for a General Plan/Specific Plan Amendment.

Response No. 1

A need for the proposed General Plan Amendment exists because:

The proposed General Plan/Specific Plan Amendment is necessary and appropriate to provide a street classification that corresponds with the projected level of traffic demand, while at the same time providing a safe pedestrian environment consistent with the adjacent land-use plan. Without the requested General Plan/Specific Plan amendment, the street classification would require that "A" Street/Wolcott Road be improved to provide excessive capacity, with more than three times the capacity (32,000 ADT's) of the projected future volumes (fewer than 10,000 ADT's). In addition, requiring "A" Street/Wolcott Road to be built to secondary highway standards while its functional use is as a collector street providing connectivity between neighborhoods and the local street system would result in the potential for unsafe conditions, including increased frequency of accidents, increased severity of injury and property damage/loss, and the potential for increased public liability. These safety and liability risks of maintaining the secondary highway designation in lieu of the requested collector street classification are discussed in more detail in Response No. 4, below.

Response No. 2

The particular amendment proposed is appropriate and proper because:

As noted above, the requested collector street designation, with a capacity of approximately 10,000 ADT's, is appropriate for the projected traffic demand of fewer than 10,000 ADT's. In addition, the collector street designation is the most appropriate choice in the context of the proposed TND land-use plan for Landmark Village. The TND land-use plan places importance on pedestrian safety and comfort, as community uses, such as schools, recreation, and shopping, are located within walking distance of most residences. The higher-speed, higher-volume secondary highway would be inconsistent with the land-use plan as well as providing traffic capacity far in excess of projected demand.

Response No. 3

Modified conditions warrant a revision to the County of Los Angeles General Plan because:

As discussed above, the following are the key changes in circumstances that result in the need for the requested General Plan/Specific Plan Amendment:

1. The level of permitted development, including the number of homes and the amount of proposed non-residential floor-area, has been scaled back significantly from the original Newhall Ranch proposal, in general, and in Landmark Village, specifically.
2. Following approval of the Newhall Ranch Specific Plan, Newhall Land selected a "Traditional Neighborhood Development" land-use plan for Landmark Village, which would change the intended function of "A" Street/Wolcott Road from a secondary highway – as originally planned, providing a connection from Commerce Center, on the northeast, to the western portion of Landmark Village and areas of Newhall Ranch to the south – to a collector street intended to provide internal connectivity within Landmark Village only, between neighborhoods and connecting to the local street system. The change in intended street function, as implemented in the curvilinear street design with traffic-calming features, would eliminate "cut-through" traffic. The TND land-use plan would also reduce the number of vehicle trips generated from the project, by encouraging residents to walk to near-by destinations.
3. The reduced level of permitted development, combined with the selection of a "TND" land-use plan, have significantly reduced the projected traffic levels on "A" Street/Wolcott Road. The projected traffic levels on "A" Street/Wolcott Road were originally estimated at approximately 30,000 ADT's, which required a secondary highway classification. Under the proposed Landmark Village development, the projected traffic levels have been significantly reduced to approximately 10,000 ADT's or less, which justifies the change in classification from a secondary highway to a collector street.

Response No. 4

Approval of the proposed General Plan Amendment will be in the interest of public health, safety, and general welfare and in conformity with good planning practices because:

Approval of the requested General Plan/Specific Plan Amendment will result in significant contributions to the public health, safety and general welfare, including the following:

1. The requested collector street classification will result in safer conditions when compared to the existing secondary highway designation.
 - a. Based on research compiled by Newhall Land (*Traditional Neighborhood Development at Landmark Village, Newhall Ranch: The Role of Alternative Street Design in Traditional Neighborhood Development, Volumes I and II*, November, 2001; March, 2002), the number of traffic accidents would be reduced with the requested street designation, as demonstrated below.
 - b. In addition, as noted in the research referenced above, accident severity would also be diminished. Injuries to both motorists and pedestrians would be less severe under the requested street classification, generating fewer fatalities and less-severe injuries.
 - i. Motor vehicle accidents are the leading cause of accidental death in California, and 20 percent of accidents involve pedestrians. (*Dangerous by Design: Pedestrian Safety in California*, Surface Transportation Policy Project, and September 2000.)
 - ii. The second-leading cause of death for California children (ages 5-12) is pedestrian fatality. (*Ibid.*)
 - iii. There is a direct correlation between roadway width and vehicle speeds. (*Residential Street Typology and Injury Accident Frequency*, Swift, 2001.)
 - iv. Slower vehicle speeds result in greater stopping distance, a lower frequency of accidents, and reduced severity of injury from the smaller number of resulting accidents. (*Traditional Neighborhood Development Street Design Guidelines*, Institute of Transportation Engineers, October, 1999.)
2. By enhancing the pedestrian environment, the requested street classification would promote a healthier community.
 - a. The less-intrusive collector street classification would contribute toward the TND's goal of promoting walking as an alternative to driving to community destinations. For example, safe streets would allow children to walk to neighborhood schools. Studies show that walkable communities promote their residents' health. ("Healthy Neighborhood Streets – The Key to Stronger Communities", *On Common Ground*, Winter 2002.)
 - b. The safer, more comfortable pedestrian environment would also promote walking, jogging, bicycling and other recreational opportunities.

3. The requested street classification would promote the general welfare with enhanced property benefits:
 - a. Property owners would benefit from less property damage and fewer injuries associated with motor-vehicle accidents, as noted above.
 - b. Property owners could benefit from alternative financing programs provided to TND communities; such as the "location-efficient mortgage"¹ that recognizes the benefits of a safe and walkable community.
 - c. Studies show that property values are enhanced in "smart growth" communities such as a TND, when compared with the values of homes in conventional subdivisions. (Smart Growth Gateway, www.smartgrowthgateway.org.)
4. The requested amendment is consistent with good planning practices.
 - a. This request is consistent with the following American Planning Association's "Principals for Smart Growth:"
 - i. Create walkable neighborhoods;
 - ii. Foster distinctive, attractive places with a strong sense of place;
 - iii. Provide a variety of transportation choices; and
 - iv. Take advantage of compact building design.
 - b. This request is consistent with the following "Ahwahnee Principles," developed by the Local Government Commission to promote livable communities:
 - i. Community size should be designed so that housing, jobs, daily needs and other activities are within easy walking distance of each other;
 - ii. As many activities as possible should be located within easy walking distance of transit stops;
 - ~~iii. Streets, pedestrian paths and bike paths should contribute to a system of fully-connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees and lighting; and by discouraging high speed traffic; and~~
 - iv. The community design should help conserve resources and minimize waste.

¹ The Location Efficient Mortgage®, (LEM) is a mortgage that helps people become homeowners in location efficient communities. These are convenient neighborhoods in which residents can walk from their homes to stores, schools, recreation, and public transportation. People who live in location efficient communities have less need to drive, which allows them to save money (with greater financial resources available for housing costs) and improves the environment for everyone. The LEM combines a low down payment, competitive interest rates, and flexible criteria for financial qualification to allow more people to own the home of their dreams. For additional information, please refer to www.locationefficiency.com.

CONDITIONAL USE PERMIT NO. 2005-01121-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATE: January 31 and
February 28, 2007

SYNOPSIS:

The applicant, Newhall Land and Farming ("Newhall"), approval for a 291-acre master-planned community development (Landmark Village) for the development of maximum 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail/residential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school. This project is within the "Riverwood" village of the adopted Newhall Ranch Specific Plan ("Specific Plan") approved by the Board of Supervisors in 2003.

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Area Plan") to amend the Master Plan of Highways and Circulation Plan to eliminate "A" Street/Wojcott Road as a secondary highway, and amendment to the Specific Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks). The applicant also requests a determination of substantial conformance to the development regulations and implementation procedures of the Specific Plan related to shared parking, street widths, front yard setbacks and hillside resources.

The project site is located north of the Santa Clara River, south of SR-126, east of the Ventura County boundary, and west of Interstate 5 Freeway within the Specific Plan and in the Newhall Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:

January 31, 2007 Public Hearing

A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Valadez, Bellamy, Rew, Helsley and Modugno were present. After opening the public hearing, the Regional Planning Commission heard the staff report, received testimony from the applicant and public testimony with concerns or in opposition to the project, the public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was

continued to February 28, 2007, and the public comment period for the EIR was extended to February 20, 2007 (total 90-day public comment period). An initial list of comments on the project was also provided by the Commission for the applicant to respond at the continued public hearing to include the following items: potential incorporation of wireless technology within the project, interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society.

February 28, 2007 Continued Public Hearing

At the February 28, 2007 continued public hearing, Commissioners Valadez, Bellamy, Rew, and Modugno were present; Commissioner Helsley was absent. The applicant's provided rebuttal to issues and concerns raised by members of the public and responded to the items raised by the Commission at the January 31, 2007. Additional testimony was also taken from members of the public and various agencies regarding the project. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

At the conclusion of testimony and discussion, the Commission discussed various issues presented at the public hearing and voted (4-0) to closed the public hearing, directed staff to prepare the Final Environmental Impact Report and prepare findings and conditions for consideration, directed the applicant to including the additional items raised by Commission, resubmit the tentative tract map for review by the Subdivision Committee to address the necessary technical corrections to accommodated the necessary changes reflecting Commission instruction.

Findings

1. Conditions Use Permit No. 2005-01121-(5) is a request pursuant to Section 22.56.210 of the Los Angeles County Code to authorize off-site project grading, and off-site utilities, including water tanks and transport of graded materials, in association with the Landmark Village.
2. Approximately 7.3 million cubic yards of grading will take place at the Adobe Canyon borrow site. The Landmark Village project requires the import of approximately 5.4 million cubic yard of earth from the Adobe Canyon borrow site to the Landmark subdivision site and the balance will be export for the

off-site utilities. Adobe Canyon is located approximately 4,000 feet south of SR-126, which is south of Landmark Village, south of the Santa Clara River, and east of the planned future Long Canyon Road. This is proposed to raise the boundary to avoid flooding issues with proximity to the Santa Clara River, and would use two haul routes on an existing agricultural crossing. This would required an adjustment to the County Floodway Boundary is needed to account for changes to the floodplain boundary resulting from the proposed project's flood protection improvements.

3. Grading will be required for utility installation involves earthwork such as excavation of trenches and stockpiling of soils. Earthwork volume estimates for installation of the utilities along SR126 utility corridor to the Newhall Ranch Water Reclamation Plan (WRP) to the west and the Valencia District WRP to the east is approximately 2.1 million cubic yards to be imported from the Adobe borrow site.
4. The Chiquito Canyon grading site located north of SR-126 will also require grading and will occur concurrently with the grading required for the widening of SR-126. The grading for the debris basins and water storage tanks in Chiquito Canyon and the widening of SR-126 combined will involve 1,019,000 cubic yards of raw cut. The net volume (after shrinkage) of 866,000 cubic yards will be placed as fill in accordance with County Ordinance requirements in three designated locations as indicated on the exhibit.
5. Off-site grading will also occur within the Santa Clara River, as part of the project's mitigation and habitat restoration. The removal of dirt will create a new edge of the river and occur concurrently with the bank stabilization efforts.
6. Conditional Use Permit No. 2005-01121-(5) was heard concurrently with Conditional Use Permit No. 00-196, Oak Tree Permit No. 00-196, General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196. The approval of this grant will not become effective until the Board of Supervisors has approved the general plan/local plan/specific plan amendment.
7. The total project, including offsite grading sites, is approximately 1,044 gross acres in size (including the utility corridor, Chiquito Canyon and Adobe Canyon grading sites). The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types, including upland scrub habitat and sensitive riparian habitat. The project boundary also includes coastal sage chaparral scrub, live oak woodland, southern cottonwood willow riparian habitat, and wildlife habitat including horned lizards, sparrows, blackbirds, kites, hawks and plovers, jackrabbits,

woodrats and mountain lion. The Santa Clara River, which within and south of the subdivision boundary, is also an SEA/SMA.

8. The current SP zoning on the subject property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Change Case No. 94-087-(5). The zone change was associated with the Specific Plan. The Specific Plan was adopted by the Los Angeles County Board of Supervisors ("Board") on May 27, 2003, along with a general and local (sub-plan) amendments, a conditional use permit and a tentative parcel map. The Specific Plan authorized the development of the approximately 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development (including 4,101 of the 20,885 units approved); 67 acres of commercial uses; 249 acres of business park land use; 37 acres of visitor-serving uses; 1,010 acres of open-area (including 141 acres of community parks and 869 acres of other open areas); 5,159 areas within SMAs; 50 acres within 10 neighborhood parks; a 15-acre lake; public trail system; 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five elementary schools, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated community facilities, such as roads and bridges.
9. Conditional Use Permit No. 94-087 was approved by the Board that authorized Specific Plan development within the SEA boundary, including bridge crossings, trails, bank stabilization, and other improvements. As part of the Board of Supervisors' project approvals for the Specific Plan, adjustments was made to the existing boundary of Significant Ecological Area (SEA) 23, consistent with General Plan policies requiring protection of natural resources within SEAs, Specific Plan development within the SEA boundary, including bridge crossings (e.g., Long Canyon Road Bridge), trails, bank stabilization, and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundary.
10. The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The Santa Clara River is also a major Open Area feature within Riverwood.
11. The surrounding properties are zoned as follows:

North: Specific Plan, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing);

East: Specific Plan, A-2-5, M-1-½, P-R (Parking Restricted) and C-R (Commercial-Recreation);
South: Specific Plan; and
West: Specific Plan

12. The subject property is used for agricultural activity and related storage, and consists of four parcels from the previously approved Newhall Ranch Tentative Parcel Map No. 24500).
13. Surrounding land uses consist of the following uses:
 - North: SR-126, vacant property, scattered single-family residences, Chiquita Canyon Landfill and business parks;
 - East: Castaic Creek, RV park, and further east light industrial uses, agricultural land and Valencia WRP;
 - South: Santa Clara River and vacant land; and
 - West: Vacant property and agricultural land.
14. A range of housing types is provided in various clusters within Landmark Village. Traditional single-family lots (i.e. one home on each lot) are clustered in three areas along the southern portion of the subdivision: to the west, across from the proposed elementary school, and to the east. These lots have been designed for garage access from the front, and by alley from the back; and range in size from minimum 3,200 square feet to 6,000 square feet. Multi-family housing is also proposed both as for-lease apartments and for-sale condominiums, and generally in the northern portions of the subdivision and conceptual designs for site layout are depicted on the exhibit maps. Apartments, including 152 senior affordable rental units, are proposed in the western portion, just east of the office and retail center identified in the Specific Plan as the Village Center. A total of 1,444 dwelling units are provided within the residential lots (308 single-family units and 1,136 multi-family units).
15. The Village Center is located east and west of Long Canyon Road on the western portion of the project. Retail and office are anticipated, with an approximate maximum of 1,033,000 square feet of office and retail space.
16. Two park sites (one public and one private) are depicted within the project site, an elementary school site and fire station are also proposed. Actual site designs for the school and fire station are to be determined at a later stage. A minimum of 45 open space lots are provided, with 25 lots for open space and 20 lots for open space and utility purposes. These open space lots are depicted along the northern and southern boundaries of the project, adjacent to SR-126 and the Santa Clara River.

17. Access to the development will be served by Long Canyon Road and Wolcott Road. Both Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the internal main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. SR-126 is expected to be grade-separated (higher) than Long Canyon Road in the future, with the future interchange depicted as five northbound lanes (one left turn dedicated to SR-126, two for thru traffic under SR-126, and two for right turn traffic). Long Canyon Road also spans over the Santa Clara River as an 100-foot wide bridge to be constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way consisting of four travel lanes, a six-foot parkway and six-foot sidewalk on each side, and a 14-foot wide planter in the center. Wolcott Road is also depicted with a future interchange with SR-126.
18. "A" Street is depicted as a collector street with a 110-foot wide right-of-way, with varying widths of improvements. At its widest improvements, which is from Long Canyon Road to 200 feet east of Long Canyon Road, seven travel lanes are provided with bike lane on one side, and four feet of parkway and six feet of sidewalk on both sides; no on-street parking would be provided. At its narrowest, two travel lanes with center lane is provided, along with bike lanes on each side, 10-foot-parkway and six-foot sidewalk on one side, and 24 foot-wide swale and eight-foot trail provided on the other side. Private driveway lots are also proposed within the development, providing internal access in single-family and multi-family neighborhoods between the Village Center and the park/school, with widths ranging from 34 feet to 110 feet wide.
19. The Specific Plan locates the Landmark Village subdivision within its Riverwood Village, and identifies land uses within each Village with associated acreage, density and/or nonresidential square footage. The Specific Plan also includes exhibits for trails, circulation, resource management, drainage and water quality, water and sewer as well as its land use plan. The applicant has demonstrated the project's consistency with the provisions, goals and objectives within the Specific Plan.
20. The Specific Plan also requires affordable housing, with a total of 2,200 affordable units through the Specific Plan area (Specific Plan Section 3.10). Landmark Village proposes 301 affordable units: 161 for-sale homes for moderate income households, and 140 for-rent units for very low families.
21. Traffic studies were performed to indicate that the expected traffic volume can be accommodated with the proposed project circulation system as design. The circulation system includes features such as bike lanes and

trails along both sides of the street, roundabouts, curb extensions and rear or alley access intended to reduce design speed, eliminate cul-de-sacs, introduce traffic-calming features, reduced street widths to enhance pedestrian mobility.

22. The Master Plan of Trails within the Specific Plan is general in nature, and detailed trail locations are identified on the subdivision tentative map. These include walkways and parkways along streets, paseos, community trails and the regional river trail, in a hierarchy of trail sizes and functionality. Access points are also identified from the project to the regional river trail system as well as locations for observation and interpretive nature points. The regional river trail system is depicted in greater detail within the project site, and depict both an eight-foot wide County trail outside the subdivision boundary but on top of the bank stabilization, and a 16-foot wide riding and hiking trail that will also serve as the Los Angeles County Flood Control access road, and will be maintained by a Landscape Maintenance District ("LMD"). An interpretive trail is also depicted through private Recreation Lot No. 337 with a lookout point and interpretive nature station.
23. The Specific Plan Master Drainage Plan has been updated to reflect innovative methodologies to meet NPDES (National Pollutant Discharge Elimination System) requirements, and reflects a comprehensive system of flood control and desilting basins to maintain water quality standards. Open space that also double as open facility basins, are located adjacent to the subdivision boundary and the Santa Clara River to the south, as well as along SR-126 to the north. Additional water quality features such as grass swales and depressed roundabouts, provide additional area for water retention.
24. The Master Water Plan was designed in the Specific Plan for this portion with water main and reclaimed water lines along "A" Street. The Potable and Reclaimed Water Plan includes infrastructure lines to serve this development. A 2.7 million gallon water tank that is depicted on the Master Water Plan, is depicted within the Chiquito Canyon area. Water tanks are being proposed north of Landmark at Chiquito Canyon within the Valencia Commerce Center, and Round Mountain.
25. The Master Sewer Plan also depicts sewer infrastructure anticipated, with the sewer line system connecting to the Newhall WRP. A detailed Sewer Plan was prepared for this project that provides further refinement to the location of sewer main lines. Sewer service and connections is also proposed by two methods. Connection lines are proposed to extend east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Landmark requires connection. Eventual connection for the Landmark Village development will be Newhall WRP,

which is located further west. Connections for Landmark are shown with both options.

26. The River Corridor allows for certain uses, with mitigation required as stated in Section 2.6-2 of the Specific Plan. These mitigation requirements include restoration as well as enhancement, and establish requirements for management of this area. Access to the SMA through hiking, equestrian and biking trails is permitted as limited to the trail system itself. Adequate transition areas are provided by this development lies to the Santa Clara River. These include provision of a trail between the River Corridor and the development, ungrouted rock or buried bank stabilization where required to protect development areas, and minimum 100-foot buffers adjacent to the Santa Clara River.
27. The Commission has determine that Landmark Village is on substantial conformance with the criteria contained in the Specific Plan for shared parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.
28. The applicant requests that reciprocal, offsite parking be included within the Joint Use or Shared Parking Plan option provided in the Specific Plan, with same requirements for making findings at such time when the uses are determined and actual parking requirements calculated.
29. The applicant has also requested a determination of substantial conformance for alternative street sections to reflect the intent of the development to be neotraditional, where emphasis is on pedestrian traffic as opposed to automobile traffic. Features in these alternative street sections include traffic calming devices, like chokers, curb extensions, roundabouts, etc. Such features have been much discussed with Public Works and the Los Angeles County Fire Department ("Fire Department") as well as Regional Planning to ensure that traffic capacity and life/safety issues are still addressed with these alternative street features. These are proposed on "A" Street and internal streets.
30. Within the development regulations of the Specific Plan, setbacks for the garage face are provided at 18 feet. The intent is for cars that are parked in the driveway, not block the sidewalk or travel lanes of the street. However, the Specific Plan did not provide in much detail, front yard setbacks for homes where the garage is oriented for a side entrance, or located in the rear of the lot for alley entrance. In these cases, the applicant has requested that a determination of substantial conformance be made that in these cases, a minimum front yard setback of 10 feet be maintained since driveways will be such that cars parked will not block the street as the intent of the 18-foot setback.

31. In approving this development, the Commission consider the following findings regarding development within an SEA:

- a. The proposed development would be consistent with the adopted General Plan and Area Plan for the Newhall Ranch Specific Plan site. The development such as bridge crossing, trails, bank stabilization, utilities, wells, mitigations sites, transport of grading materials within the SEA 23 boundary will be compatible with the existing biotic resources present, particularly when taking into account major factors influencing the realization of applicable General Plan objectives, including competing priorities between resource preservation and other General Plan policies and objectives;
- b. The development was designed to be highly compatible with biotic resources present in the existing SEA 23, including the setting aside of appropriate and sufficient undisturbed areas;
- c. The development was designed to maintain waterbodies, watercourses, and their tributaries in a natural state within the existing SEA 23;
- d. The development was designed so that wildlife movement corridors are left in a natural and undisturbed state within the existing SEA 23;
- e. The development retained sufficient natural vegetative cover and/or open spaces to buffer critical resources within the existing SEA 23 from the proposed development; and
- f. The development provided fences or walls where necessary to buffer important habitat within the existing SEA 23 from proposed development.

32. The Commission also determine the request as proposed is consistent with previously approved SEA CUP No. 94-087-(5), the Landmark Village project bank stabilization is consistent with the following 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. These objectives are as follows:

- a. The flood corridor must allow for the passage of Los Angeles County Capital Flood flows without the permanent removal of natural vegetation (except at bridge crossings);
- b. The bank of the river will generally be outside of the "waters of the United States" as defined by federal laws and regulations, and as

determined by the delineation completed by the United States Army Corps of Engineers ("Corps") in August 1993;

- c. Where the Corps delineation width is insufficient to contain the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow without the necessity of permanently removing vegetation or significantly increasing velocity;
 - d. Where development is proposed within the existing Los Angeles County 50-year Capital Floodplain, the land where development is to occur will be elevated in conformance with Los Angeles County policies to remove it from the Floodplain; and
 - e. Bank stabilization will occur only where necessary to protect against erosion.
33. The proposed project includes community facilities such as schools, parks, utilities and fire station, which can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of Newhall Ranch Specific Plan, Area Plan, and General Plan.
34. The Landmark Village site is physically suitable for the type of development being proposed, since the project site is relatively level; has access to a County-maintained street; shall be served by public sewers; shall be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and shall have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works. Utilities planned to serve the Landmark Village project include water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics and reclaimed water lines. Much of the utility corridor within the project site is not located within the River Corridor SMA/SEA 23, however, its off-site connections will run through parts of the River Corridor SMA/SEA 23, which is consistent with the approved Newhall Ranch Specific Plan.
35. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the recommended conditions of approval.
36. Notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesy mailing list for projects in the Newhall and Castaic Canyon Zoned

Districts. The public hearing notice was published in The Signal and La Opinion on November 20, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon County Jo Anne Darcy Library beginning November 20, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions, were received at the Newhall Library on December 29, 2006. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property along SR-126 on December 29, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

37. The applicant has also presented the project on several occasions to the Castaic Area Town Council. Comments have not yet been received from the Castaic Area Town Council regarding the project.
38. Correspondence from interested parties, environmental organizations, and responsible agencies was received in regard to the project. Many comments requested additional time to review the large volume of material associated with the EIR. The EIR comment period was extended for a total of ninety (90) days from November 20, 2006 to February 20, 2007.
39. Comments and recommendations from County departments and other agencies consulted during the environmental review process include the California Department of Fish and Game, Regional Water Quality Control Board, Native American Heritage Commission, California Highway Patrol, California Department of Transportation, Southern California Association of Governments, as well as City of Santa Clarita, County of Ventura, and United Water Conservation District. Other agencies that have provided correspondence include, among others, the Castaic Lake Water Agency, Audubon California, Sierra Club, California Water Network, Santa Clarita Organization for Planning and the Environment, Piru Neighborhood Council and Friends of the Santa Clara River. During the public hearing, much of the public testimony reiterated comments received in written correspondence on the Landmark Village Draft EIR.

During the public hearings, the applicant was requested to provide additional information on the following: potential incorporation of wireless technology within the project, elementary school site plan, community sustainability and smart growth, ownership and maintenance of the passive park, potential revisions to elementary school and public community park design, waste-to-energy facilities, concerns raised by the Native American Tataviam Band, trailhead and trail connections, cul-de-sacs along the project's western edge, setbacks from riparian areas, comments regarding studies from the Nature Conservancy, status of perchlorate clean-up, United Water Conservation District comments, and comments from the Audubon Society. The following responses have been provided:

- It has been determined that high-speed wireless technology (WiFi or its future equivalent) can be incorporated into commercial, mixed-use, and public areas.
- Discussions were held with the Castaic School District and the Los Angeles County Parks Department, which resulted in a proposed school plan depicting a nine-acre site more centrally located and now surrounded on three sides by the community park. The revised design provides additional buffer from the elementary school to SR-126.
- The passive portion of the Community Park will be maintained by a homeowners' association, but will be open to the public.
- Discussions with the Sanitation Districts of Los Angeles County determined that waste-to-energy facilities are no longer considered to be feasible due to permitting and regulatory requirements.
- The trailhead location will generally be located west of Long Canyon Road in a final location to be determined based on discussions with Parks and Recreation.
- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians and their concerns have been resolved.
- A 100 foot setback is provided from the Santa Clara River, as required by the adopted Newhall Ranch Specific Plan.
- The Castaic Lake Water Agency and local water purveyors are proceeding with a containment and action plan to address perchlorate contamination in portions of the Saugus and Alluvium aquifers.
- The United Water Conservation District provided comments that the EIR complies with the terms of the settlement agreement.
- Additional wintering surveys have been completed for birds cited by Audubon and those surveys are included in the Landmark Village Final EIR. Those surveys do not change the conclusions of the Final EIR. Finally, prior to site disturbance, nesting studies will be undertaken.
- The applicant has prepared a Sustainability Summary, which incorporates sustainability measures into the Landmark Village project.

40. A program-level EIR was certified with the adoption of the Newhall Ranch Specific Plan, which found that there would be significant unavoidable impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. A Statement of Overriding Considerations was adopted by the Board, which concluded that there were significant overriding benefits with approval of the project. Public benefits include preservation of nearly 1,000 acres of the Santa Clara River, 4,200 acres of the High Country SMA/SEA 20, 1,517 acres of the Salt Creek area and other Open Areas; preservation of the River Corridor SMA/SEA 23 to retain significant riparian vegetation and habitat; over 50 miles of trails included the Santa Clara River Trail; and provisions for improved parks, schools, fire stations and 2,200 affordable homes.
41. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and State and County Guidelines related thereto. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report (EIR) would be required. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: **Aesthetic/Visual Quality, Agricultural Resources, Biota, Noise, Solid Waste Disposal, Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources.**
42. In accordance with state CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines, an EIR was prepared for the project. Identified potential impacts analyzed in the EIR found to be less than significant with project mitigation, include: **Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources.** The Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in:

Biota
Aesthetic/Visual Quality
Noise
Agricultural Resources
Solid Waste Disposal

Of these impacts which cannot be mitigated to less than significant, noise is the only category that was not previously identified and included in the Statement of Overriding Considerations adopted as part of the adopted Newhall Ranch Specific Plan Program EIR.

43. A Final EIR for the Landmark Village project has been prepared in compliance with CEQA (Public Resources Code section 21000 *et seq.*), the state CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Landmark Village Final EIR consists of the Draft EIR, the technical appendices to the Draft and Final EIR, the responses to comments, and revised Draft EIR pages.
44. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Final EIR has been prepared. The Mitigation Monitoring Plan identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project is ensured, and its requirements have been incorporated into the conditions of approval for this project.
45. Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Plan, are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.
46. The Commission finds substantial benefits resulting from the implementation of the project outweigh its avoidable effects on biota, visual quality, noise, agricultural resources and solid waste disposal.
47. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials is the Section Head of the Major Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;
- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or

welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;

- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private facilities as are required;
- E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;
- F. The development has provided adequate vehicular access, parking and loading so as to prevent undue traffic congestion on local streets and highways;
- G. That the proposed use with the attached conditions and restrictions will be consistent with the Newhall Ranch Specific Plan;
- H. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- I. That the proposed site is adequate in size and shape to accommodate the development features to occur within the River Corridor SMA/SEA 23 in order to integrate said use with the uses in the surrounding area;
- J. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private facilities as are required; and,
- K. That the proposed project and the provisions for its design and improvement are consistent with the density, goals and policies of the General Plan and Newhall Ranch Specific Plan, including SEAs, in that:

- i.. The requested development is designed to be highly compatible with the biotic resources present including the setting side of appropriate and sufficient undisturbed areas;
- ii. The requested development is designed to maintain water bodies, watercourses and their tributaries in a natural state;
- iii. The requested development is designed so that wildlife movement corridors are left in an undisturbed and natural state;
- iv. The requested development retains sufficient natural vegetative cover and/or open space to buffer critical resource areas for said requested development is compatible with the natural biotic, cultural, scenic, and open-space resources of the area;
- v. Where necessary, fences or walls are provided to buffer important habitat areas from development;
- vi. Roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths; and
- vii. The approval of the proposed development within the River Corridor SMA/SEA 23, to include project-related improvements, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance, the General Plan, and Newhall Ranch Specific Plan.

AND THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.040 and 22.56.210, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report and subject to the Board's final action, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission and determines that that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal,

technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference;

2. Approves and adopts the Mitigation Monitoring Program for the proposed project incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation; and
3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 2005-01121-(5) is approved with the attached conditions subject to the Board's final action.

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

**CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 2005-00112-(5)
(OFF-SITE GRADING, WATER TANKS, UTILITIES CORRIDOR)**

Draft Conditions

For Information Only

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific and the permittee is required to comply with its provisions and standards.
2. This grant authorizes the use of the subject property for the associated project grading for Landmark Village consisting of 1,444 residential units, 1,033,000 square feet of non-residential development; 73 acres of open space; an approximately 16-acre active/passive community park; approximately 5 acres of private recreational facilities; trail system; elementary school; and fire station. This permit also authorizes on-site and off-site project-related infrastructure in order to support the proposed Landmark Village project, including domestic and reclaimed water systems; water tanks; utilities (including sanitary sewers, cable, gas and fiber optics), located in the designated utility corridor; private driveways; and public streets. This grant ensures the project is consistent with provisions for development within a Significant Ecological Area (SEA) and authorizes the grading for, and construction of, off-site project-related infrastructure. **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.
3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.
4. This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the Office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 41, below, and until all required monies have been paid pursuant to Condition Nos. 42 and 44, below.
5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if it 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 so as to be a nuisance.
7. 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 notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000.00 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 reach 80 percent of the amount of 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; and
 - (b) At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map 53108 should expire without recordation of a final map, this grant shall terminate upon the expiration of the tentative

map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.

10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on the **Exhibit A**, subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.
11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director.
12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.
13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 53108, and Oak Tree Permit No. 00-196-(5).
14. All utilities shall be placed underground to the satisfaction of the Department of Public Works.
15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.
17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise

protected in a manner that will minimize noise inconvenience to adjacent residences.

18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Department of Public Works.
19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.
20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.
21. Phased grading has been requested and approved. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of the Department of Public Works.
22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.
23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.
24. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.
25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.
29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.
30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.
31. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of the Department of Public Works.
32. During construction, all large size truck trips shall be limited to off-peak commute periods.
33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or materials, which requires the use of over-size transport vehicles on State highways.

34. The applicant shall provide approximately 73 acres of open space within the Vesting Tentative Tract Map No. 53108.
35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and industrial buildings completed, the dates of dedication or completion for all required infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deemed necessary by the Director.
36. No additional grading or development shall be permitted beyond that depicted on the approved Exhibit A or a revised Exhibit A approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

41. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion of the subject property during the term of this grant, 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.
42. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the site plan on file. The fund provides for 10 annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the

amount equal to the recovery cost at the time payment is due (currently \$150.00 per inspection).

43. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.
44. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of \$2,500.00 payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.
45. Record a covenant with the County agreeing to comply with the approved environmental mitigation measures.
46. Upon completion of the appeal period, the permittee shall deposit the sum of \$3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented as reported in the required Mitigation Monitoring Report.

The mitigation measures set forth in the Mitigation Monitoring Plan in the EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring reports to the Department of Regional Planning as frequently as may be required by the department.

47. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains,

fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

48. As a means of ensuring the compliance with the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002), the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval prior to the issuance of any grading permits.
49. 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. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:
 - (a) comply with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan and Section 22.56.210 of the County Code; and
 - (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.
50. 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 onsite infrastructure and other features as deem necessary by the Director.
51. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the approved mitigation measures to the satisfaction and approval of the Department of Public Works.

Prior to Recordation of a Final Map

52. As a means of ensuring the effectiveness of the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) mitigation monitoring shall be submitted to the Director of Planning (Director) for approval prior to the recordation of a final map.

Prior to Issuance of a Building Permit

53. Prior to the issuance of any building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed construction:
- (a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and
 - (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.
54. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, transport route, preservation of natural features, landscaping of altered open space and graded slopes, and other features as deem necessary by the Director.
55. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of the Department of Public Works.