



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

November 19, 2008

Bruce W. McClendon FAICP
Director of Planning

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**PROJECT NO. 53656-(5)
ZONE CHANGE CASE NO. 2008-00004-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
VESTING TENTATIVE TRACT MAP NO. 53653
PETITIONER: DR HORTON
ADDRESS: 31238 Via Colinas, Suite F
Westlake Village, CA 91362
NEWHALL ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)**

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Consider the Final Environmental Impact Report ("EIR") and Findings of Fact and Statement of Overriding Considerations ("SOC") for Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit ("CUP") Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5), together with any comments received during the public review process, find on the basis of the whole record before the Board that there is substantial evidence the project will have a significant effect on the environment, find that there are overriding considerations that warrant approval of the project, find that the Final EIR reflects the independent judgment and analysis of the Board, and adopt the Final EIR and Statement of Overriding Considerations with Mitigation Monitoring Program.
2. Instruct County Counsel to prepare the necessary documents to approve Zone Change Case No. 2008-00004-(5), as recommended by the Los Angeles County Regional Planning Commission ("Commission").
3. Instruct County Counsel to prepare the necessary findings to affirm the Commission's approval of Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5).

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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

- Update the zoning on the subject property to allow the property owner to develop the property with multi-family condominium residences that are compatible with the existing surrounding uses and allow housing to be located closer to existing services, facilities, infrastructure and employment.

Implementation of Strategic Plan Goals

The proposed project promotes the following Strategic Plan Goals by the Findings of Fact and Statements of Overriding Considerations.

Community Services

- 11.1 The project will develop a high-quality mix of residential components, including single-family residences and needed senior housing, with a focus on natural open space conservation and orderly development of the Project site.
- 11.5 The project will improve public safety in the region by dedicating a site for the construction of a new County Fire Station.
- 11.6 The project will provide opportunities for local and regional recreation through the dedication of open space, public trail enhancement and recreational facilities.
- 11.9 The project will encourage development of convenient services to meet the needs of the Santa Clarita Valley including health; education; welfare; police and fire protection; governmental operations; recreation and cultural facilities; and public utilities.

Public Safety

- 11.12 The project will remove, and thereafter control, the trash, debris, abandoned cars and other refuse that is currently strewn about the Project site, as a result of unlawful dumping and trespassing.
- 11.13 The project will result in a net beneficial improvement over existing flood conditions for existing nearby residents by reducing the amount of storm water that currently passes through the project site.

Service Excellence

In addition, this project was expedited due to the senior project component.

FISCAL IMPACT/FINANCING

Adoption of the proposed zone change, as well as approval of the vesting tentative tract map,

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conditional use permit, oak tree permit, and housing permit, should not result in any new significant costs to the County, as the owner is bearing the full costs of new development and construction. No request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On November 15, 2006, the Commission conducted a public hearing on Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5).

The requests before the Commission were: a vesting tentative tract map to create a total of 106 lots, including 92 single-family residential lots, one multi-family lot with 93 attached condominiums in two buildings, five open space lots, six public facility lots, one park and one fire station lot on 234.8 gross acres; a CUP to ensure compliance with the requirements of hillside management, density-controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading; an oak tree permit to authorize the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks); and a housing permit to authorize a density bonus up to 50 percent for the senior citizen housing development.

The Commission closed the public hearing, indicated intent to approve and directed applicant resolve out offsite access.

On May 7, 2008 the Commission discussed and re-opened the public hearing to consider the zone change and amend the CUP request. Public hearings on June 18, 2008, July 9, 2008, July 30, 2008 and August 20, 2008 were held to consider the project with a zone change to change the zoning of 9.3 acres of the 234.78 acres, over the multi-family Lot No. 97, from A-2-1 (Heavy Agriculture-One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture-Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial-Development Program); and the CUP request include required for the Development Program and residential use in a Commercial Zone.

The Commission voted 4-0 (Helsley abstained) at its August 20, 2008 meeting to close the public hearing; Certify the Final EIR and Statement of Overriding Considerations; adopt the Mitigation Monitoring Program; approve the vesting tentative map, CUP, oak tree permit and housing permit; and recommend to the Board the adoption of the zone change.

Pursuant to subsection C of Section 21.56.010 and subsection B.2 of Section 22.60.230 of the Los Angeles County Code ("County Code"), the vesting tentative tract map, the conditional use permit, oak tree permit, and housing permit are deemed to be called for review/appealed by your Board and shall be considered concurrently with the recommended zone change. A public hearing is required pursuant to Sections 22.16.200 and 22.60.240 of the County Code and Sections 65856 and 66452.5 of the

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Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090 and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for this project in compliance with the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et.seq.), the State CEQA Guidelines, and the environmental document reporting procedures and guidelines of the County of Los Angeles. In accordance with State and County Environmental Quality guidelines, a Draft and Final Environmental Impact Report ("EIR") was prepared for the project. The EIR concludes that certain impacts cannot be mitigated to less than significant, which include: Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste. The Findings of Fact and Statement of Overriding Considerations have been prepared in response to Final EIR comments regarding the seven factors that cannot be mitigated to less than significant. A Mitigation Monitoring Plan ("MMP") was also prepared to mitigate other potentially significant impacts to less than significant.

IMPACT ON CURRENT SERVICES OR PROJECTS

Action on the proposed zone change, vesting tentative tract map, conditional use permit, oak tree permit, and housing permit is anticipated to have a negative impact on Sheriff and Solid Waste services as they cannot be mitigated to less than significant.

Other mitigation measures which address impact on current services include:

Water and Wastewater

WW1 The Los Angeles County Sanitation Districts and/or the City of Santa Clarita Public Works Department shall review and approve both the points of connection and quantification of the available capacity in the affected portions of the sewer system serving any project proposed within the SCVSD service area boundary.

Schools/Education

SE1 Project participation in mitigation agreement with the Newhall District fully mitigates project specific impacts on this district. This agreement would provide full funding of the costs to construct new facilities necessary to house the additional students generated by the project.

Fire Services

FS7 The project shall comply with the Los Angeles County Fire Department Development standards with respect to access roadways, building orientation, brush clearance and fire flows.

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Sheriff Services

SS1 During construction, private security patrols shall be utilized to protect the project site.

Solid Waste

SW1 The project applicant/individual project applications shall adhere to all source reduction programs for the disposal of construction materials and solid waste, as required by the County of Los Angeles. Prior to issuance of building permits, a source reduction program shall be prepared and submitted to the Director of Public Works for each future structure constructed on the subject properties to achieve a minimum 50 percent reduction in waste disposal rates, including green waste.

SW2 Project will provide recycling/separation areas in close proximity to dumpsters for non-recyclables, elevators, loading docks, and primary internal and external access points.

Library Services

LIB1 The project applicant shall pay the standard Los Angeles County Library mitigation fee of \$665 per dwelling unit, or other amount determined to be appropriate by the County of Los Angeles Public Library.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP, Director of Planning

Sorin Alexanian, Acting Deputy Director
Current Planning Division

SA:SMT:acb

Attachments: Commission Resolution, Findings and Conditions; Commission Staff Reports and Correspondence; Vesting Tentative Tract Map, Exhibit "A"; EIR and Mitigation Monitoring Program

c: Chief Executive Officer
County Counsel
Assessor
Director, Department of Public Works
Director, Department of Regional Planning

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County Counsel
Assessor
Director, Department of Public Works
Director, Department of Regional Planning

SUMMARY OF PROCEEDINGS

LOS ANGELES COUNTY REGIONAL PLANNING COMMISSION

**PROJECT NO. 53656-(5)
ZONE CHANGE CASE NO. 2008-00004-(5)
CONDITIONAL USE PERMIT NO. 2005-00088-(5)
OAK TREE PERMIT 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
VESTING TENTATIVE TRACT MAP NO. 53653**

The Los Angeles County Regional Planning Commission ("Commission") held public hearings on November 15, 2006, June 18, 2008, July 30, 2008, and August 20, 2008, for Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(1), and Vesting Tentative Tract Map No. 53653. The Commission took its final action on August 20, 2008, approving the project and recommending approval of the zone change. The project proposes to create 106 lots, including 92 single-family residential lots, one multi-family lot with 93 attached condominiums, five open space lots, six public facility lots, one park and one fire station lot on 234.8 gross acres. The project is located approximately 273 feet southwest of Sagecrest Circle, west of I-5 Freeway and The Old Road, between Calgrove Blvd and Sagecrest in the Newhall Zoned District and unincorporated community of Santa Clarita Valley, within the Fifth Supervisorial District.

Notice of public hearing was published in "The Signal" and "La Opinion" newspapers. Additionally, notices were mailed to property owners within a 1,000-foot radius of the subject property as well as those individuals and organizations on the Los Angeles County Department of Regional Planning ("Regional Planning") courtesy mailing lists. Public hearing signs were posted on the subject property. Project materials, including the staff report, tentative map, Exhibit "A" and environmental documentation, were mailed to the Valencia Library located at 23743 W. Valencia Blvd., Santa Clarita, CA 91355-2191. Original project materials are available at Regional Planning, 320 West Temple Street, Room 1382, Los Angeles. Project materials are also posted on the Regional Planning website, <http://planning.lacounty.gov/case.htm>.

November 15, 2006 Public Hearing

Staff presented the project, which included a request for a Conditional Use Permit ("CUP") to ensure compliance with the requirements of hillside management, density-controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading; an Oak Tree Permit originally proposed to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 54 oak trees (including six heritage oaks), and a Housing Permit to authorize a density bonus up to 50 percent for the senior citizen housing development. A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards: Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

Staff's presentation was followed by a presentation by the applicant which included the following:

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- The history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for open space, accessible trails, and private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road.
- Claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while “not interested” in constructing additional roads, the applicant indicated their willingness to maintain access.
- The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations.
- The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. SEA Technical Advisory Committee (“SEATAC”) confirmed that a debris basin is a compatible use with the SEA, and the project was designed to preserve significant natural resources with additional enhancement of habitat. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property.
- Alternative No. 4 of the Draft EIR was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.

Testimony was heard from 8 people. Testifier’s comments included the following:

- Issues raised by two testifiers in support of the project addressed the project’s provision of dirt trails, and offsite access to the southwest.
- Additional issues raised by four testifiers in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project’s significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR’s Alternative No. 4.

The Commission discussed the proposed development and discussed the following issues:

- The project and its impacts to oak trees and the SEA. While the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite

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access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.

- Concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
- Sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

The Commission, after considering all the evidence, closed the public hearing and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners (“Kantor and Speer parties”) to resolve the access issues before final action.

After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:

- Option 1: Through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
- Option 2: Along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
- Option 3: Through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.

Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the

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existing A-2 zone. The zone change application proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

May 7, 2008 Public Meeting

The Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. The Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.

June 18, 2008 Public Hearing

The Commission heard a presentation from staff and as well as testimony from the applicant and the public. Staff noted within their presentation that as the Findings of Factual Statement of Overriding Considerations was not included, no final action could be taken that day.

The applicant within their testimony mentioned a preference for access option no. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.

The Commission discussed the proposed development and discussed the following issues:

- Disclosure to future purchasers of the potential for the project site to contain means of access to future developments should be required. The applicant responded in agreement.
- Concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information regarding being served water will be provided at the next public hearing.
- Concerns regarding the replacement of 1002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
- Offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

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The Commission continued the public hearing to July 9, 2008.

July 9, 2008 Public Hearing

Due to lack of quorum, the July 9, 2008 public hearing was continued to July 30, 2008.

July 30, 2008 Public Hearing

The Commission heard a presentation from staff and as well as testimony from the applicant and the public. The applicant within their testimony mentioned that the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the County Department of Parks and Recreation have an interest in the open space; the SEA within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.

Testimony was heard from five people. Testifier's concerns included the following:

- Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.

The Commission discussed the proposed development and discussed the following issues:

- Concerns regarding projects being graded and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
- Transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the proposed community and public transportation.
- A pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.
- The Findings of Fact and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
- Concerns for the project's water availability and annexation procedure to the Valencia Water Company. Staff from the County Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.

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- Concern regarding the absence of Commissioner Modugno and any issues that may have not been addressed.

After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available.

August 20, 2008 Public Hearing

The Commission heard a presentation from staff and as well as testimony from the applicant and the public.

Staff noted within their presentation that a new Public Works Roads condition and mitigation measure was distributed the day of the hearing, regarding the project's fair share of improvements for the I-5 ramps of Marriot and Pico Canyon.

Testimony was heard from five people, Testifier's concerns included the following:

- Five (5) people testified during the August 20, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: proximity of services for future senior citizens residents of the development; limited road access; disturbance of ecological resources and a Sensitive Ecological Area; removal of oak trees; fire hazards; future public service costs to be endured from fire fighting services; a request for bonding of all conditions by the applicant; and water availability.

The Commission discussed the proposed development and discussed noted the following issues:

- Concern regarding the validity of the water availability letter of the project, two years from the date of the letter, and added a condition to the vesting tentative tract and conditional use permit requiring a current and valid water availability letter at various stages of the development including prior to final map recordation and before issuance of grading permits and building permits.
- Concern regarding restricting the senior citizen housing portion of the development to be one-hundred percent (100%) owner occupied. They mentioned, that there may be instances in where a unit could not be occupied owner occupied due to change life events or change in ownership, and in those instances could temporarily be rented to a qualified occupant who could meet the same applicable federal, state, and local requirements. A condition to the housing permit was added, requiring a minimum of eighty-five percent (85%) of the ninety-three (93) condominium units be owner occupied. In addition, an existing condition was clarified to have the Conditions, Covenants, and Restrictions ("CC&Rs") of the senior citizen housing reflect the minimum owner occupied percentage required.
- This project will not set precedent of future projects developing within SEA or for replacement of Oak Trees.

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- This project was not delayed, since the applicant has returned with corrections requested from the September 6, 2008 public hearing, the project has been heard before the Commission three times within the last three months.

After hearing all testimony, on August 20, 2008 the Commission closed the public hearing; certified the Environmental Impact Report and adopted the Findings of Fact and Statement of Overriding Considerations; adopted the Mitigation Monitoring Program; and approved Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5); and recommended approval of Zone Change Case No. 2008-00004-(5).

Subsequent to the close of public hearing on August 20, 2008, as agreed by the applicant, the applicant was required to:

- Disclose of future access through the subject property to all future home buyers.
- Not restrict future horsekeeping activities on the property.
- Provision of transportation options for the senior development shall be incorporated into the project.

SMT:acb
11/13/08



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

PROJECT NO. TR 53653
VESTING TENTATIVE TRACT MAP NO. 53653
ZONE CHANGE CASE NO. 2008-00004-(5)
CONDITIONAL USE PERMIT NO. 2005-00088-(5)
OAK TREE PERMIT 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM(S)	
PUBLIC HEARING DATES 11-15-2006, 6-18-2008, 7-09-2008, 7-30-2008, 8-20-2008	

APPLICANT DR Horton	OWNER Warner Bros Entertainment Inc.	REPRESENTATIVE The Daily Group
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REQUEST
Vesting Tentative Tract Map: to create 106 lots, including 92 single-family residential lots, 1 multi-family lot with 93 attached condos, 5 open space lots, 6 public facility lots, 1 park and 1 fire station lot on 234.8 gross acres.
Zone Change: to change the zoning on 9.3 acres of the 234.78 acres, over the multi-family Lot No. 94, from A-2-1 (Heavy Agriculture-One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture-Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial Development Program).
Conditional Use Permit: to ensure compliance with the requirements of hillside management, density-controlled development, development within a Significant Ecological Area, and on-site project grading.
Oak Tree Permit: to authorize removal of 162 oaks (including 13 heritage oaks) and encroachment into the protected zone of 52 oaks (including six heritage).
Housing Permit: to authorize a density bonus up to 50 percent for the senior citizen housing development.

LOCATION/ADDRESS Approximately 273 feet southwest of Sagecrest Circle, west of I-5 Freeway and The Old Road between Calgrove Blvd and Sagecrest.		ZONED DISTRICT Newhall	
ACCESS The Old Road		COMMUNITY Santa Clarita Valley	
SIZE 234.8 gross acres		EXISTING ZONING A-2-1, A-2-2, C-3 (Unlimited Commercial)	
EXISTING LAND USE Vacant	SHAPE Irregular	TOPOGRAPHY Slight to steeply sloping	

SURROUNDING LAND USES & ZONING			
North: Single-family residences/RPD-1-1.4U (Residential Planned Development-One Acre Minimum Required Area-1.4 DUs per Net Acre)		East: I-5 Freeway, single-family residences/City of Santa Clarita	
South: Park, vacant property/City of Santa Clarita, A-2-2, R-R (Resort and Recreation)		West: Vacant property/A-2-2	

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Santa Clarita Valley Area Plan	Hillside Management, Non-Urban 2	123 Dwelling Units	Y w/ density bonus

ENVIRONMENTAL STATUS
 Final Environmental Impact Report: Potentially significant impacts include Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste. Findings of Fact and Statement of Overriding Considerations have been prepared in response to Final EIR comments regarding the seven factors that cannot be mitigated to less than significant.

DESCRIPTION OF SITE PLAN
 The tentative map and exhibit "A" depict a residential development with 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,070 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desliting basins, private park and a 12-foot hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The senior multi-family lot also proposes a private recreational building, pool and spa

- KEY ISSUES**
- Seven environmental factors cannot be mitigated to less than significant.
 - Project site provides access through two tap streets to property to the west, and one tap street to property to the east.
 - One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.

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

STAFF CONTACT PERSON ALEJANDRINA C. BALDWIN, LAND DIVISIONS (213) 974-6433		
RPC HEARING DATE (S) 11-15-2006, 6-18-2008, 7-09-2008, 7-30-2008, 8-20-2008	RPC ACTION DATE 8-20-2008	RPC RECOMMENDATION APPROVAL
MEMBERS VOTING AYE MODUGNO, VALADEZ, BELLAMY, REW	MEMBERS VOTING NO NONE	MEMBERS ABSTAINED HELSLEY
STAFF RECOMMENDATION (PRIOR TO HEARING) APPROVAL		
SPEAKERS* (O) 18 (F) 8	PETITIONS (O) 0 (F) 0	LETTERS (O) 5 (F) 40

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 X Paving X Curbs and Gutters X Street Lights
 X Street Trees X Inverted Shoulder X Sidewalks _____ Off Site Paving
- Water Mains and Hydrants
- Drainage Facilities
- Sewer Septic Tanks Other: Underground service and utility lines
- Park Dedication "In-Lieu Fee"

ISSUES AND ANALYSIS

A Conditional Use Permit is required for hillside management, density-controlled development, development within a Significant Ecological Area ("SEA"), onsite project grading, residential use in a commercial zone and compliance with the development program zone. A minimum of 70 percent of the net project site is required as open space; the project provides approximately 167.6 acres (71.4 percent of the gross area). The project is clustered to create lots smaller than the minimum one acre or two acres, depending on the zone.

An Oak Tree Permit is also required to remove 162 oak trees (including 13 heritage oaks), and encroach within the protected zone of 52 oak trees (including six heritage oaks). Typical mitigation is 2:1 for oaks, with 10:1 for heritage trees, totaling a replacement planting of 428 oak trees.

A Housing Permit is required pursuant the density bonus ordinance. A discretionary housing permit has been filed to authorize a senior housing development, with up to 50 percent density bonus with 50 percent senior housing set asides. The Housing Permit was advertised by separate notice within the legal requirements. Medications requested with the housing permit include a maximum building height of 50 feet above the 35-foot maximum.

The project is proposed at a maximum density range with 50 percent senior density bonus for the nonurban hillside project. Project benefits include provision of a fire station location as well as a senior housing component of 93 dwelling units.

The Final EIR analyzes potentially significant impacts of the project and concluded that all can be mitigated to less than significant, except: Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

**A RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
RELATING TO ZONE CHANGE CASE NO. 2008-00004-(5)**

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted a public hearing regarding Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) on November 15, 2006, June 18, 2008, July 9, 2008, July 30, 2008 and August 20, 2008; and

WHEREAS, the Regional Planning Commission ("Commission") finds as follows:

1. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
2. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
3. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
4. Zone Change Case No. 2008-00004-(5) is a request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
5. Zone Change Case No. 2008-00004-(5) was heard concurrently with Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) at the June 18, 2008 public hearing. Zone Change Case No. 2008-00004-(5) was previously not considered during the November 15, 2006 public hearing.

6. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
7. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
8. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
9. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
10. Approval of the vesting tentative tract map, conditional use permit, oak tree permit and housing permit will not become effective unless and until the Los Angeles County Board of Supervisors ("Board of Supervisors") has adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.
11. The applicant's site plan, labeled as "Exhibit A," depicts a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.
12. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185

Resolution

dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs

13. The project site is currently zoned A-2-1, A-2-2 and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP over the senior multi-family Lot No. 94.
14. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
15. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.

19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.
20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat,

insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.

27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed

changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
33. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
34. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
35. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
36. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
37. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a

way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

38. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 9, 2008 and later continued to July 30, 2008 due to lack of quorum.
39. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
40. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
41. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
42. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
43. During the July 30, 2008 public hearing, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
44. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.

Resolution

45. During the July 30, 2008 public hearing, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
46. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
47. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Modugno and any issues that may have not been addressed.
48. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available.
49. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
50. Five (5) people testified during the August 20, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: proximity of services for future senior citizens residents of the development; limited road access; disturbance of ecological resources and a Sensitive Ecological Area; removal of oak trees; fire hazards; future public service costs to be endured from fire fighting services; a request for bonding of all conditions by the applicant; and water availability.
51. During the August 20, 2008 public hearing, staff mentioned a new Public Works Roads condition and mitigation measure distributed the day of the hearing, regarding the project's fair share of improvements for the I-5 ramps of Marriot and Pico Canyon.
52. During the August 20, 2008 public hearing, the Commission expressed concern regarding the validity of the water availability letter of the project, two years from the date of the letter, and added a condition to the vesting tentative tract and conditional use permit requiring a current and valid water availability letter at various stages of the development including prior to final map recordation and before issuance of grading permits and building permits.
53. During the August 20, 2008 public hearing, the Commission expressed concern regarding restricting the senior citizen housing portion of the development to be one-hundred percent (100%) owner occupied. They mentioned, that there may be instances in where a unit could not be occupied owner occupied due to change life

events or change in ownership, and in those instances could temporarily be rented to a qualified occupant who could meet the same applicable federal, state, and local requirements. A condition to the housing permit was added, requiring a minimum of eighty-five percent (85%) of the ninety-three (93) condominium units be owner occupied. In addition, an existing condition was clarified to have the Conditions, Covenants, and Restrictions ("CC&Rs") of the senior citizen housing reflect the minimum owner occupied percentage required.

54. During the August 20, 2008 public hearing, the Commission noted that this project will not set precedent of future projects developing within Sensitive Ecological Areas or for replacement of Oak Trees.
55. During the August 20, 2008 public hearing, the Commission noted that this project was not delayed; since the applicant has returned with corrections requested from the September 6, 2008 public hearing, the project has been heard before the Commission three times within the last three months.
56. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing; certified the Environmental Impact Report and Findings of Fact and Statement of Overriding Considerations; and recommended approval of Vesting Tentative Tract Map No. 53653, Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case NO. 2006-00001-(5).
57. As agreed to by the applicant, the applicant is required to disclose future access through the subject property to all future home buyers.
58. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
59. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
60. The zone change is consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
61. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Forester and Fire Warden, Parks and Recreation, Public Health and Regional Planning.

Resolution

62. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping and other accessory structures, as shown on the site plan and Vesting Tentative Tract Map No. 53653.
63. Compatibility with surrounding land uses will be ensured through the related, subdivision, conditional use permit, oak tree permit, housing permit and environmental conditions.
64. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
65. Modified conditions warrant a revision in the zoning plan as it pertains to the subject property as residential housing is needed for the fast-growing senior population.
66. The subject property is a proper location for the recommended zoning classification in that the recommended zoning classification for the subject property is compatible with adjacent and/or nearby zoning classifications and/or land uses. There is existing C-3 zoning in the areas adjacent to the proposed zone change area, as well as north of the subject property along The Old Road.
67. The adoption of the proposed zoning classification will be in the interest of public health, safety and general welfare, and in conformity with good planning practices in that the proposed zoning classification implement a project that promotes higher-density residential development for seniors in a location near commercially-zoned properties and near local shopping. Transportation options will be provided by the project for the senior condominium residents.
68. Adoption of the proposed zone change will enable the development of the subject property as proposed.
69. The applicant in this case has satisfied the "Burden of Proof" for the requested Zone Change which is needed and appropriate.
70. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq. ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final

EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

71. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
72. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
73. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
74. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
75. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
76. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

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

1. Hold a public hearing to consider the above recommended zone change; and

2. Certify that the Final EIR has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto and reflects the independent judgment of the Board of Supervisors; and
3. Approve the Final EIR prepared for the project and certify that it has reviewed and considered the information contained therein; and
4. Approve and adopt the Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, find that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
5. Find that the proposed change of zone are consistent with the goals, policies and programs of the Santa Clarita Valley Area Plan, a component of the Los Angeles Countywide General Plan; and
6. Adopt Zone Change Case No. 2008-00004-(5) changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

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 August 20, 2008.



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

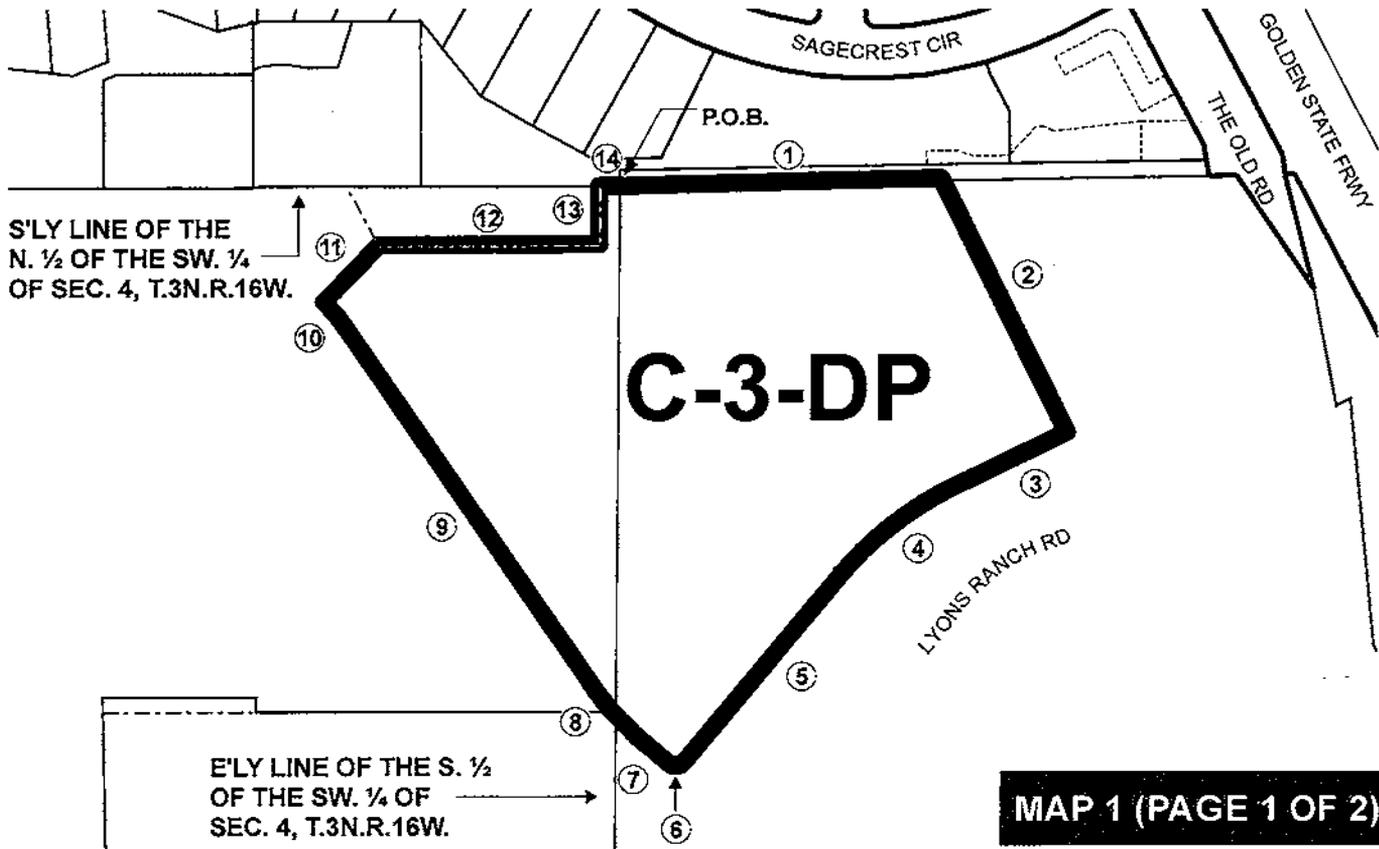
CHANGE OF PRECISE PLAN
NEWHALL ZONED DISTRICT

ADOPTED BY ORDINANCE: _____

ON: _____

ZONING CASE: **ZC 2008-00004 (5)**

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



S'LY LINE OF THE
N. ½ OF THE SW. ¼
OF SEC. 4, T.3N.R.16W.

E'LY LINE OF THE S. ½
OF THE SW. ¼ OF
SEC. 4, T.3N.R.16W.

LEGAL DESCRIPTION:

ALL THAT PORTION OF THE S. ½ OF SEC. 4, T.3N.R.16W., SAN BERNARDINO MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE S'LY LINE OF THE N. ½ OF THE SW. ¼ OF SAID SEC. 4 WITH THE E. LINE OF SAID SW. ¼ OF SAID SEC. 4, SAID INTERSECTION ALSO BEING AT AN ANGLE POINT IN THE S'LY LINE OF LOT 35 OF TR43792 AS PER MAP RECORDED IN BOOK 1071 PAGES 42 THROUGH 48, INCLUSIVE OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG THE N. LINE OF THE SW. ¼ OF THE SE. ¼ OF SAID SEC. 4,

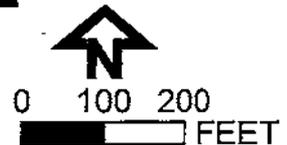
CONTINUE TO PAGE 2 OF MAP 1

DIGITAL DESCRIPTION: VCOZD_NEWHALL

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
HAROLD V. HELSLEY, CHAIR
BRUCE W. McCLENDON, PLANNING DIRECTOR

LEGEND:

-  PARCELS
-  STREET / RIGHT OF WAY
-  LOT LINE
-  CUT/DEED LINE
-  EASEMENT LINE
-  ZONE CHANGE AREA



COUNTY ZONING MAP
246H117

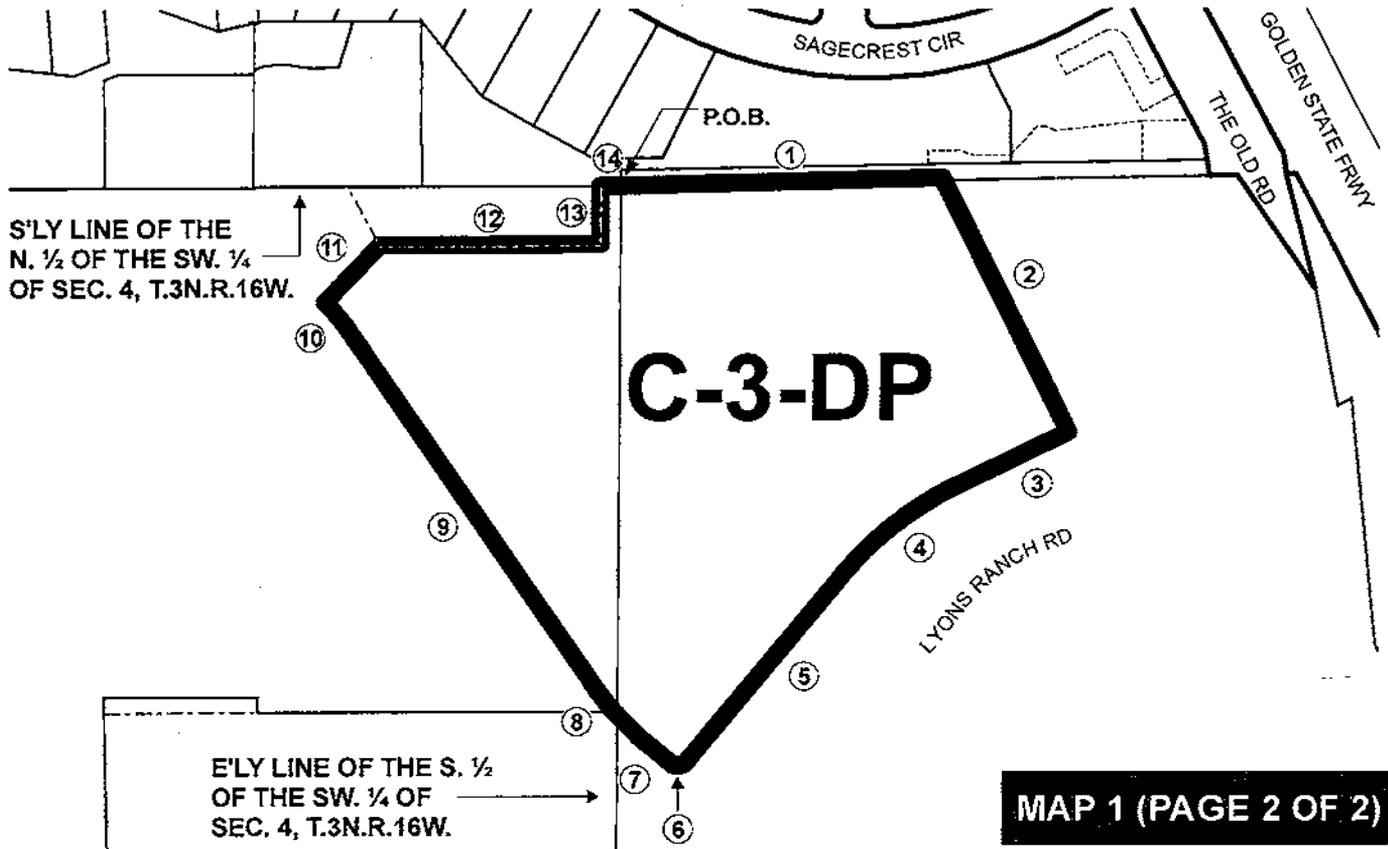
CHANGE OF PRECISE PLAN
NEWHALL ZONED DISTRICT

ADOPTED BY ORDINANCE: _____

ON: _____

ZONING CASE: **ZC 2008-00004 (5)**

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



MAP 1 (PAGE 2 OF 2)

LEGAL DESCRIPTION: CONTINUED FROM PAGE 1 OF MAP 1

- | | |
|--------------------------|---------------------------|
| ①—N.88°48'07"E. 399.90' | ⑨—N.34°28'28"W. 541.88' |
| ②—S.26°07'39"E. 356.62' | ⑩—RADIUS: 230.00' |
| ③—S.63°52'21"W. 153.66' | CENTRAL ANGLE: 11°21'06" |
| ④—RADIUS: 432.00' | ARC DISTANCE: 45.57' |
| CENTRAL ANGLE: 24°19'32" | ⑪—N.44°10'26"E. 99.28' |
| ARC DISTANCE: 183.41' | ⑫—N.89°43'46"E. 275.00' |
| ⑤—S.39°32'49"W. 303.55' | ⑬—N.00°16'14"W. 75.00' TO |
| ⑥—RADIUS: 13.00' | THE S'LY LINE OF THE |
| CENTRAL ANGLE: 90°00'00" | N. 1/2 OF THE SW. 1/4 OF |
| ARC DISTANCE: 20.42' | SAID SEC. 4 |
| ⑦—N.50°27'11"W. 36.30' | ⑭—N.89°43'46"E. 25.21' TO |
| ⑧—RADIUS: 370.00' | THE POINT OF BEGINNING |
| CENTRAL ANGLE: 15°58'43" | |
| ARC DISTANCE: 103.19' | |

DIGITAL DESCRIPTION: VCOZD_NEWHALL

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
HAROLD V. HELSLEY, CHAIR
BRUCE W. McCLENDON, PLANNING DIRECTOR

COUNTY ZONING MAP
246H117

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Conditional Use Permit Case No. 2005-00088-(5) on November 15, 2006, June 18, 2008, July 9, 2008, July 30, 2008 and August 20, 2008. Conditional Use Permit Case No. 2005-00088-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. The applicant, D.R. Horton, is proposing a residential development of 92 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
3. A conditional use permit ("CUP") is required to ensure compliance with the requirements of nonurban hillside management, density-controlled development, development within an SEA, residential use in a commercial zone, and onsite project grading pursuant to Sections 22.24.100, 22.24.150, 22.28.210, 22.56.010, 22.56.205, 22.56.215 of the Los Angeles County Code ("County Code") as well as ensure compliance with the proposed Development Program ("DP") zoning pursuant to Section 22.40.040 of the County Code.
4. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
5. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
6. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
7. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.

Findings

8. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
9. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
10. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
11. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet
14. The Exhibit "A" dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to

Findings

the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces

15. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the

Findings

SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable

Findings

impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.

Findings

27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
- Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot

Findings

No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
33. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
34. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
35. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
36. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
37. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a

Findings

way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

38. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 9, 2008 and later continued to July 30, 2008 due to lack of quorum.
39. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
40. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
41. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
42. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
43. During the July 30, 2008 public hearing, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
44. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.

Findings

45. During the July 30, 2008 public hearing, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
46. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
47. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Modugno and any issues that may have not been addressed.
48. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available.
49. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
50. Five (5) people testified during the August 20, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: proximity of services for future senior citizens residents of the development; limited road access; disturbance of ecological resources and a Sensitive Ecological Area; removal of oak trees; fire hazards; future public service costs to be endured from fire fighting services; a request for bonding of all conditions by the applicant; and water availability.
51. During the August 20, 2008 public hearing, staff mentioned a new Public Works Roads condition and mitigation measure distributed the day of the hearing, regarding the project's fair share of improvements for the I-5 ramps of Marriot and Pico Canyon.
52. During the August 20, 2008 public hearing, the Commission expressed concern regarding the validity of the water availability letter of the project, two years from the date of the letter, and added a condition to the vesting tentative tract and conditional use permit requiring a current and valid water availability letter at various stages of the development including prior to final map recordation and before issuance of grading permits and building permits.
53. During the August 20, 2008 public hearing, the Commission expressed concern regarding restricting the senior citizen housing portion of the development to be one-

Findings

hundred percent (100%) owner occupied. They mentioned, that there may be instances in where a unit could not be occupied owner occupied due to change life events or change in ownership, and in those instances could temporarily be rented to a qualified occupant who could meet the same applicable federal, state, and local requirements. A condition to the housing permit was added, requiring a minimum of eighty-five percent (85%) of the ninety-three (93) condominium units be owner occupied. In addition, an existing condition was clarified to have the Conditions, Covenants, and Restrictions ("CC&Rs") of the senior citizen housing reflect the minimum owner occupied percentage required.

54. During the August 20, 2008 public hearing, the Commission noted that this project will not set precedent of future projects developing within Sensitive Ecological Areas or for replacement of Oak Trees.
55. During the August 20, 2008 public hearing, the Commission noted that this project was not delayed; since the applicant has returned with corrections requested from the September 6, 2008 public hearing, the project has been heard before the Commission three times within the last three months.
56. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing; certified the Environmental Impact Report and Findings of Fact and Statement of Overriding Considerations; and recommended approval of Vesting Tentative Tract Map No. 53653, Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case NO. 2006-00001-(5).
57. As agreed to by the applicant, the applicant is required disclosure of future access through the subject property to all future home buyers.
58. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
59. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
60. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
61. Pursuant to Section 22.56.205 of the County Code, all commonly owned areas within the density-controlled development shall be permanently reserved by homeowners association or other appropriate means or methods to ensure the

Findings

permanent reservation and continued perpetual maintenance of required commonly owned areas. Open space Lot Nos. 102 and 103 shall be owned and maintained by the homeowners association. Open space Lot Nos. 104 through 107 shall be dedicated to a public agency to the satisfaction of Los Angeles County Department of Regional Planning ("Regional Planning").

62. Pursuant to Section 22.56.205 of the County Code, all dwelling unit types shall be single-family residences. The density-controlled development covers the project site with exception of the senior multi-family Lot No. 94 and fire station Lot No. 95. All proposed residential lots are single-family.
63. Pursuant to Section 22.56.205 of the County Code, the location, separation and height of buildings shall be governed by conditions. By County Code provisions, the single-family dwelling units may reach a maximum height of 35 above grade, and may be located on the lot in compliance with applicable yard setbacks.
64. Pursuant to Section 22.52.215 of the County Code, a minimum of 70 percent shall be provided as open space. The subject property is 234.8 acres in size, and provides 167.6 acres or 71.4 percent open space. Areas counted toward open space include undisturbed natural areas, graded slopes within private ownership, and unpaved portions of the debris basin and proposed park.
65. The applicant has submitted a development progress schedule for the DP zone pursuant to Section 22.40.050 of the County Code.
66. As a condition of approval of this grant, the permittee shall be required to comply with all applicable conditions for hillside management, SEA, DP, and density-controlled development as set forth in Sections 22.40.070, 22.56.205, and 22.56.215 of the County Code.
67. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of

Findings

Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

68. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
69. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
70. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
71. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
72. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
73. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
74. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
75. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the

Findings

Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted Plan, a component of the General Plan;
- 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 or 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 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 service facilities as are required;
- E. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard;
- F. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area;
- G. That the proposed project is conveniently served by neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;
- H. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;

Findings

- I. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;
- J. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;
- K. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;
- L. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resources from said requested development;
- M. That where necessary, fences or walls are provided to buffer important habitat areas from development;
- N. That 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
- O. That such development program provides necessary safeguards to ensure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
- 2. Approves Conditional Use Permit Case No. 2005-00088-(5) subject to the attached conditions.

DEPARTMENT OF REGIONAL PLANNING

CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5) Exhibit "A" Date: 7-11-2006

CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and 93 senior attached condominium units, as modified from the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 9 and 57.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. The subject property shall be developed and maintained 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.
8. If inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall

Conditions

reimburse Regional Planning for all inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

9. Within 5 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.
10. 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.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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.

Conditions

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 ("County Code").

12. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
13. The subject property shall be graded, developed and maintained in substantial compliance with the approved vesting tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
14. The permittee or successor in interest shall provide a current and valid water availability letter to the satisfaction of the Director of the Department of Regional Planning at the time of final map recordation, the issuance of grading permits, and the issuance of building permits for the approved development.
15. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
16. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval. The CC&Rs shall include all of the project conditions, and include language that those conditions required to be in the CC&Rs may not be amended or eliminated by the homeowners association without approval from the Director of Planning.
17. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
18. The permittee or successor in interest, shall provide a minimum of 167.6 acres or 71.4 percent open space, which includes natural, undisturbed areas; graded slopes; park; trail; and unpaved debris basin area.
19. The permittee shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.

Conditions

20. The permittee shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.
21. The permittee shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
22. The permittee shall reserve in the CC&Rs the right for all residents within senior multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
23. The permittee shall provide in the CC&Rs that 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity. As agreed by the permittee, the permittee shall also provide in the CC&Rs that a minimum of eighty-five percent (85%) of the ninety-three (93) dwelling units shall be owner occupied.
24. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The subdivider shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients. If some or all of the offsite properties are acquired by a public agency, the easement for the publicly-acquired property or properties shall be revoked. This access easement revocation shall not preclude any creation of trail easements through the publicly acquired property or properties. Any remaining easements for access granted herein may be modified as necessary to ensure 28-foot wide access to the other offsite properties not acquired by a public agency.
25. As agreed to by the applicant, horsekeeping activities that comply with all County requirements, shall not be prohibited within the development. Include language in the CC&Rs and provide a draft copy of the CC&Rs to Regional Planning for review and approval.
26. This project is approved as density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acres Minimum Required Lot Area) in accordance with Section 22.56.205 of the County Code.

Conditions

27. All commonly owned areas within the density-controlled development, shall be permanently reserved as open space. Such reservation shall be by establishment of a homeowners association, maintenance district or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas.
28. 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 areas or a share in the corporation or voting membership in an association owning the commonly owned areas.
29. All dwelling units within the density-controlled development (entire property except multi-family Lot No. 94 and fire station Lot No. 95) shall be single-family residences.
30. Prior to the issuance of any grading and/or building permit, site plans covering the development shall be submitted to and approved by the Director of Planning indicating that the proposed grading and/or construction:
 - a. complies with the conditions of this grant and the standards of the zone; and
 - b. is compatible with hillside and SEA resources.
31. No structure shall exceed 35 feet in height, except for chimneys and rooftop antennas, except for the main residential structures within multi-family Lot No. 94 which shall not exceed 50 feet in height. Prior to any issuance of any building permit, a site plan including exterior elevations and major architectural features shall be submitted to and approved by the Director of Planning, as a revised Exhibit "A," to ensure compliance.
32. A minimum of two covered automobile parking spaces for each single family residential lot shall be provided and continuously maintained and developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicle parking only and shall not be used for storage, automobile repair, or any other unauthorized use.
33. A minimum of 172 automobile parking spaces, as depicted on the approved Exhibit "A" (dated July 11, 2006) or on an approved revised Exhibit "A", shall be provided and continuously maintained on multi-family Lot No. 94, developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&Rs.

Conditions

34. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence that contractual arrangements have been made with the local utilities to install underground all new facilities necessary to furnish services in the proposed development.
35. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
36. Detonation of explosives or any other blasting device or material is prohibited unless required permits have been obtained and adjacent property owners have been notified.
37. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m., and Saturday between the hours of 8:00 a.m. and 5:00 p.m. Sunday or holiday operations are prohibited. 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.
38. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works.
39. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activities is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high wind (i.e. greater than 20 mph average over one hour) to prevent excessive amounts of dust.
40. The permittee shall, upon commencement of any grading activity allowed by this grant, diligently pursue all grading to completion.
41. No construction equipment or vehicles, including construction crew's personal vehicles, shall be parked or stored on any existing public or private streets.
42. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.
43. All construction and development within the subject property shall comply with the applicable provisions of the Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County.

Conditions

44. 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.
45. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence. Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.
46. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with the ordinances and County Building and Plumbing Codes.
47. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Public Health ("Public Health"). Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.
48. If during construction of the project, 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.
49. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with State Seismic Hazard Safety laws to the satisfaction of Public Works.
50. 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 to the satisfaction of and approval by Public Works.
51. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of Public Works.
52. During construction, all large-size truck trips shall be limited to off-peak commute periods.
53. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on state highways.

Conditions

54. All graded slopes (cut and fill) shall be revegetated. Prior to the issuance of any grading or building permit, three copies of a landscape plan, which may be incorporated into a revised Exhibit "A," shall be submitted to and approved by the Director of Planning. The landscape plan 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, and shall use reclaimed water.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of Regional Planning and the Los Angeles County Forester and Fire Warden ("Forester and Fire Warden"). Their 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. No invasive species are permitted.

The landscaping plan must show that landscaped areas shall contain minimum 75 percent locally indigenous species, including trees, shrubs and ground covering. However, if the permittee demonstrates to the satisfaction of the Director of Planning that compliance with this requirement is not possible due to County fire safety requirements, then the Director of Planning may determine that a lower percentage of such planting shall be required. In those areas where the Director of Planning approves a lower percentage, the amount of such required locally indigenous vegetation shall be at least 50 percent. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by the Director of Planning and the Forester and Fire Warden. Fire retardant plants shall be given first consideration.

Timing of Planting. Prior to the issuance of grading or building permits for any development, the permittee shall submit a landscaping phasing plan for the landscaping associated with the construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

55. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program ("MMP"). Prior to recordation, submit a copy of the covenant to the Director of Planning for review and approval.
56. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.

Conditions

57. Within 30 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.
58. Except as otherwise modified herein, the permittee shall comply with all of the following permit conditions for Development Program zoning:
- a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the program shall be built, erected, or moved onto any part of the multi-family Lot No. 94;
 - b. No existing building or structure which under the program is to be demolished shall be used;
 - c. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered;
 - d. All improvements shall be completed prior to the occupancy of any structures within multi-family Lot No. 94; and
 - e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR HOUSING PERMIT CASE NO. 2006-00001-(5)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Housing Permit Case No. 2006-00001-(5) on November 15, 2006, June 18, 2008, July 9, 2008, July 30, 2008 and August 20, 2008. Housing Permit Case No. 2006-00001-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Oak Tree Permit Case No. 2005-00039-(5).
2. Housing Permit Case No. 2006-00001-(5) is a request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet; and to provide less than required parking of 209 parking spaces (186 covered for residents and 23 for guest parking).
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.

Findings

8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.
10. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
11. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. The Exhibit “A” dated July 11, 2006, depicts a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second

Findings

- means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.
19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
 20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
 21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
 22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was

designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior

multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.

30. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
31. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
32. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
33. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
34. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
35. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as

- a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.
36. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 9, 2008 and later continued to July 30, 2008 due to lack of quorum.
 37. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 38. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
 39. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
 40. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
 41. During the July 30, 2008 public hearing, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
 42. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.

43. During the July 30, 2008 public hearing, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
44. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
45. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Modugno and any issues that may have not been addressed.
46. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available.
47. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
48. Five (5) people testified during the August 20, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: proximity of services for future senior citizens residents of the development; limited road access; disturbance of ecological resources and a Sensitive Ecological Area; removal of oak trees; fire hazards; future public service costs to be endured from fire fighting services; a request for bonding of all conditions by the applicant; and water availability.
49. During the August 20, 2008 public hearing, staff mentioned a new Public Works Roads condition and mitigation measure distributed the day of the hearing, regarding the project's fair share of improvements for the I-5 ramps of Marriot and Pico Canyon.
50. During the August 20, 2008 public hearing, the Commission expressed concern regarding the validity of the water availability letter of the project, two years from the date of the letter, and added a condition to the vesting tentative tract and conditional use permit requiring a current and valid water availability letter at various stages of the development including prior to final map recordation and before issuance of grading permits and building permits.

51. During the August 20, 2008 public hearing, the Commission expressed concern regarding restricting the senior citizen housing portion of the development to be one-hundred percent (100%) owner occupied. They mentioned, that there may be instances in where a unit could not be occupied owner occupied due to change life events or change in ownership, and in those instances could temporarily be rented to a qualified occupant who could meet the same applicable federal, state, and local requirements. A condition to the housing permit was added, requiring a minimum of eighty-five percent (85%) of the ninety-three (93) condominium units be owner occupied. In addition, an existing condition was clarified to have the Conditions, Covenants, and Restrictions ("CC&Rs") of the senior citizen housing reflect the minimum owner occupied percentage required.
52. During the August 20, 2008 public hearing, the Commission noted that this project will not set precedent of future projects developing within Sensitive Ecological Areas or for replacement of Oak Trees.
53. During the August 20, 2008 public hearing, the Commission noted that this project was not delayed; since the applicant has returned with corrections requested from the September 6, 2008 public hearing, the project has been heard before the Commission three times within the last three months.
54. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing; certified the Environmental Impact Report and Findings of Fact and Statement of Overriding Considerations; and recommended approval of Vesting Tentative Tract Map No. 53653, Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case NO. 2006-00001-(5).
55. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
56. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
57. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
58. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).

59. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.
60. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
61. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
62. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
63. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
64. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.

65. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
66. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
67. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That the requested use is consistent with the General Plan;
- B. That the requested use at the location will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
 - b. Be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or
 - c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or 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 this Title 22, 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:
 - a. By highways or streets of sufficient width, and improved as necessary to carry out the kind and quantity of traffic such use would generate; and

- b. By other public or private service facilities as are required;
- E. That the proposed project at the location proposed has been designed to be complementary to the surrounding area in terms of land use patterns and design;
- F. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs; and
- G. That modification of the maximum building height is necessary to make the housing units economically feasible; and do not have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Housing Permit Case No. 2006-00001-(5) subject to the attached conditions.

**DEPARTMENT OF REGIONAL PLANNING
HOUSING PERMIT CASE NO. 2006-00001-(5)**

Exhibit "A" Date: 7-11-2006

CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and a 93-unit senior housing project, including a density bonus of 62 units, as depicted on the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 7 and 17.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. Within 5 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is

Conditions

responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.

8. 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.
9. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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 ("County Code").

10. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
11. The subject property shall be graded, developed and maintained in substantial compliance with the approved tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the

Conditions

- Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
12. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
 13. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval. The CC&Rs shall include all of the project conditions, and include language that those conditions required to be in the CC&Rs may not be amended or eliminated by the homeowners association without approval from the Director of Planning.
 14. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653.
 15. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program. Prior to recordation, submit a copy of the covenant to the Director of Planning for approval.
 16. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
 17. Within 5 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program ("MMP"). The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.
 18. The following housing permit conditions shall apply:
 - a. As agreed to by the applicant, ninety-three (93) condominium units shall be reserved for senior citizens in perpetuity;
 - b. As agreed to by the applicant, a minimum of eighty-five percent (85%) of the ninety-three (93) condominium units shall be owner occupied, and residents of such units shall meet all applicable federal, state, and local requirements regarding occupancy of such units; and

Conditions

- c. The permittee shall submit for review and approval by County Counsel a deed restriction, covenant or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation, that complies with all pertinent federal, state and local housing laws, to ensure the continuing availability of the 93 total multi-family units to senior citizens in perpetuity. The document shall contain remedies for violations of the covenant including but not limited to monetary penalties. The approved document shall be recorded in the office of the Los Angeles County Recorder prior to or concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 53653.
19. As agreed to by the applicant, a transportation program for residents shall be provided by the development. Submit a copy of the program for Regional Planning review, and include language in the CC&Rs to Regional Planning for review and approval.

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR OAK TREE PERMIT CASE NO. 2005-00039-(5)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Oak Tree Permit Case No. 2005-00039-(5) on November 15, 2006, June 18, 2008, July 9, 2008, Jly 30, 2008 and August 20, 2008. Oak Tree Permit Case No. 2005-00039-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Housing Permit Case No. 2006-00001-(5).
2. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
3. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
4. Oak Tree Permit Case No. 2005-00039-(5) is a request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).

The applicant submitted an Oak Tree Report as prepared and amended by Interface Management Services (arborist: Doug Nickles) and Trees, etc., a division of RDI and Associates, Inc., the consulting arborist, dated September 2006, that identifies and evaluates 1,395 oak trees on the subject property.

5. The applicant proposes to remove 162 oak trees and encroach into the protected zone of 52 oak trees. The proposed removals and encroachments are due to potential impacts from construction and development of the property including debris basins, roads, and grading.
6. The Los Angeles County Forester and Fire Warden ("Forester"), has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The Forester has recommended approval of the requested oak tree removals, subject to recommended conditions of approval, including replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 428 mitigation oak trees.
7. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum

Findings

Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior multi-family Lot No. 94. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.

8. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
9. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
10. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet
11. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide “A” Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
12. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the “back portion” of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund (“Oak Fund”), were also raised in written correspondence.

Findings

13. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
14. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
15. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
16. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.
17. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA

are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.

18. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
19. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
20. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
21. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract

Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.

22. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
23. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
24. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and

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- directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
25. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 26. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
 27. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
 28. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
 29. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
 30. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.
 31. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was

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- continued to July 9, 2008 and later continued to July 30, 2008 due to lack of quorum.
32. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 33. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
 34. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
 35. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
 36. During the July 30, 2008 public hearing, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
 37. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.
 38. During the July 30, 2008 public hearing, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
 39. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water

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- Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
40. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Modugno and any issues that may have not been addressed.
 41. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available.
 42. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 43. Five (5) people testified during the August 20, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: proximity of services for future senior citizens residents of the development; limited road access; disturbance of ecological resources and a Sensitive Ecological Area; removal of oak trees; fire hazards; future public service costs to be endured from fire fighting services; a request for bonding of all conditions by the applicant; and water availability.
 44. During the August 20, 2008 public hearing, staff mentioned a new Public Works Roads condition and mitigation measure distributed the day of the hearing, regarding the project's fair share of improvements for the I-5 ramps of Marriot and Pico Canyon.
 45. During the August 20, 2008 public hearing, the Commission expressed concern regarding the validity of the water availability letter of the project, two years from the date of the letter, and added a condition to the vesting tentative tract and conditional use permit requiring a current and valid water availability letter at various stages of the development including prior to final map recordation and before issuance of grading permits and building permits.
 46. During the August 20, 2008 public hearing, the Commission expressed concern regarding restricting the senior citizen housing portion of the development to be one-hundred percent (100%) owner occupied. They mentioned, that there may be instances in where a unit could not be occupied owner occupied due to change life events or change in ownership, and in those instances could temporarily be rented to a qualified occupant who could meet the same applicable federal, state, and local requirements. A condition to the housing permit was added, requiring a minimum of eighty-five percent (85%) of the ninety-three (93) condominium units

- be owner occupied. In addition, an existing condition was clarified to have the Conditions, Covenants, and Restrictions ("CC&Rs") of the senior citizen housing reflect the minimum owner occupied percentage required.
47. During the August 20, 2008 public hearing, the Commission noted that this project will not set precedent of future projects developing within Sensitive Ecological Areas or for replacement of Oak Trees.
 48. During the August 20, 2008 public hearing, the Commission noted that this project was not delayed; since the applicant has returned with corrections requested from the September 6, 2008 public hearing, the project has been heard before the Commission three times within the last three months.
 49. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing; certified the Environmental Impact Report and Findings of Fact and Statement of Overriding Considerations; and recommended approval of Vesting Tentative Tract Map No. 53653, Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case NO. 2006-00001-(5).
 50. As agreed to by the applicant, the applicant is required to disclose of future access through the subject property to all future home buyers.
 51. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
 52. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
 53. The necessary drainage improvements for soil erosion control will be designed in accordance with the standards of the Los Angeles County Department of Public Works as a condition of approval of the associated vesting tentative tract map.
 54. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
 55. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical,

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hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

56. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
57. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
58. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
59. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
60. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
61. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.

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62. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
63. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code;
- B. That the proposed removal of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
- C. That in addition to the above facts, that the removal of up to 162 oak trees and the encroachment of 52 oak trees is necessary for development reasons as continued existence of the trees at the present location frustrates the planned improvements or proposed use of the subject property to such an extent that a) alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive; or b) Placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized;
- D. That the proposed removal and encroachment of the oak trees will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.

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

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Oak Tree Permit Case No. 2005-00039-(5) subject to the attached conditions.

**DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT CASE NO. 2005-00039-(5)**

CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the Los Angeles County Forester and Fire Warden ("Forester") at 323-890-4330.)

1. This grant authorizes the removal of 162 trees of the Oak genus identified on the applicant's site plan and Oak Tree Report, subject to all of the following conditions of approval. This grant also authorizes encroachment within the protected zone of 52 trees of the Oak genus also identified on the applicant's site plan and Oak Tree Report.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions have been recorded as required by Condition No.4 and until all required monies have been paid pursuant to Condition No. 9 and 10.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in such full compliance shall be a violation of these conditions.
7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.
9. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a

Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Los Angeles County Fire Department ("Fire Department") a sum of \$600.00. Such fee shall be used to compensate the Forester \$100 per inspection 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 initial inspection of temporary fencing (required to secure the protected zone of the remaining Oak trees), prior to the commencement of construction and five subsequent annual inspections until the conditions of approval have been met. The Director of Regional Planning ("Director of Planning") and the Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the report on file by Interface Management Services and Trees, etc., the consulting arborists, dated September 2006.
12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forester stating that he or she has been retained by the permittee to perform or supervise the work, and that her or she agrees to report to the Director of Planning and Forester any failure to fully comply with the conditions of this grant. The arborist shall prepare a schedule of construction activities wherein the arborist will be present on the project site to ensure compliance with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
13. 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. 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 Forester for the life of the Oak Tree Permit or the Vesting Tentative Tract Map No. 53653.
14. The permittee shall install temporary chain-link fencing, not less than four feet in height, to secure the protected zone of the remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall

not be removed without approval of the Forester. The term "protected zone" refers to the area extending five feet beyond the dripline of the Oak tree (before pruning), or 15 feet from the trunk, whichever is greater.

15. 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. If the conditions of approval are not present on site during a monitoring inspection of an active project, the Forester will give an immediate "Stop Work Order." This will be administered both verbally and in writing. The "Stop Work Order" will be rescinded after the conditions of approval are present on the site and all employees associated with the project are fully aware of these conditions.
16. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak trees 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 Fire Department. In no case shall more than 20 percent of the tree canopy of any one tree be removed.
17. Except as otherwise expressly authorized by this grant, the 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 Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

18. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for 149 trees for a total of 298 15-gallon trees.

The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) trees for 13 heritage oak trees for a total of 130 24-inch (24") box trees. In addition, the permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachment.

19. Each non-Heritage Oak mitigation tree shall be at least a 15-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.

Each Heritage Oak mitigation tree shall be at least a twenty-four inch (24") box specimen in size and measure two inches or more in diameter one foot above the base unless otherwise specified by the Forester. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees

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- shall measure a minimum of two inches in diameter one foot above the base or as deemed appropriate by the Forester.
20. This total of 428 mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* or *Quercus lobata* depending on which species of tree was removed or lost due to its permitted encroachment. The seed shall be grown from a local seed source and be of high-quality.
 21. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
 22. All required 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 in locations approved by the project arborist in consultation with the Forester. In circumstances where on-site planting is shown to be infeasible, the mitigation trees may be planted at an off-site location approved by the Forester, or 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 Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
 23. 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 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.
 24. 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 Forester, including any loss of trees.
 25. 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.
 26. Prior to the planting of the trees, 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 Forester and Director of Planning.
 27. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

Conditions

28. 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.
29. 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.
30. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited. If the applicant encroaches or removes an Oak tree not specified in the Oak Tree Report all work must stop immediately. A new Oak Tree Report, which accurately identifies the project conditions must be submitted for approval through the permitting process. The applicant will be responsible to pay all associated fees for the new Oak Tree Permit.
31. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.
32. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.
33. 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.
34. Any violation of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.
35. Should any future inspection disclose that the subject property is being used in violation of any condition of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the Fire Department for all enforcement efforts necessary to bring the subject property into compliance. The Director of Planning and the Forester shall retain the right to make regular and unannounced site inspections.
36. 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 the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or as to be a nuisance.

37. The permittee shall defend, indemnify and hold harmless Los Angeles County ("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.
38. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay Regional Planning an initial deposit of \$5,000.00, 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 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 in accordance with Section 2.170.010 of the Los Angeles County Code.

41. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
42. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
43. This grant shall terminate upon the completion of the authorized oak tree removal and the completion of all required mitigation and monitoring to the satisfaction of the Forester and Regional Planning.

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 53653**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Vesting Tentative Tract Map No. 53653 on November 15, 2006, June 18, 2008, July 9, 2008, July 30, 2008, August 20, 2008. Vesting Tentative Tract Map No. 53653 was heard concurrently with Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. Vesting Tentative Tract Map No. 53653 proposes a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, which includes a 62-unit density bonus for the reservation of at least half of the proposed condominium units for seniors in perpetuity, as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3

(Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.

8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
10. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
11. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
12. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
13. The vesting tentative tract map and exhibit map dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second

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- means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.
19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
 20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
 21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
 22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was

designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior

- multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
30. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
 31. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 32. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
 33. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
 34. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
 35. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
 36. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as

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- a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.
37. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 9, 2008 and later continued to July 30, 2008 due to lack of quorum.
 38. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 39. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
 40. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
 41. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
 42. During the July 30, 2008 public hearing, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
 43. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.

44. During the July 30, 2008 public hearing, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
45. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
46. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Modugno and any issues that may have not been addressed.
47. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available.
48. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
49. Five (5) people testified during the August 20, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: proximity of services for future senior citizens residents of the development; limited road access; disturbance of ecological resources and a Sensitive Ecological Area; removal of oak trees; fire hazards; future public service costs to be endured from fire fighting services; a request for bonding of all conditions by the applicant; and water availability.
50. During the August 20, 2008 public hearing, staff mentioned a new Public Works Roads condition and mitigation measure distributed the day of the hearing, regarding the project's fair share of improvements for the I-5 ramps of Marriot and Pico Canyon.
51. During the August 20, 2008 public hearing, the Commission expressed concern regarding the validity of the water availability letter of the project, two years from the date of the letter, and added a condition to the vesting tentative tract and conditional use permit requiring a current and valid water availability letter at various stages of the development including prior to final map recordation and before issuance of grading permits and building permits.

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52. During the August 20, 2008 public hearing, the Commission expressed concern regarding restricting the senior citizen housing portion of the development to be one-hundred percent (100%) owner occupied. They mentioned, that there may be instances in where a unit could not be occupied owner occupied due to change life events or change in ownership, and in those instances could temporarily be rented to a qualified occupant who could meet the same applicable federal, state, and local requirements. A condition to the housing permit was added, requiring a minimum of eighty-five percent (85%) of the ninety-three (93) condominium units be owner occupied. In addition, an existing condition was clarified to have the Conditions, Covenants, and Restrictions ("CC&Rs") of the senior citizen housing reflect the minimum owner occupied percentage required.
53. During the August 20, 2008 public hearing, the Commission noted that this project will not set precedent of future projects developing within Sensitive Ecological Areas or for replacement of Oak Trees.
54. During the August 20, 2008 public hearing, the Commission noted that this project was not delayed; since the applicant has returned with corrections requested from the September 6, 2008 public hearing, the project has been heard before the Commission three times within the last three months.
55. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing; certified the Environmental Impact Report and Findings of Fact and Statement of Overriding Considerations; and recommended approval of Vesting Tentative Tract Map No. 53653, Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case NO. 2006-00001-(5).
56. As agreed to by the applicant, the applicant is required to disclose of future access through the subject property to all future home buyers.
57. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
58. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
59. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified by Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5).

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60. The proposed subdivision and the provisions for its design and improvement are consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
61. The site is physically suitable for the type of development and density being proposed, since the property has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs, and will have flood hazards and geologic hazards mitigated in accordance with the requirements of Los Angeles County Department of Public Works.
62. 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 geologic and soils factors are addressed in the conditions of approval.
63. The design of the subdivision and the proposed improvements will cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is located within two Significant Ecological Areas, and does contain any stream courses or high value riparian habitat.
64. The design of the subdivision provides for future passive or natural heating or cooling opportunities as feasible.
65. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the tentative tract map, provide adequate protection for any such easements.
66. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
67. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.
68. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and

- environmental resources when the project was determined to be consistent with the General Plan.
69. This tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
 70. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.
 71. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
 72. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
 73. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.

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74. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
75. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
76. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
77. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Vesting Tentative Tract Map No. 53653 subject to the attached conditions and recommendations of the Los Angeles County Subdivision Committee.

CONDITIONS:

1. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance). Also, conform to the requirements of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the Mitigation Monitoring Program.
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), the subdivider shall conform to the applicable requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial) zones as well as proposed C-3-DP (Unlimited Commercial – Development Program) zone.
3. In accordance with Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), this land division is approved as a density-controlled development in a nonurban hillside management area, in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 and A-2-2 zone. If multiple final maps are recorded, the average area of all lots shown on each final unit map and all previously recorded final unit maps shall comply with the minimum lot area requirements of the A-2-1 and A-2-2 zone. This land division is also approved with a senior housing component of modification to maximum permitted building height of 35 feet to allow a 50-foot high building height, for the two main residential buildings and less than required parking of 209 parking spaces (186 covered for residents and 23 for guest parking), in accordance with Section 22.56.202 of the County Code.
4. Recordation of the final map is contingent upon the effectuation of an ordinance by the Los Angeles County Board of Supervisors, changing the zoning of 9.3 acres of the property within multi-family Lot No. 94 from A-2-1 and A-2-2 to C-3-DP.
5. The subdivider shall submit a copy of the project Conditions, Covenants and Restrictions ("CC&Rs") and any covenants or maintenance agreements as proposed, to the Los Angeles County Department of Regional Planning ("Regional Planning") for review and approval.
6. The subdivider shall submit evidence that the conditions of the associated Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) have been recorded.

Conditions

7. The subdivider shall record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures. Prior to recordation, the subdivider submit a draft copy of the covenant to the Director of Regional Planning ("Director") for review and approval.
8. The permittee or successor in interest shall provide a current and valid water availability letter to the satisfaction of the Director of Regional Planning at the time of final map recordation, the issuance of grading permits, and the issuance of building permits for the approved development.
9. The subdivider shall provide disclosure to future purchasers of the potential for the project site to contain means of access to future developments in the form of a written document, to the satisfaction of Regional Planning prior to final map.
10. Permission is granted to adjust lot lines to the satisfaction of Regional Planning.
11. The subdivision shall provide at least 40 feet of street frontage at the property line for each lot fronting on a cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. The subdivision shall provide approximately radial lot lines for each lot.
12. The subdivider shall show The Old Road, "A" Street, "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, and "G" Street as dedicated streets on the final map.
13. The subdivider shall show "H" Street and "I" street as future streets on the final map.
14. The subdivider shall place a note or notes on the final map, to the satisfaction of Regional Planning, that a portion of this subdivision (Lot No. 94) is approved as a condominium project for a total of 93 residential units whereby the owners of the units of air space will hold an undivided interest in the common areas, which will in turn provide the necessary access and utility easements for the units.
15. The subdivider shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
16. The subdivider shall reserve in the CC&Rs the right for all residents within multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
17. The subdivider shall provide in the CC&Rs that at least 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity.
18. The subdivider shall dedicate to the County of Los Angeles on the final map, the right to prohibit the construction of any structures on the open space areas as

Conditions

depicted on the open space exhibit as individual open space lots (Lot Nos. 103 through 107), and shall record "Open Space-Building Restriction Area" over those open space on the final map.

19. The subdivider shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.
20. The subdivider shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.
21. The subdivider shall number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of Regional Planning.
22. Permission is granted to create additional open space lots to the satisfaction of Regional Planning.
23. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The subdivider shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients. If some or all of the offsite properties are acquired by a public agency, the easement for the publicly-acquired property or properties, shall be revoked. This access easement revocation shall not preclude any creation of trail easements through the publicly acquired property or properties. Any remaining easements for access granted herein may be modified as necessary to ensure 28-foot wide access to the other offsite properties not acquired by a public agency.
24. Prior to final map approval, the subdivider shall submit an amendment to the approved vesting tentative map, to depict the elimination of one single-family lot and depict the location of the easement to the offsite properties with all other necessary associated changes to the satisfaction of Regional Planning and Los Angeles County Subdivision Committee ("Subdivision Committee").
25. No grading permit shall be issued prior the recordation of a final map, unless the Director determines that the proposed grading conforms to the conditions of this grant and the conditions of Conditional Use Permit Case No. 2005-00088-(5), Oak

Conditions

Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).

26. The subdivider shall provide slope planting and an irrigation system in accordance with the Grading Ordinance. The subdivider shall include conditions in the tract's CC&Rs which would require continued maintenance of the plantings for lots having planted slopes. Prior to final map approval, the subdivider shall submit a draft copy of the document to be recorded, to Regional Planning.
27. Prior to the issuance of a grading and/or building permit, the subdivider shall submit three copies of a landscape plan which may be incorporated into a revised site plan. The landscape plans shall be approved by the Director as required by Conditional Use Permit Case No. 2005-00088-(5) prior to any work on the property.
28. Per Section 21.32.195 of the County Code, the subdivider shall plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential lot. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
29. The subdivider shall plant or cause to be planted at least 69 trees of a non-invasive species within multi-family residential Lot No. 94 in addition to the required front yard tree. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
30. Within five days of tentative map approval, remit processing fees (currently \$2,656.75) 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 California Public Resources Code and Section 711 of the California 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 project subject to this requirement is final, vested or operative until the fee is paid.
31. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Draft Environmental Impact Report ("EIR") for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53653. Comply with all such mitigation measures in accordance with the attached Mitigation Monitoring Program ("MMP"). After completion of the appeal period, record a covenant and agreement, and submit a

copy to Regional Planning for approval, agreeing to the mitigation measures imposed by the Draft EIR for this project. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to Regional Planning as frequently as may be required by the department. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.

32. Within 30 days of approval, deposit the sum of \$3,000.00 with Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the MMP.
33. The subdivider 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, and employees to attack, set aside, void or annul this tract map approval, or related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 65499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any 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 subdivider shall within ten days of the filing pay 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 subdivider, or subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional fund to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the subdivider, 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 subdivider according to Section 2.170.010 of the County Code.

Except as modified herein above, this approval is subject to all those conditions set forth in Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5); the attached MMP; and the attached reports recommended by the Subdivision Committee, which also consists of members of the Public Works, Fire Department, Department of Parks and Recreation, and Public Health.

The Regional Planning Commission herewith amends the conditions of the Department of Public Works to add the condition below:

The applicant shall meet with the County of Los Angeles to determine an acceptable solution by verifying the project's fair share of four percent of the cost of improvements for the I-5 ramps of Marriott and Pico Canyon, as well as intersection design, to the satisfaction of Department of Public Works prior to final map approval.

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

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

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53653 (Rev.)

TENTATIVE MAP DATED 07-11-2006
EXHIBIT MAP DATED 07-11-2006

The following reports consisting of 20 pages are the recommendations of Public Works.

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

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

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
7. Prior to final approval of the tract map submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.
8. Place standard condominium notes on the final map to the satisfaction of Public Works.
9. Quitclaim or relocate easements running through proposed structures.
10. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.
11. Reserve reciprocal easements for drainage, ingress/egress, utilities, and maintenance purposes, etc., in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.
12. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.
13. A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.
14. Show open space note and dedicate residential construction rights over the open space lots.
15. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

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

Prepared by ^{HW} Henry Wong

Phone (626) 458-4915

Date 09-11-2006

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COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 53653

TENTATIVE MAP DATED 07/11/06
EXHIBIT MAP DATED 07/11/06

DRAINAGE CONDITIONS

1. Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
2. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
3. A hydrology study and a detailed hydraulic analysis (HEC-RAS) for design of drainage facilities/delineation of flood hazard is required. Hydrology study must be submitted and approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
4. Provide fee title lot for desilting inlets to the satisfaction of the Department of Public Works.
5. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).
6. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.
7. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).
8. A maintenance permit is required from the State Department of Fish and Game, the Corps of Engineers, and the State Water Resources Control Board for debris basins with a minimum capacity of 5,000 cubic yards. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
9. Prior to approval of any grading, storm drain, or other improvement plan and prior to recordation of any final map for this subdivision, notarized drainage covenants, in a form approved by Public Works, shall be obtained from all impacted offsite property owners, as determined by Public Works, and shall be recorded by the applicant. The number of offsite drainage covenants will be determined by Public Works based on hydrology and hydraulic studies which must be prepared by the applicant's consultants and submitted to Public Works for review and approval, in a format acceptable to Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require or otherwise involve the construction or installation of an offsite improvement, and that the offsite drainage covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.
10. This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain procedures for revising the flood insurance rate map once the storm drain facilities are constructed. Encroachment into FEMA Zone "A" is not permitted prior to obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA.



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 53653

TENTATIVE MAP DATED 07/11/06
EXHIBIT MAP DATED 07/11/06

11. A process for revising the County Floodway Map must be completed to the satisfaction of the Department of Public Works.
 12. Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 06/08/06 to the satisfaction of Public Works.
- =====

GRADING CONDITIONS:

1. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

Name Ernesto J. Rivera Date 08/29/06 Phone (626) 458-4921
ERNESTO J RIVERA

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

DISTRIBUTION
1 Geologist
1 Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT MAP . 53653 TENTATIVE MAP DATED 7/11/06 (Revised)
SUBDIVIDER Warner Bros. Entertainment, Inc. LOCATION Santa Clarita
ENGINEER Daly Owens Group
GEOLOGIST & SOILS ENGINEER Pacific Soils Engineering, Inc. REPORT DATE 4/11/06, 3/10/04

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical factors have been properly evaluated.
- A grading plan must be geotechnically approved by the GMED. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.
- All geologic hazards associated with this proposed development must be eliminated,
or
delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.
- A statement entitled: "Geotechnical Note(s), Potential Building Site: For grading and corrective work requirements for access and building areas for Lot(s) No(s) _____ refer to the Soils Report(s) by _____, dated _____"
- The Soils Engineering review dated 9/5/06 is attached.

TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:

- This project may not qualify for a waiver of final map under section 21.48.140 of the Los Angeles County Title 21 Subdivision Code.
- The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.
- Geology and/or soils engineering reports may be required prior to approval of building or grading plans.
- Groundwater is less than 10 feet from the ground surface on lots _____
- The Soils Engineering review dated _____ is attached.

Prepared by  Reviewed by _____ Date 9/5/06
Ger R. Mathisen

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

SOILS ENGINEERING REVIEW SHEET

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

District Office 8.2
Job Number LX001129
Sheet 1 of 1

Tentative Tract Map 53653
Location Santa Clarita
Developer/Owner Warner Brothers Entertainment Inc.
Engineer/Architect Daly Owens Group
Soils Engineer Pacific Soils Engineering, Inc. (102453-T)
Geologist Same as above

DISTRIBUTION:

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

Review of:

Revised Tentative Tract Map Dated By Regional Planning 7/11/06
Soils Engineering and Geologic Report Dated 4/11/06, 3/10/04
Previous review sheet dated 5/9/06

ACTION:

Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:

1. At the grading plan review stage, provide additional shear strength test results of various materials (in particular, shear strength parameters of the along bedding materials, fill materials for proposed buttresses and keyways, etc.) required for additional stability analyses as indicated below.
2. At the grading plan review stage, provide additional stability analyses for slopes based on a 40-scale to substantiate those proposed at 100-scale. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Show locations of the cross sections used in slope stability analyses on the geotechnical map. Recommend mitigation if factors of safety are below County minimum standards.
3. At the grading plan stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

NOTE TO THE PLAN CHECKER/BUILDING AND SAFETY DISTRICT ENGINEER:

- A. THE ON-SITE SOILS ARE SEVERELY CORROSIVE TO FERROUS METALS.
- B. THE ON-SITE SOILS ARE CORROSIVE TO CONCRETE.
- C. THE ON-SITE SOILS HAVE A MEDIUM TO HIGH EXPANSION POTENTIAL.



Reviewed by _____

Date 9/5/06

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.
PYosh153653TentTe

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

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.
2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.
3. The minimum centerline radius is 250 feet on all local streets with 60 feet of right of way.
4. Permission is granted to provide a minimum 200 feet centerline radius on "F" Street in the vicinity of Lot 90 to the satisfaction of Public Works.
5. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways or industrial collectors). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate.
6. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection.
7. Reversing curves and compound curves through intersections should be avoided when possible. If unavoidable, the minimum centerline radius of reversing curves and compound curves through intersections shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances. Maintain a minimum centerline radius of 400 feet on "D" Street at "C" Street along intersections with reversing curves and compound curves.
8. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

9. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.
10. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed 6 percent.
11. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections.
12. For intersections involving multi-lane highways, the maximum permissible grade of the through street is three percent. For 4-legged intersections, the maximum permissible grade of the through street is 8 percent.
13. Provide intersection sight distance for a design speed of:
 - a. 40 mph (415 feet) on "A" Street from "D" Street (northeasterly direction), from "C" Street (both directions), and from "H" Street (both directions); and
 - b. 30 mph (310 feet) on "E" Street from "A" Street (southeasterly direction and on "F" Street from "A" Street (northwesterly direction).

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

14. Depict all line of sight easements on the landscaping and grading plans.
15. Provide property line return radii of 13 feet at all local street intersections to the satisfaction of Public Works.
16. Provide property line return radii of 27 feet at the intersection of local streets with The Old Road to the satisfaction of Public Works.
17. Dedicate right of way 40 feet from centerline per the latest I.E.C. alignment on The Old Road per C.S.B. 5037.

18. Dedicate right of way 32 feet from centerline on "A" Street.
19. Dedicate right of way 30 feet from centerline on "B" Street, "C" Street, "D" Street from "A" Street to the cul-de-sac bulb, "E" Street, and "F" Street plus additional right of way for a standard cul-de-sac bulb.
20. Dedicate right of way 29 feet from centerline on "G" Street plus additional right of way for a standard cul-de-sac bulb.
21. Make an offer of future right of way 32 feet from centerline on "H" Street, "I" Street (the two westerly tap streets). Whenever there is an offer of a future street or a private and future street, provide a drainage statement/letter.
22. Make an offer of future right of way 30 feet from centerline on "D" Street from the cul-de-sac bulb to the easterly property boundary. Whenever there is an offer of a future street or a private and future street, provide a drainage statement/letter.
23. Dedicate slope easements on "H" Street, "I" Street (the two westerly tap streets), and "D" Street from the cul-de-sac bulb to the easterly property boundary to the satisfaction of Public Works.
24. Dedicate vehicular access rights on The Old Road for open space lots 105 and 106, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.
25. Dedicate the right to restrict vehicular access on fire station lot 95.
26. Repair any broken or damaged pavement on along the property frontage on The Old Road.
27. Construct curb, gutter, base, and pavement within the tract boundaries on The Old Road, including the offsite portion of The Old Road adjacent to the easterly tract boundary, and all interior streets.
28. Construct full-width sidewalk along the property frontage on The Old Road.
29. Construct sidewalk (5 feet sidewalk adjacent to the curb or adjacent to the property line) on all interior streets to the satisfaction of Public Works. Permission is granted to use the alternate street section on all interior streets. Construct additional sidewalk pop-out in the vicinity of any above ground utilities to meet current Americans with Disabilities Act (ADA) requirements to the satisfaction of Public Works.

30. Construct any parkway improvements (sidewalk, driveways, curb ramps, landings, etc.) that either serve or form a part of a Pedestrian Access Route to meet current ADA requirements to the satisfaction of Public Works.
31. Construct a slough wall outside the street right of way when the height of the slope is greater than five feet above the sidewalk and the sidewalk is adjacent to the street right of way. The wall shall not impede any required line of sight.
32. Plant street trees within the tract boundaries on The Old Road and all interior streets.
33. Construct off-site transition pavement for a 65 mph design speed on The Old Road in the vicinity of the southerly and northerly property line to the satisfaction of Public Works.
34. Provide and install street name signs prior to occupancy of buildings.
35. Install postal delivery receptacles in groups to serve two or more residential lots.
36. Comply with the following street lighting requirements:
 - a. Provide street lights on concrete poles with underground wiring within the tract boundaries on The Old Road and all interior streets to the satisfaction of Public Works. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.
 - b. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.
 - (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

- (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
 - (3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.
 - c. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.
 - d. For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.
37. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway
 38. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works; or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

39. Comply with the traffic mitigation measures as indicated in the attached letter dated February 6, 2006 from our Traffic and Lighting Division to the satisfaction of Public Works.
40. Prepare detailed 1" = 40' scaled signing and striping plans for The Old Road, "A" Street, and "E" Street to the satisfaction of Public Works.
41. Install traffic signals or contribute towards the installation of traffic signals and prepare 1" = 20' scaled traffic signal plans for all intersections (both on-site and off-site) affected by this subdivision as indicated in the attached letter dated 05-22-2006 from our Traffic and Lighting Division to the satisfaction of Public Works.
42. Prior to final map approval, pay the fees established by the Board of Supervisors for the Lyons Avenue/McBean Parkway Bridge and Major Thoroughfare Construction Fee District. The fee is to be based upon the fee rate in effect at the time of final map recordation. The current applicable fee is \$2,700 per factored unit and is subject to change.
43. Prior to approval of the final map, if any improvements constructed by the subdivider are included as District improvements in the Lyons Avenue/McBean Parkway Bridge and Major Thoroughfare Construction Fee District, then the cost of such improvements may be credited against the project's District fee obligation if approved by Public Works. If the amount to be credited exceeds the subdivider's fee obligation, the subdivider may use the excess credits to satisfy the fee obligation of another project within the District, transfer the credit to another subdivider within the District, or be reimbursed by the District at the discretion of Public Works if funds are available. If District improvements are constructed after approval of the final map, the subdivider will receive credit equal to the cost of such improvements, which may be used to satisfy the fee obligation for another project within the District, transferred to another subdivider within the District, or reimbursed at the discretion of Public Works.

HCW

Prepared by John Chin
tr53653r-rev4

Phone (626) 458-4910

Date 08-30-2006



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

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

IN REPLY PLEASE
REFER TO FILE: T-4

February 6, 2006

Mr. Daryl Zerfass, P.E.
Austin Foust Associates, Inc.
2223 Wellington Avenue, Suite 300
Santa Ana, CA 92701

Dear Mr. Zerfass:

**LYONS CANYON
TENTATIVE TRACT NO. 53653
TRAFFIC IMPACT ANALYSIS (NOVEMBER 2005)
SANTA CLARITA AREA**

The Lyons Canyon Project is located on approximately 232 acres immediately west of The Old Road and north of the intersection of The Old Road and Calgrove Boulevard in the unincorporated County of Los Angeles area of Santa Clarita.

The proposed project consists of 96 single-family detached homes, 90 senior condominium homes, a neighborhood park, fire station, and open space. The proposed project is estimated to generate approximately 1,261 vehicle trips daily, with 90 and 121 trips generated during the a.m. and p.m. peak hours, respectively.

Access to the project site is through two new roadways that intersect with The Old Road and extend west into the project site. The first roadway, A Street, intersects with The Old Road approximately 3,500 feet north of Calgrove Boulevard and will function as the primary access point for the site. The second roadway, E Street, intersects with The Old Road approximately 1,100 feet south of the A Street intersection.

The following project site access improvements shall be the sole responsibility of the project. These improvements shall be in place concurrently with the installation of the curb, gutter, and first lift of asphalt pavement of the on-site street improvements.

FILE COPY

A Street-TT53653 (Future) at The Old Road

North approach: One through lane and one shared through/right-turn lane (add one shared through/right-turn lane).

South approach: Two through lanes and one left-turn lane (add one left-turn lane and one through lane).

West approach: One left-turn lane and one right-turn lane (add one left-turn lane and one right-turn lane).

The project shall be responsible for the design, procurement, and installation of a traffic signal at A Street-TT53653 intersecting The Old Road, which serves as the access points to the project. The project shall enter into a secured agreement with Public Works for the cost of the traffic signal. This amount, which is estimated to be \$210,000 (Reference Table I). The traffic signal shall be installed when warranted.

E Street-TT53653 (Future) at The Old Road

North approach: One through lane and one through/right-turn lane (add one through lane).

South approach: One through lane and one shared through/right-turn lane (add one shared through/right-turn lane).

West approach: One right-turn lane (add one right-turn lane).

Detail signal and striping plans along project frontage and the above-mentioned improvement shall be prepared and submitted to Public Works for review and approval.

We generally agree with the study that the traffic generated by the project alone will not significantly impact County or County/City intersections in the area. However, the cumulative traffic generated by the project and other related projects will significantly impact the following County intersections. The project shall contribute its proportionate share of the cost for the following cumulative mitigation measures:

I-5 Southbound at Marriott and Pico Canyon Road

West approach: Two through lanes and one shared through/right-turn lane (add a third through lane).

Mr. Darly Zerfass
February 6, 2006
Page 3

East approach: A left-turn lane, two through lanes, and one shared through/right-turn lane (convert the right-turn lane to a shared through/right-turn lane).

Project share: 4.0 percent.

I-5 Southbound Ramps at Calgrove Boulevard

Install traffic signal (Reference Table I).

West approach: One through lane and one shared through/right-turn lane (add a second through lane).

East approach: Two through lanes and one left-turn lane (add a second through lane).

Project share: 20.3 percent.

The Old Road at Pico Canyon Road

West approach: One left-turn lane, two through lanes, and one shared through/right-turn lane (convert the right-turn lane to a shared through/right-turn lane).

Project share: 3.3 percent.

Chiquella Lane at The Old Road

Install traffic signal (Reference Table I).

North approach: One left-turn lane and one right-turn lane (add a right-turn lane).

Project share: 48.3 percent.

The project shall submit conceptual plans and a feasibility study for all mitigation measures to our Land Development Review Section for review and approval.

Table I
(Signal Share)

Intersections	Signal Cost	Proportionate Share	Cost
I-5 SB Ramp at Calgrove Boulevard	\$250,000	20.3 percent	\$50,750
Chiquella Lane at The Old Road	\$210,000	48.3 percent	\$101,430
The Old Road at A Street-TT53653	\$210,000	100 percent	\$210,000

We also agree with the study that the cumulative traffic generated by the project and other related projects will significantly impact the following City intersection. The project is solely responsible for the following improvement.

I-5 Northbound Ramps at Lyons Avenue

West approach: Two left-turn lanes and two through lanes (add a second left-turn lane).

We agree with the study that the project will not have any significant impact to the Congestion Management Program monitored locations in the area.

We recommend that a copy of the latest tract map showing internal circulation and access locations to and from the project shall be submitted to our Land Development Review Section.

Caltrans shall be consulted to obtain their written concurrence with the California Environmental Quality Act (CEQA) level of significance determination. If Caltrans finds that the project has a CEQA significant impact on the I-5 Freeway, Caltrans shall be requested to include the basis for this finding in their response. If fees are proposed to mitigate the freeway impact, Caltrans shall be requested to identify the specific project to which the fees will apply. These written comments from Caltrans shall be submitted to Public Works.

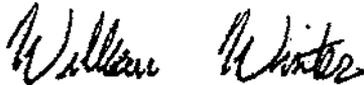
We recommend that the study also be reviewed by the City of Santa Clarita for potential CEQA impacts within their jurisdiction. Written comments from the City shall be submitted to Public Works.

Mr. Darly Zerfass
February 6, 2006
Page 5

For questions regarding the traffic study, please contact Ms. Marian Tadrous of our Traffic Studies Section at (626) 300-4848. For questions regarding the feasibility study and cost estimate, please contact Mr. Sam Richards of our Land Development Review Section at (626) 300-4842.

Very truly yours,

DONALD L. WOLFE
Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division


MT:cn

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cc: Caltrans (Cheryl Powell)
City of Santa Clarita (Ian Pari)
Department of Regional Planning (Daryl Koutnik)

bc: Land Development (Witler, Wong)

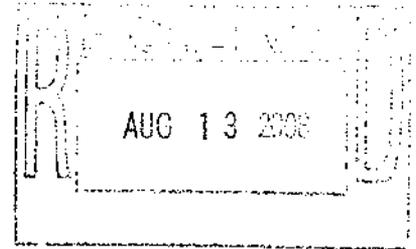


COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330



P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

August 11, 2008

Mr. Rudy Silvas
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Silvas:

FINAL ENVIRONMENTAL IMPACT REPORT, LYONS CANYON RANCH PROJECT, COUNTY PROJECT TRACT MAP NO. 53653, CONDITIONAL USE PERMIT NO. RCUPT 200500088, STATE CLEARINGHOUSE NO. 2003031086, SANTA CLARITA VALLEY (FFER #200800170)

The Final Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. The attached conditions and correspondence with the developer have not been changed at this time.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

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

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CANSON	DUARTE	HUNTINGTON PARK	LAKELWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLENORA	IRWINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

Mr. Rudy Silvas
August 11, 2008
Page 2

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

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

Very truly yours,



JOHN R. TODD, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JRT:lj

Enclosure



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 53653 Map Date July 11, 2006, Ex. A

C.U.P. _____ Vicinity Map 3322D

- FIRE DEPARTMENT HOLD on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
- Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- The Fire Department has no additional requirements for this division of land.

Comments: See additional page 1 for additional access requirements. Additional page 2-3 are the requirements for the Fire Station Site per FD Planning Section.

By Inspector: Janna Masi Date September 13, 2006

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



**COUNTY OF LOS ANGELES
FIRE DEPARTMENT**

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. TR 53653 Tentative Map Date July 11, 2006, Ex. A

Revised Report YES

- The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
- The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- Fire hydrant requirements are as follows:
 Install 18 public residential fire hydrant(s). Install 4 public multi-family/commercial fire hydrant(s).
 Install private on-site fire hydrant(s).
- All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
 - Location: As per map on file with the office.
 - Other location: Fire hydrant locations to be determined on approved access.
- All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
- The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
- Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.
- Hydrants and fire flows are adequate to meet current Fire Department requirements.
- Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: THE TENTATIVE MAP IS NOT APPROVED AT THIS TIME, UNTIL ALL CONDITIONS HAVE BEEN APPROVED. Required fire flow for the public multi-family/commercial fire hydrants at this location is 5000 gallons per minute at 20 psi for a duration of 5 hours, over and above maximum daily domestic demand. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow. Fire Department's Fire Prevention Engineering will set the private/on-site fire hydrant locations within the multi-family lot and may reduced the required 5000 gpm fire flow of the public fire hydrants during the building plan check phase.

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

By Inspector Janna Masi Date September 13, 2006



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commercc, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS

ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **1**

- 1 Gated access that has an ingress and egress shall comply with the following: Each gate shall be a minimum width of 20' wide, the key pad shall be located a minimum distance of 50' from the right-of-way, also provide a 32' turning radii after the keypad and prior to the gate. Indicate compliance on the exhibit "A", prior to the tentative map clearance.
- 2 IN LIEU OF THE REQUIRED SECONDARY ACCESS, THE FOLLOWING CONDITIONS WILL APPLY: ALL NEW CONSTRUCTION SHALL BE FULLY FIRE SPRINKLERED IN ACCORDANCE WITH NFPA 13.
- 3 Access to the senior housing lot shall be as follows, provide 28' of vehicular access to within 150' of all exterior walls. Said access shall be parallel to two sides of the proposed structures. Compliance shall be indicated on either the Exhibit "A" or the C.U.P. prior to the tentative map clearance.
- 4 Due to the proposed driveway lengths for the senior multiple housing development, fire department turnarounds are required. The turnarounds designs shown on the Ex. A are not adequate. Turnarounds shall be designed to the Ladder Truck Standards. Indicate compliance on the Ex. A.
- 5 Show all turning radii have a 32' centerline turning radius. Indicate compliance on the Ex. A.
- 6 Identify plantings within the proposed entry roundabout.
- 7 Clarify if parking is covered or uncovered.

By Inspector: *Janna Masi*

Date: September 13, 2006

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



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerence, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **2**

CONDITIONS OF APPROVAL - VTTM 53653 FIRE STATION SITE REQUIREMENTS

DEVELOPER shall convey an improved FIRE STATION SITE to the DISTRICT (actual title to be transferred to "Consolidated Fire Protection District of Los Angeles County") prior to the issuance of the building permit for the 50th unit for VTTM 53653⁽¹⁾. DEVELOPER shall improve the FIRE STATION SITE at its sole cost and expense (the only compensation due the DEVELOPER is a credit for developer fees equal to the appraised value of the improved site as provided through a Developer Fee Credit Agreement⁽²⁾). Improvements shall include:

1. The FIRE STATION SITE shall have a net buildable pad of 1.26 acres (gross lot size is 2± acres).
2. Grading of the FIRE STATION SITE net buildable pad must meet the following requirements: a level pad that measures 225' (width, fronting a public street) X 242' (depth). The pad shall be graded to +/- 0.1 and tops and toes of slopes to +/- 0.3. The minimum pad dimensions shall be free of any easements, building set backs (front, rear and sides), slopes or any other conditions that would restrict full use of the net pad area. The gross acres / square footage to be provided will be calculated based on the net pad requirements outlined above and any additional property that will be conveyed to the DISTRICT. The site is to be graded in relation to the street or streets which front the site such that the emergency vehicle egress driveway can be constructed with a maximum 2% slope and the return driveway can be constructed with a maximum 5% slope. The above driveways begin at the fronting public street and become level at an imaginary 40-foot setback.
3. A two-inch diameter domestic water line installed to a DISTRICT approved meter location with a jumper and meter box. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from Back of Curb (BOC). DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the water purveyor.
4. A one-inch irrigation water line (reclaimed if available) installed to a DISTRICT approved meter location with a jumper and meter box. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC. DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the water purveyor.
5. A fire hydrant on site at a location directed by the DISTRICT.
6. A six-inch diameter fire sprinkler service line installed to a DISTRICT approved location. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC, with a shut-off valve located within a public street.
7. A sewer lateral (fixture count to be provided by the DISTRICT) installed to a DISTRICT approved location. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC. DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the permitting agency.
8. A storm drain connection (sized to accommodate both onsite and offsite drainage) installed to a DISTRICT approved location. The invert of the storm drain pipe must be at an elevation that allows for collection of all surface flows and piped drainage systems. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" behind the BOC.
9. Electric (loading to be provided by the DISTRICT), telephone (number of pairs to be provided by the DISTRICT), television cable, fiber optics (if available), and gas connections stubbed to DISTRICT approved locations. Points of connections shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC.

By Inspector: Janna Masi

Date: September 13, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **3**

CONDITIONS OF APPROVAL – VTTM 53653 FIRE STATION SITE REQUIREMENTS

10. All offsite street improvements adjacent to the FIRE STATION SITE which at a minimum shall include curbs, gutters, sidewalks, driveway approaches (maximum of three), traffic signs, street lights, and median breaks with turn lanes at both the emergency vehicle egress driveway and the emergency vehicle ingress driveway.
11. Installation of two traffic signals that allow for safe access from the emergency egress driveway onto the adjacent public roadways. Traffic signal number one will be installed on A Street fronting the FIRE STATION SITE and traffic signal number two will be installed at the intersection of A Street and The Old Road. Both signals will be designed to include interconnects to the fire station that allows for an emergency override of the signal controllers. Traffic signals must be installed by the time the FIRE STATION SITE is operational.
12. The Completion of a Phase I Site Assessment and, if warranted, a Phase II Site Assessment, and removal or remediation of any hazardous materials located in, upon, or on the FIRE STATION SITE, as required by all applicable federal, state and local laws (to be provided at the completion of all required site improvements).
13. Proof of full compliance with the "California Environmental Quality Act" for the development and operational impacts of a first responder fire station.
14. Remediation of any defects of the property to the satisfaction of the DISTRICT.
15. Any other requirements as reasonably determined by the DISTRICT that are necessary before construction of a fire station can begin on the FIRE STATION SITE.
16. **The FIRE STATION SITE shall be free of any soils and geological hazards and must be located outside of the Los Angeles County 50-year capital flood zone. The soils and geology reports must include language that states that the site has meet the requirements of the California Geological Survey (CGS) – Note 48 "Checklist for the Review of Engineering Geology and Seismology Reports for California Public Schools, Hospitals, and essential Services Buildings".**
17. **The FIRE STATION SITE shall be free of easements, except as expressly approved by the DISTRICT. The developer must provide the DISTRICT with a current American Land Title Association survey (ALTA).**
18. The FIRE STATION SITE shall not contain slopes or hillsides for the DISTRICT to maintain. The developer must arrange for the sloped area to be maintained by a third party, such as a landscaping / maintenance district, at no cost to the DISTRICT.
19. Provide the DISTRICT with the information outlined on the attached "Request for Information" (RFI) form.
 - (1) Developer shall provide a copy to and receive approval of the title language for the FIRE STATION SITE from the Fire Department Planning Division prior to Land Development's final map clearance.
 - (2) Prior to a developer fee credit being issued, an agreement must be approved by the Los Angeles County Fire District. No refunds of developer fees are made for any building permits issued prior to developer fee credit issuance. This agreement takes approximately 30 days to process after DEVELOPER has submitted approved copies to the DISTRICT.

Revised: February 21, 2006

By Inspector: Janna Masi

Date: September 13, 2006



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION**



PARK OBLIGATION REPORT

Tentative Map #	53653	DRP Map Date: 07/11/2006	SCM Date: / /	Report Date: 09/14/2006
Park Planning Area #	35A	NEWHALL / VALENCIA		Map Type: REV. (REV RECD)

Total Units = Proposed Units + Exempt Units

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

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

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

Park land obligation in acres or in-lieu fees:

ACRES:	1.49
IN-LIEU FEES:	\$409,455

Conditions of the map approval:

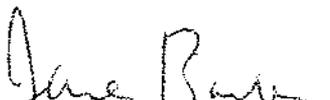
The park obligation for this development will be met by:
The payment of \$409,455 in-lieu fees.

Trails:

See also attached Trail Report. GAVIN CANYON TRAIL - For trail requirements, please contact Ken Siu, Trails Coordinator at (213) 351-5135.

Contact Patrocenia T. Sobrepeña, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: 
James Barber, Advanced Planning Section Head

Supv D 5th
September 15, 2006 07:14:38
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**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION**



PARK OBLIGATION WORKSHEET

Tentative Map #	53653	DRP Map Date: 07/11/2006	SMC Date: / /	Report Date: 09/14/2006
Park Planning Area #	35A	NEWHALL / VALENCIA		Map Type: REV. (REV RECD)

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

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

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

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

Total Units = Proposed Units + Exempt Units

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	3.23	0.0030	93	0.90
M.F. < 5 Units	2.29	0.0030	0	0.00
M.F. >= 5 Units	2.11	0.0030	93	0.59
Mobile Units	1.74	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				1.49

Park Planning Area = 35A NEWHALL / VALENCIA

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	1.49	\$274,802	\$409,455

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

Acre Obligation	Public Land Crd.	Priv. Land Crd.	Net Obligation	RLV / Acre	In-Lieu Fee Due
1.49	0.00	0.00	1.49	\$274,802	\$409,455



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

Russ Guiney, Director

September 18, 2006

**NOTICE OF TRAIL REQUIREMENT
FOR TRACT MAPS AND PARCEL MAPS**

Tentative Tract Map #: 53653

Date on Map: June 11, 2006

Provide a 12 foot wide easement with dirt surface trail bed for the Gavin Canyon Trail to the satisfaction of the Department of Parks and Recreations' Standards. Because of the necessity to show the trail alignment as it pertains to topographical lines, trail grade shall not exceed 10%, except in areas where this standard would result in excessive switchbacks. In this instance, grades to a maximum of 15% shall be permitted for distances of less than 300 feet. Trail shall be graded so the tread is outsloped along the entire length, at a maximum of 2% cross-slope. All information pertaining to trail requirements must be shown on the Tentative Parcel Map.

This Tentative Map is approved with the following conditions before final map recordation:

- X TRAIL EASEMENTS MUST BE CALLED OUT "LOS ANGELES COUNTY RIDING AND HIKING TRAIL EASEMENT" ON THE FINAL MAP.
- X IDENTIFY PORTIONS OF TRAIL THAT WILL BE CONSTRUCTED AS PART OF DEVELOPMENT AND PROVIDE CALL OUTS FOR THESE PORTIONS TO HAVE TRAIL EASEMENTS DEDICATED TO "LOS ANGELES COUNTY RIDING AND HIKING TRAIL EASEMENT".

Dedications and the exact following language should be shown for trail dedications on the first phase of final map.

Title Page: We hereby dedicate to the County of Los Angeles a 12 foot wide easement for Riding and Hiking purposes for the Gavin Canyon Trail.

- X IF A WAIVER IS FILED, A PLAT MAP DEPICTING THE TRAIL MUST ACCOMPANY THE WAIVER.

For any questions concerning trail alignment or other trail requirements, please contact Ken Slu at (213) 351-5135.

Ken Slu, Trails Coordinator



COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

BRUCE A. CHERNOF, M.D.
Acting Director and Chief Medical Officer

FRED LEAF
CHIEF OPERATING OFFICER

JONATHAN E. FIELDING, M.D., M.P.H.
Director of Public Health and Health Officer

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm



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

September 7, 2006

RFS No. 06-0022820

Tract No. 53653

Vicinity: Santa Clarita

Tentative Tract Map Date: July 11, 2006 (4th Revision)

The County of Los Angeles Department of Public Health has no objection to **Vesting Tentative Tract Map 53653** and the map is cleared for public hearing. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Valencia Water Company**, public water system, which guarantees water connection and service to all lots. A "will serve" letter has been received and approved.
2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Los Angeles County Sanitation District #32** as proposed.
3. Water wells that may be discovered on the property must be properly decommissioned.
4. Any existing septic systems on the property must be completely emptied of effluent and destroyed by a licensed contractor.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valenti, E.H.S. IV
Mountain and Rural/Water, Sewage, and Subdivision Program

Number	Mitigation Measure	Action Required <i>Geology, Soils, and Seismicity</i>	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
GEO1.	All on-site soils that are prone to settlement and collapse in areas proposed for development of structure shall be removed and replaced with engineered fill.	L.A. County review and approval of Grading Plans and periodic monitoring by Project Geologist	During Final Engineering Plan Check and Site Grading	One Time Activity during Plan Check and Periodic During Grading	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	
GEO2.	If identified during on-site grading by a registered Geotechnical Engineer and/or Geologist, Holocene-age alluvium shall be removed and replaced with engineered fill in areas proposed for development where alluvium directly overlies bedrock, to preclude the possibility of ground lurching.	On-site monitoring by Project Geologist	During Site Grading	Periodic	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	
GEO3.	All liquefaction-prone soils identified during on-site grading by a registered Geotechnical Engineer and/or Geologist, shall be removed from areas proposed for development and replaced with engineered fill.	L.A. County review and approval of Grading Plans and periodic monitoring by Project Geologist	During Final Engineering Plan Check and Site Grading	One Time Activity during Plan Check and Periodic During Grading	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	
GEO4.	Subsides from over-steepened slopes or grading of slopes to a shallower angle, as recommended in the project's geotechnical Report, shall be required to minimize rock fall hazards to development along the northern boundary of the proposed project site.	L.A. County review and approval of Grading Plans and periodic monitoring by Project Geologist	During Final Engineering Plan Check and Site Grading	One Time Activity during Plan Check and Periodic During Grading	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	
GEO5.	Adequate structural setbacks for homes and commercial sites shall be required, and surface drainage shall be directed away from the toe of affected steep slopes. In order to prevent landslides or other slope failures in on-site areas susceptible to block-and/or toppling-type failures.	L.A. County review and approval of Grading Plans and periodic monitoring by Project Geologist	During Final Engineering Plan Check and Site Grading	One Time Activity during Plan Check and Periodic During Grading	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	
GEO6.	As soon as grading is completed for each lot, establish a protective vegetative cover in all disturbed areas via planting and/or seeding, then place a temporary protective cover, such as jute netting, mulch, hay, or other non-erodible form of ground cover, until a vegetative cover is established.	L.A. County review and approval of SWPPP	During Final Engineering Plan Check and Grading	Periodic as lots are completed	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	
GEO7.	Direct surface drainage from cut and fill slopes via brow ditches; collect surface drainage in ditches with relatively shallow gradients; and provide a means to inhibit sediment runoff into natural drainages until a protective vegetative cover effectively mitigates further soil erosion. Place energy-dissipating devices in drainages subject to increased runoff.	L.A. County review and approval of SWPPP and Drainage Plan and on-site monitoring by Project Engineer	During Final Engineering Plan Check and Grading	One Time Activity during Plan Check and Periodic During Grading	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	
GEO8.	When grading, project applicant shall minimize the area of disturbance outside of established grading envelope. A Construction Staging Plan shall accompany the Final Grading Plan and shall clearly delineate the limits of grading and identify any construction staging areas that are located outside of proposed grading boundary.	L.A. County review and approval of Grading Plans and on-site monitoring by Project Geologist	During Final Engineering Plan Check and Grading	One Time Activity during Plan Check and Periodic During Grading	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	
GEO9.	Incorporate recommended foundation designs, where applicable, to preclude any adverse effects on proposed structures in areas characterized by expansive soils, including but not limited to post-tensioned slabs, mat-slabs, or other foundation systems for residential structures.	L.A. County review and approval of final building plans	During Final Engineering Building Plan Check	One Time Activity	Prior to Issuance of Building Permits	Project Applicant,	L.A. County DPW - Land Development Division	

Number	Mitigation Measure	Action Required <i>Grading, Soils, and Seismicity</i>	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
GEO10	Fossil beds impacted by the proposed project shall be excavated by a qualified paleontologist to gather and record which species of vertebrate and macroinvertebrate fauna existed onsite during the Pliocene. The fossil record shall be preserved in an appropriate museum, such as the Natural History Museum of Los Angeles County, and the results published for the benefit of the scientific community and general public.	Field survey by qualified paleontologist during grading to identify fossil laden sediments.	During Grading	Periodic as necessary during grading	Prior to issuance of Building Permits	Project Applicant	L.A. County DRP	
HWQ1	Debris/detention basins shall be constructed on the westerly side of the intersection of "A" Street and "F" Street and the northerly side of the intersection of "A" Street and "D" Street. In addition to the debris basins, additional detention basins shall be placed in series above each debris basin to prevent the debris basins from becoming jurisdictional dams under the California Division of Safety of Dams. In addition to the above drainage improvements, the following items shall also be required: a) The development area adjacent to the double 8-foot by 8-foot culvert shall be raised to reduce the flooding potential. The final elevation shall be determined by FEMA during their review of a Conditional Letter of Map Revision request. b) In addition, the County of Los Angeles shall require the developers to obtain a drainage acceptance letter from the property owner immediately downstream of the double 8-foot by 8-foot culvert (mobile home park) prior to issuance of grading permits. c) The proposed debris/detention basin shall be cleared/maintained as necessary by the Los Angeles County Department of Public Works Flood Control Division, as appropriate.	L.A. County review and approval of Final Drainage Improvement Plans <i>Hydrology and Water Quality</i>	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Certificate of Occupancy for 1st Residential Unit	Project Applicant	L.A. County DPW - Land Development Division	

Number	Mitigation Measure	Action Required <i>Hydrology & Water Quality</i>	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
HWQ2.	Storm drains, culverts, channels, and outlets shall be designed per County of Los Angeles and Federal Emergency Management Agency (FEMA) Design Standards.	L.A. County review and approval of Final Drainage Improvement Plans	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County DPW - Land Development Division	
HWQ3.	Erosion protection (for energy dissipating structures) shall be placed at outlets to natural drainage channels in order to minimize the potential for erosion, subject to approval by the Los Angeles County Department of Public Works Flood Control Division, as appropriate.	L.A. County review and approval of Final Drainage Improvement and SWPPP Plan	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW - Land Development Division	
HWQ4.	Any construction in the FEMA Zone A shall require a Conditional Letter of Map Revision. A Letter of Map Revision shall be required prior to building occupancy.	L.A. County review and approval of Conditional Letter of Map Revision	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Certificate of Occupancy for 1st Residential Unit	Project Applicant	L.A. County DPW - Land Development Division	
HWQ5.	Project developers shall prepare and submit a Notice of Intent to comply with the Construction General Permit to the State Water Resources Control Board.	L.A. County review and approval of SWPPP Plan	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW - Land Development Division	
HWQ6.	Project developers shall prepare and receive approval of a Stormwater Pollution Prevention Plan (SWPPP) per requirements of the Construction General NPDES Permit.	L.A. County review and approval of SWPPP Plan	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW - Land Development Division	
HWQ7.	Project developers shall comply with post-construction Best Management Practices (BMP) requirements as detailed in the L.A. County Standard Urban Storm water Mitigation Plan (SUSMP).	L.A. County review and approval of SUSMP Plan	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County DPW - Land Development Division	
HWQ8.	The project developer shall design, construct and maintain all structural storm water attraction devices proposed as part of the project. The final location of the proposed structural storm water filtration systems shall be determined by the Los Angeles County Department of Public Works prior to issuance of building permits.	L.A. County review and approval of Final Drainage Plan	During Final Engineering Plan Check	Annual	Prior to issuance of Building Permits	Project Applicant	L.A. County DPW - Land Development Division	
HWQ9.	In order to limit the amount of runoff leaving the site in stormwater runoff, project developers shall implement public education programs for residents concerning the clean up of pet waste. Also, pet waste disposal bags and containers shall be provided around parks and other areas of high pet traffic.	L.A. County review and approval of project applicant's Pet Waste Disposal Public Education Program	Post-Construction	One Time Activity	Prior to issuance of Certificate of Occupancy for Last Residential Unit	Project Applicant	L.A. County DPW - Land Development Division	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
HWQ10:	<p>Los Angeles County Department of Public Works shall be responsible for the operation and maintenance of any abstractions basins on the site, which include:</p> <ul style="list-style-type: none"> • Dispersion of alluvial sediment deposition at inlet structures, thus limiting the extended localized ponding of water. • Periodic sediment removal to ensure adequate storage and treatment volume. • Monitoring of the basin to ensure it is completely and properly drained. • Outlet fear cleaning. • Vegetation management to prevent marsh vegetation from taking hold, and to limit the growth of habitat for disease-carrying fauna. • Removal of grass, litter, vegetable and other debris. • Preventive maintenance on monitoring equipment. • Vegetative stabilization of eroding banks. 	<p>Hydrology & Water Quality</p> <p>Developer to construct and dedicate all on-site abstractions to L.A. County DPW</p>	Post-Construction	Continuous	Prior to issuance of Certificate of Occupancy for Least Residential Unit	Project Applicant	L.A. County DPW- Land Development Division	
HWQ11:	<p>The Los Angeles County Department of Public Works shall be responsible for the operation and maintenance of any storm water filters on the site, to include:</p> <ul style="list-style-type: none"> • Providing adequate access for inspection and maintenance. • Removal of accumulated trash, paper and debris. • Corrective maintenance including removal and replacement of top layers of media. • Complete replacement of filter media every 3 to 5 years. • Periodic removal of vegetative growth. 	<p>Developer to construct and dedicate any storm water filters to L.A. County DPW</p>	During Construction	Continuous	Prior to issuance of Certificate of Occupancy for Least Residential Unit	Project Applicant	L.A. County DPW- Land Development Division	
HWQ12:	<p>The Los Angeles County Department of Public Works shall be responsible for the operation and maintenance of any storm water clarifiers on the site, which include:</p> <ul style="list-style-type: none"> • Inspection prior to the beginning of the storm season. • Regular inspection following storm events. • Removal of accumulated sediment, trash and debris. 	<p>Developer to construct and dedicate any storm water clarifiers to L.A. County DPW</p>	During Construction	Continuous	Prior to issuance of Certificate of Occupancy for Least Residential Unit	Project Applicant	L.A. County DPW- Land Development Division	
HWQ13:	<p>Pesticide applications shall be managed through educational and other source control efforts, including the installation of efficient landscape irrigation systems in common areas and the development of guidance on applying these types of chemicals for contractors maintaining landscape areas. Examples of material which may be used for education may include educational pamphlets currently available through L.A. County and/or other sources (i.e., http://www.americancollectors.org/nontofpe-bro.htm). Because of the concerns regarding indicators of human pathogens, education programs shall emphasize animal waste management, such as the importance of cleaning up after pets and not feeding wild animals, such as pigeons, seagulls, ducks and geese. The project applicant shall create and distribute these pamphlets to landscape contractors prior to on-site planting.</p>	<p>Developer to prepare contractor and resident pesticide management handbook</p>	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Building Permit	Project Applicant	L.A. County DRP	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial/Once Completed
HAZ14	The project applicant shall prepare an herbicide/pesticide program to be utilized by landscaping contractors on commonly owned landscaped areas. This program shall include requirements to minimize the use of herbicides and pesticides in these landscaped areas and shall be prepared and in place prior to onsite planning.	Developer to prepare Pesticide Management Handbook	During Final Engineering Plan Check	One Time Activity	Prior to issuance of Building Permit	Project Applicant	L.A. County DRP	
HAZ15	If unknown wastes or suspect materials are discovered during construction by the contractor, which the site believes may involve hazardous waste/materials, the contractor shall: <ul style="list-style-type: none"> Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area; Notify the project engineer of the implementing agency; Secure the areas directed by the project engineer; and Notify the implementing agency's Hazardous Waste/Materials Coordinator. 	Developer shall hire qualified Hazardous Waste/Materials Coordinator for on-site monitoring during construction	During Construction	Periodic	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW, and L.A. County Fire Department (Hazardous Materials Division)	
HAZ16	If deemed appropriate by the project's geotechnical engineer, the on-site abandoned oil well shall be re-abandoned per current DCGSR standards prior to issuance of any grading permit.	If necessary, Developer shall abandon on-site oil wells	During Construction	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW, and L.A. County Fire Department (Hazardous Materials Division)	
HAZ17	All miscellaneous debris shall be removed off-site and properly disposed of at an approved landfill facility prior to issuance of building permits. Once removed, a visual inspection shall be completed by a representative from the Los Angeles County Public Works Department of the areas beneath the removed materials to confirm total removal. Any stained soils observed underneath the removed materials shall be sampled. Based on the results of the sampling, the applicant's consultant and a representative from the Los Angeles County Public Works Department shall determine the level of remediation efforts that may be required (if any).	Developer shall properly dispose of all on-site trash and debris generated during on-site grading	During Construction	Continuous	Prior to issuance of Certificate of Occupancy for 1st Residential Unit	Project Applicant	L.A. County DPW- Land Development Division, and L.A. County Fire Department (Hazardous Materials Division)	
HAZ18	One 500-gallon abandoned AST was observed along a hill within the central portion of the project site. The tank shall be removed and properly disposed of at an appropriate landfill facility prior to issuance of building permits. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining (an indication of contamination migration into the subsurface). If observed, stained soils shall be tested to identify appropriate remedial activities (if necessary).	Developer shall remove and properly dispose of 500-gallon above-ground storage tank	During Construction	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW- Land Development Division, and L.A. County Fire Department (Hazardous Materials Division)	
HAZ19	The fallen power line and transformer shall be removed off-site and properly disposed of at an approved landfill facility prior to issuance of building permits. Additionally, other transformers on-site shall be removed/relocated during site construction/developments. This removal/relocation shall be conducted under the purview of the local utility purveyor to identify proper handling procedures regarding potential PCBs. The concrete on which the power line and transformer fell shall be removed and properly disposed of at an approved landfill facility. Any stained soils observed underneath the concrete shall be sampled. Results of the sampling (if necessary) would indicate the level of remediation efforts that may be required.	Developer shall remove and properly dispose of fallen power line and transformer	During Construction	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW, and L.A. County Fire Department (Hazardous Materials Division)	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
	Hazards and Hazardous Materials							
HAZ8	The contents of the concrete structure shall be removed off-site and properly disposed of at an approved landfill location prior to issuance of building permits. Once removed, a visual inspection of the area beneath the removed materials shall be performed. Any stained concrete or soil (depending on material) observed underneath the removed materials shall be sampled. Results of the sampling (if necessary) would indicate the level of remediation efforts that may be required. If concrete is present and staining is noted, the concrete shall be removed and disposed of at an appropriate permitted facility. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining (an indication of contamination migration into the subsurface). If observed, stained soils shall be tested to identify appropriate remedial activities (if necessary).	Developer shall remove and properly dispose of existing concrete structure(s)	During Construction	One Time Activity	Prior to issuance of Building Permit	Project Applicant	L.A. County DPW- Land Development Division, and L.A. County Fire Department (Hazardous Materials Division)	
HAZ7	The terminus of all undocumented pipes shall be defined. The primary concern with pipes that extend into the ground surface is the potential for the pipes to act as a ventilation apparatus for an undocumented UST. Should a UST be present, the UST shall be removed and properly disposed of at an approved landfill facility prior to issuance of building permits. Once removed, a visual inspection of the areas beneath and around the removed UST shall be performed. Any stained soils observed underneath the UST shall be sampled. Results of the sampling (if necessary) would indicate the level of remediation efforts that may be required.	Developer shall hire appropriate professional to map all undocumented pipes on-site	Prior to Construction	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW- Land Development Division, and L.A. County Fire Department (Hazardous Materials Division)	
HAZ6	The on-site wall shall be properly removed and abandoned prior to issuance of a building permit pursuant to the latest procedures required by the Los Angeles County Department of Health Services with closure responsibilities for the walls. Any associated equipment (i.e., piping) shall be removed off-site and properly disposed of at a permitted landfill. A visual inspection of the areas beneath the removed materials (if present) shall be performed. Soil sampling around the wall shall be performed, as determined appropriate by a qualified Phase II professional.	Developer shall properly remove and abandon on-site well(s)	Prior to Construction	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW and L.A. County Fire Department (Hazardous Materials Division)	
HAZ9	The project site was utilized for agricultural purposes in the past and may contain pesticide residues in the soil. Soil sampling shall occur throughout the project site, especially in areas of past development (as identified within the historical aerial photographs) prior to issuance of building permits. The sampling shall determine if pesticide concentrations exceed established regulatory requirements and shall identify proper handling procedures that may be required.	Developer shall complete soil sampling for pesticides	Prior to Construction	One Time Activity	Prior to issuance of Grading Permits	Project Applicant	L.A. County DPW- Land Development Division, and L.A. County Fire Department (Hazardous Materials Division)	
HAZ10	Pipeline operators shall be notified in advance of any grading activity in the vicinity of the off-site oil pipeline. Any specific requirements of the operator to avoid disturbances that could create a safety hazard shall be fully implemented. Possible methods to protect underground utilities include dielectric coating, cathodic protection, mortar coating, or encasement in cement slurry or concrete.	Developer shall notify pipeline operations of project grading	Prior to Construction	One Time Activity	Prior to issuance of Grading Permit	Project Applicant	L.A. County DPW- Land Development Division, and L.A. County Fire Department (Hazardous Materials Division)	
HAZ11	Prior to grading in the vicinity of the off-site oil pipeline, the location of the pipeline shall be marked. If a pipeline will be affected by project grading, no grading shall occur in such area until pipeline is re-located. Underground Service Alert shall be notified 48 hours in advance of grading and shall clear the pipeline location prior to grading activity.	All on-site pipelines shall be located and confirmed to be outside of grading envelope	Prior to Construction	One Time Activity	Prior to issuance of grading permits	Project Applicant	L.A. County DPW- Land Development Division, and L.A. County Fire Department (Hazardous Materials Division)	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
N1.	Construction shall be limited to the hours of 7:00 AM to 7:00 PM on any working day except Sundays and holidays, in accordance with the County's Noise Control Ordinance (County Code Section 12.09C.443). The following measures shall be implemented by the project applicant to reduce potential construction noise impacts on nearby sensitive receptors: a) During all site excavation and grading, the construction contractor shall equip all construction equipment, fixed or mobile, with property operating and maintained mufflers consistent with manufacturers' standards. b) The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. c) The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and the existing noise-sensitive receptors (existing residences) north of the project site during all project construction.	Developer shall not allow construction outside of 7:00 AM to 7:00 PM.	During Construction	Continuous	During Construction	Project Applicant	LA County DRP	
N2.		Developer shall require all contractors to comply with noise reduction measures	During Construction	Continuous	During Construction	Project Applicant	LA County DRP	
N3.	A sound barrier, with a minimum wall height of six feet, is required for ground-floor frontlines outdoor active use areas on the following lots: Lots 83 through 85 and Lots 87-90.	L.A. County review and approval of sound walls shown on Final Improvement Plans	During Final Engineering Plan Check	One Time Activity	Prior to Building Permit Issuance for Lots 83-85 and Lots 87-90	Project Applicant	LA County DPW- Building and Safety Division	
N4.	A sound barrier, with a minimum wall height of seven feet, is required for ground-floor frontlines outdoor active use areas on Lot 86.	L.A. County review and approval of sound walls shown on Final Improvement Plans	During Final Engineering Plan Check	One Time Activity	Prior to Building Permit Issuance for Lot NO. 86	Project Applicant	LA County DPW- Building and Safety Division	
N5.	A sound barrier, with a minimum wall height of five feet, is required for ground-floor frontlines outdoor active use areas on the following lots: Lot 91-94.	L.A. County review and approval of sound walls shown on Final Improvement Plans	During Final Engineering Plan Check	One Time Activity	Prior to Building Permit Issuance for Lots 91-94	Project Applicant	LA County DPW- Building and Safety Division	
N6.	Balconies or decks, if proposed for the frontlines dwelling units on Lots 83 through 84 and the attached senior housing, which are directly exposed to traffic noise from The Old Road and I-5, shall require a noise barrier with a minimum height of five feet along the perimeter of balconies or decks. Balconies or decks on the side of the building facing away from the street or outside of the 85 dBA CNEq impact zone shall not require sound wall protection.	L.A. County review and approval of sound walls shown on Final Improvement Plans	During Final Engineering Plan Check	One Time Activity	Prior to Building Permit Issuance for Lots 83-84 and Senior Housing Units	Project Applicant	LA County DPW- Building and Safety Division	
N7.	Mechanical ventilation, such as an air-conditioning system, shall be required for lots 76-89 and all units in the senior housing lot.	L.A. County review and approval of mechanical ventilation plans for residential units	During Final Engineering Plan Check	One Time Activity	Prior to Building Permit Issuance for Lots 76-89 and Senior Housing Units	Project Applicant	LA County DPW- Building and Safety Division	
N8.	Windows with a minimum STC-30 rating are required for bedrooms exposed to I-5 traffic on Lots 83-86, except for Lot 86, where windows with a minimum STC-32 rating are recommended for bedrooms exposed to I-5 traffic.	L.A. County review and approval of Building Plans including appropriate window specifications	During Final Engineering Plan Check	One Time Activity	Prior to Building Permit Issuance for Lots 83-86, except 86	Project Applicant	LA County DPW- Building and Safety Division	
N9.	Windows with a minimum STC-34 rating are required for sleeping quarters associated with the proposed fire station.	L.A. County review and approval of Building Plans including appropriate windows specifications for fire station sleeping quarters	During Final Engineering Plan Check	One Time Activity	Prior to Building Permit Issuance for Fire Station Building	LA County Fire Department	LA County DPW- Building and Safety Division	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
		<i>Air Quality</i>						
AQ1.	The construction contractor shall be responsible for ensuring that all measures listed in Table S.5-7, Standard Measures for Construction-Related Emissions are implemented. To achieve the particulate control efficiencies shown, finished surfaces shall be stabilized with water and/or sump-based, or other non-solvent-based, dust-pellicles and isolated from traffic flows to prevent emissions of fugitive dust from these areas.	Developer and all sub-contractors shall implement all applicable air quality control measures during construction	During Project Construction	Continuous	During Project Construction	Project Applicant	LA County DRP, SCAGMD	
AQ2.	All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained.	Developer shall ensure that all contractors properly maintain construction equipment	During Project Construction	Continuous	During Project Construction	Project Applicant	LA County DRP, SCAGMD	
AQ3.	The construction contractor shall utilize, as much as possible, percolated/natural colored building materials, water-based or low-VOC coating on all interior and exterior walls, and coating transfer or spray equipment with high transfer efficiency, such as HVLP spray method, or manual coatings application such as a paintbrush, hand roller, trowel, spatula, dauber, rag, or sponge.	Developer shall verify that contractor utilizes low-VOC coatings where feasible	During Project Construction	Continuous	Prior to Issuance of Building Permits	Project Applicant	LA County DRP, SCAGMD	
AQ4.	Low-emitting paints and solvents shall be used on all future on-site structures.	Developer shall require contractor to use low-VOC paints	During Project Construction	Continuous	Prior to Issuance of Building Permits	Project Applicant	LA County DRP, SCAGMD	
AQ5.	To the extent feasible, future on-site buildings shall incorporate design principles of the Energy Star program and/or Leadership in Energy and Environmental Design (LEED) program, and associated energy-saving features, including energy-efficient heating and cooling systems, tight construction and ducts, improved insulation, high-performance windows, and built-in energy efficient appliances.	Developer shall utilize Energy Star Products and incorporate LEED building principles where feasible	During Project Construction	Periodic	Prior to Issuance of Building Permits	Project Applicant	LA County DRP, SCAGMD	
AQ6.	All public and private parking areas (i.e. recreational facilities, trailhead parking, senior housing parking) shall be planted with trees to insure shading and prevent heat buildup.	L.A. County review and approval of Landscaping Plans	During Plan Check of Final Landscaping Plans	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	LA County DRP	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed	
B101	<p>Supplemental Surveys. Prior to site disturbance activities associated with the proposed project, supplemental seasonal field surveys for Ambrosia confertiflora, and any other special-status plant species, should be conducted to clearly determine and to mark off the exact locations and numbers of plants onsite in the development footprint as well as those to be preserved. Surveys should be conducted in the spring prior to construction to tag locations of special-status plants within and immediately adjacent to the project site. As many seeds as possible of populations within the grading areas shall be salvaged and planted in preserve areas, Rancho Santa Ana Botanic Garden would be an appropriate facility to conduct the salvage, storage, and ongoing propagation of these special-status plant species.</p> <p>Avoidance and Protection. Areas with Ambrosia confertiflora, and other special-status plant species, outside of the development footprint shall be avoided and preserved in perpetuity through an appropriate recordable legal instrument. The legal document shall be recorded prior to issuance of a grading permit. A qualified botanist shall survey for, and appropriately mark, all populations of special-status plant species at Lyons Canyon Ranch that are to be avoided and preserved. Where avoidance and protection is not possible, mitigation shall be accomplished through seed planting.</p> <p>Seed Collection and Propagation. A seasonal survey A seasonal survey shall be conducted in suitable habitat after the flowering season and shall be obtained from the native trees, shrubs, herbs, and grasses cleared from the project site during construction activities. The survey shall be conducted by a qualified botanist familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned, and stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery experienced with propagating special-status plant species and grown out to 1-gallon container size. The best time to sow seed is in the fall in conjunction with the onset of rain. These plants shall be planted in suitable preserved habitat onsite at a ratio of 10 plants for every 1 plant impacted by the project. The propagated plants shall be maintained and monitored for a period of five (5) years after initial planting, with annual reports submitted to the County.</p> <p>Determine Pinot Mitigation Sites. A site analysis plan must be conducted to determine potential planting areas and to identify the most appropriate mitigation site(s) acceptable to the Los Angeles County Department of Regional Planning, which should be conducted prior to seed collection. A detailed mitigation plan shall be prepared and submitted to the appropriate agency(ies) for review prior to implementation. The plan must be prepared by a qualified botanist as determined by Los Angeles County Director of Planning. Potential mitigation areas for special-status plant species onsite are shown above on Exhibit S.6-21, Potential Special-Status Plant Species Mitigation Areas. The estimated mitigation area available for relocation and plantings of Ambrosia confertiflora and other special-status plant species is approximately 5.56 acres.</p> <p>Prepare Detailed Mitigation Plan. Following seed collection, special-status species seedlings shall be planted into suitable mitigation sites in the undeveloped portions of the project site, or in an adjacent undeveloped acreage that shall be preserved in perpetuity. A qualified botanist shall be selected by the applicant that is acceptable to the County to prepare and implement a detailed mitigation plan.</p>	<p>(1) Qualified botanist shall conduct a seasonal survey prior to ground disturbing activities.</p> <p>(2) If sensitive species are found, seeds are to be gathered and grown.</p> <p>(3) Restoration plantings shall be planted in mitigation areas pursuant to detailed mitigation plan</p>	<p>Prior to and During Construction</p>	<p>Annually for 5 years</p>	<p>(1) For survey, prior to issuance of Grading Permit. (2) For Planting, prior to issuance of Building Permits</p>	<p>Project Biologist, Project Applicant</p>	<p>L.A. County DRP - County Biologist</p>		
B102	<p>Preserve Detailed Mitigation Plan. Following seed collection, special-status species seedlings shall be planted into suitable mitigation sites in the undeveloped portions of the project site, or in an adjacent undeveloped acreage that shall be preserved in perpetuity. A qualified botanist shall be selected by the applicant that is acceptable to the County to prepare and implement a detailed mitigation plan.</p> <p>Implement Conditions of Approval Related to Preserve Maintenance. The Lyons Canyon Ranch project shall provide for the establishment of a Home Owners' Association (HOA) and the preparation of Conditions, Covenants, and Restrictions (CC&Rs) prior to the recordation of the final tract map as a condition of project approval. The HOA shall be governed by CC&Rs that address all aspects of property maintenance of common areas preserves and biological resource mitigation areas under control of the HOA. The HOA shall be fully funded, pursuant to, and consistent with, the recorded CC&Rs.</p>	<p>L.A. County review and approval of HOA CC&Rs establishing maintenance responsibilities</p>	<p>During Plan Check</p>	<p>One Time Activity</p>	<p>Prior to Final Map Recordation</p>	<p>Project Biologist, Project Applicant</p>	<p>L.A. County DRP - Land Development Division</p>		

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BI02	<p>cont.</p> <p>The Lyons Canyon Ranch project HOA shall be responsible to maintain all common areas consistent with the applicable mitigation measures and conditions of approval recorded by the County of Los Angeles. The applicable mitigation measures and conditions of approval that fall under the responsibility of the HOA shall be explicitly specified in the CC&RS, and shall be verified by the County of Los Angeles prior to recordation of the final tract map.</p> <p>Prior to undertaking any activities within preserve areas, the HOA shall retain the services of a wildlands ecologist acceptable to the DRP and familiar with plants and wildlife native to the Santa Clarita region to provide review and approval of the specific activities in preserve parcels. The ecologist shall also oversee HOA maintenance staff when performing the following maintenance, to ensure compliance with biological mitigation measures applicable to the project site:</p> <ul style="list-style-type: none"> - Fuel modification within common areas; - Maintenance of privately owned wetlands restoration areas; - Maintenance of common areas designated as preserves or mitigation areas; and - Maintenance of privately owned trails. 	<p>Biological Resources</p> <p>See Above</p>	<p>During and After Construction</p>	<p>Continuous</p>	<p>Prior to Issuance of Certificate of Occupancy for 1st Residential Unit</p>	<p>Project Applicant, Project Biologist and Project HOA</p>	<p>L.A. County DRP</p>	
BI03	<p>Supplemental Surveys. Prior to site disturbance activities associated with the proposed project, supplemental seasonal field surveys for <i>Calochortus plummerae</i> and <i>Calochortus clavatus</i> shall be conducted to clearly determine and to mark off the exact locations and numbers of plants on-site in the development footprint as well as those to be preserved. Surveys shall be conducted in the spring prior to construction to flag locations of <i>Calochortus</i> within and immediately adjacent to the project site. All bulbs and seeds of populations within the grading areas shall be salvaged, translocated, and subsequently planted in preserve areas. Rancho Santa Ana Botanic Garden would be an appropriate and County acceptable facility to conduct the translocation, storage, and ongoing propagation of these species.</p> <p>Avoidance and Protection. Areas with <i>Calochortus</i> outside of the development footprint shall be avoided and preserved in perpetuity through an appropriate recordable legal instrument. The legal document shall be recorded prior to issuance of a grading permit. A qualified botanist shall survey for, and appropriately mark, all populations of <i>Calochortus</i> at Lyons Canyon Ranch that are to be avoided and preserved. Where avoidance and protection is not possible, mitigation shall be accomplished through seed collection, bulb translocation, and subsequent planting.</p>	<p>(1) Conduct seasonal field surveys for <i>Calochortus plummerae</i> and <i>Calochortus clavatus</i>; (2) Harvest bulbs and seeds for propagation; (3) Preserve Mitigation Areas via an appropriate legal instrument.</p>	<p>Prior to Construction</p>	<p>Periodic as necessary</p>	<p>(1) Prior to Issuance of Grading Permit for surveys; (2) Prior to Issuance of Certificate of Occupancy for 1st Residential Unit for Restoration</p>	<p>Project Applicant Project Biologist, L.A. County DRP - County Biologist</p>	<p>L.A. County DRP - County Biologist</p>	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Onset Completed
BIO3	<p>Bulb Translocation. A pre-construction survey during the peak flowering period, approximately March through June, shall be conducted by a qualified botanist acceptable to the DRP in the areas of the project site that will be disturbed, and all individual Calochortus plants shall be marked for subsequent relocation. Each impacted Calochortus bulb shall be clearly delineated with pin flags for collection by a qualified collector. Bulbs shall be collected after the flowering period when the plants are dormant, where high fly concentrations exist onsite, the first ten inches or more of topsoil shall be moved in large blocks to the selected revegetation site. The salvaged bulbs or bulb-containing topsoil shall be translocated to an appropriate site(s) acceptable to the DRP within the preserved portions of the project site.</p> <p>Seed Collection and Propagation. Calochortus are typically grown from seed for mitigation purposes (Carol Bornstein, pers. comm. 30 January 2009). A seasonal survey prior to grading shall be conducted in suitable habitat during and after the flowering season to collect seeds. The survey shall be conducted by a qualified botanist acceptable to the DRP and familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned, stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery for institution with propagating Calochortus species and grown out to 1-gallon container size. The best time to sow seed is in the fall in conjunction with the onset of rain. Calochortus usually takes at least three (3) years to achieve flowering size, depending upon the species (Carol Bornstein, pers. comm. 30 January 2009). These plants shall be planted in suitable preserved habitat onsite and acceptable to the DRP at a ratio of 10 plants for every 1 plant impacted by the project. The propagated plants shall be maintained and monitored for a period of five (5) years after initial planting, with annual reports submitted to the County.</p> <p>Determine Final Mitigation Sites. A site analysis plan must be conducted prior to bulb collection to determine potential planting areas and to identify the most appropriate mitigation site(s) acceptable to the DRP. A detailed mitigation plan shall be prepared and submitted to the DRP for review prior to implementation. The plan must be prepared by a qualified botanist as determined by Los Angeles County Director of Planning. Potential mitigation areas for Calochortus species onsite are shown above on Exhibit 5.8-21, Potential Special-status Plant Species Mitigation Areas. The estimated mitigation area available for relocation and plantings of Calochortus is approximately 28.53 acres.</p> <p>Prepare Detailed Mitigation Plan. Following seed and bulb collection, the Calochortus shall be relocated into a suitable mitigation site in the undeveloped portion of the project site, or in an adjacent undeveloped acreage that shall be preserved in perpetuity. A qualified botanist shall be selected by the applicant that is acceptable to the County to prepare and implement a detailed mitigation plan. Please refer to Page 5.8-87 for a full description of these requirements.</p>	Biological Resources	See Above	See Above	See Above	See Above	See Above	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Onset Completed	
B104	<p>Plant <i>Juglans californica</i> var. <i>californica</i> Onsite. To mitigate for the loss of 0.50 acre of <i>Juglans californica</i> Alliance, including the loss of approximately 10 individual Southern California Black Walnut trees, plant locally indigenous seeds (seedlings) of <i>Juglans californica</i> var. <i>californica</i> in a designated mitigation site. <i>Juglans californica</i> var. <i>californica</i> fruit (nutmeats) shall be collected from locally indigenous (on-site) sources. Seeds shall be gathered when ripe and transferred to a native plant nursery experienced with propagating <i>Juglans californica</i> for seed storage and subsequent propagation. Seedlings shall be grown out to 1-gallon container size, preferably in liners rather than 1-gallon pots. Seeds are a viable source for mitigation and will be utilized for some replacement. However, nursery-grown plantings should have higher success. These plants shall be planted in suitable preserved habitat found onsite at a ratio of 10 plants for every 1 plant impacted by the project. Since approximately 10 individuals of this species will be impacted from the project, at least 100 trees will be required.</p> <p>The seedlings should be monitored and irrigated on a regular basis to ensure survival. <i>Juglans californica</i> can also be grown from mature stem cuttings and sprouted in a greenhouse. Rooted cuttings can then be planted at the mitigation site(s). Planting should occur on one or more of the preserve areas onsite on a north-facing slope adjacent to Coast Live Oak Woodland areas. With proper maintenance and monitoring, the impacts should be fully mitigable. No sensitive habitat shall be impacted during <i>Juglans</i> mitigation efforts. The planted plants shall be maintained and monitored for a period of five (5) years after initial planting, with annual reports submitted to the County.</p> <p>Potential <i>Juglans californica</i> var. <i>californica</i> mitigation areas onsite are shown above on Exhibit S.6-21, Potential Special-status Plant Species Mitigation Areas. The estimated mitigation area available for plantings of <i>Juglans californica</i> var. <i>californica</i> is approximately 6.86 acres.</p>	<p>(1) Harvest on-site walnut seeds for re-planting. (2) Developer to plant locally indigenous seeds of <i>Juglans californica</i> var. <i>californica</i> fruit in a designated mitigation site</p>	<p>Prior to and During Construction</p>	<p>Annually</p>	<p>(1) Harvest prior to Issuance of Grading Permit. (2) Completion of restoration prior to Issuance of C of O for the last residential unit</p>	<p>Project Applicant Project Biologist, L.A. County County DRP - County Biologist</p>	<p>L.A. County Biologist County Biologist</p>		
B105	<p>Implementing Mitigation Measure B101 will also mitigate for this impact.</p> <p>Conduct Survey, Propagate Seeds, and Plant Onsite. Since the location or presence of the rare plant species likely to occur onsite (<i>Aster greatae</i>, <i>Erodium macrophyllum</i>, <i>Horkelia cuneata</i> ssp. <i>puberula</i>, <i>Lepidium virginicum</i> var. <i>robinsonii</i>, <i>Nolina clemontana</i>, and <i>Senecio aphanactis</i>) is not confirmed, seasonal surveys shall be conducted in suitable habitat at a time when positive identifications can be made. The surveys shall be conducted by a qualified botanist acceptable to the DRP and familiar with the flora of the Santa Susana Mountains. If any of these plants are found to be within the project impact area, then, prior to grading, seeds shall be gathered when ripe and transferred to a native plant nursery experienced with propagating sensitive or similar species, and grown out to 1-gallon container size. These plants shall be propagated in suitable preserved habitat found onsite at a ratio of 10 plants for every 1 plant of each species impacted by the project. The mitigation area shall be monitored for a period of five (5) years after initial planting, with annual reports submitted to the County. Seeding may require several seed sowing events to establish viable reproducing populations at the mitigation site.</p>	<p>Project Biologist shall conduct seasonal surveys for rare plants</p>	<p>Prior to Construction</p>	<p>Annually</p>	<p>Prior to Issuance of Grading Permits</p>	<p>Project Applicant Project Biologist, L.A. County County DRP - County Biologist</p>	<p>L.A. County Biologist County Biologist</p>		

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
B106	<p>Apply for 401 Certification. Prior to the issuance of a grading permit, the project applicant shall obtain coverage under the California Regional Water Quality Control Board's general permit for storm water discharge associated with construction activity and shall comply with all the provisions of the permit, including the development of a storm water pollution prevention plan, which includes provisions for the implementation of best management practices and erosion control measures. Best management practices shall include both structural and non-structural measures.</p> <p>Implementing Mitigation Measures AQ1 through AQ4 (Mitigation Measures for Dust Control). In the Air Quality section of this EIR, will also mitigate for this impact.</p>	<p>Biological Resources</p> <p>Developer shall obtain 401 Water Quality Certification</p>	Prior to Construction	One Time Activity	Prior to Issuance of Grading Permits	Project Applicant	L.A. County DRP & RWQCB	
B107	<p>Implement Conditions of Approval Related to Landscaping. The Lyons Canyon Ranch project shall provide for the establishment of a Home Owners Association (HOA) and the preparation of Conditions, Covenants, and Restrictions (CC&Rs) prior to the recordation of the final tract map as a condition of project approval. The HOA shall be governed by CC&Rs that describe all aspects of property maintenance of common area landscape, and the overall regulation of aesthetics for the property grounds and buildings. The HOA shall be fully funded, pursuant to, and consistent with, the recorded CC&Rs.</p> <p>The Lyons Canyon Ranch project HOA shall be responsible for maintaining all common areas, that are routinely maintained, consistent with the applicable mitigation measures and conditions of approval adopted by the County of Los Angeles. The applicable mitigation measures and conditions of approval that fall under the responsibility of the HOA shall be explicitly specified in the CC&Rs, and shall be verified by the County of Los Angeles prior to recordation of the final tract map.</p> <p>Prior to landscaping installation, the HOA shall retain the services of a licensed landscape architect acceptable to the DRP and familiar with plants native to the Santa Clarita region to provide review and approval of the landscaping of individual parcels consistent with the plant list approved by the County Biologist. The landscape architect shall also oversee HOA maintenance staff when performing the following maintenance, to ensure compliance with biological mitigation measures applicable to the project site.</p> <ul style="list-style-type: none"> • Fuel modification within common areas; • Maintenance of street or roadway landscaping; • Maintenance of parks; • Maintenance of landscaped common areas; and • Maintenance of roadway landscaping. <p>Said landscape architect and/or HOA shall not be responsible for maintenance or oversight of activities within lands dedicated in fee title to Los Angeles County or any other agency. The HOA shall enforce the CC&Rs at all times through the terms outlined in the recorded CC&Rs.</p>	<p>L.A. County review and approval of HOA CC and R's during plan check</p>	Prior to Construction	One Time Activity	Prior to Recordation of Final Map	Project Applicant	L.A. County DRP & County Biologist	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BIO8	Submit Project Landscapes Design Submitted for County Approval. Protect landscape design shall be submitted by a qualified botanist to the County Biologist for review and approval. The design shall ensure that no invasive, exotic plant species such as those listed in the CNPS and California Invasive Plant Council 1999 List (CalIPPC-1999) and subsequent (IPII) list for 2005 are used in any proposed landscaping, and that suitable substitutes are proposed. Only locally indigenous native species shall be used in landscaping along a boundary bordering open space/SEA. Native plants used shall include coastal sage scrub, chaparral, and woodland species that currently occur on the project site.	L.A. County Biologist review and approval of Landscape Plan	During Landscaping Plan Check Phase	One Time Activity	Prior to Issuance of Building Permits	Project Applicant,	L.A. County Planning Dept. - County Biologist	
BIO9	Comply with CCAR Landscaping Plan Review. The CCARs for the homes shall prohibit planting any invasive exotic species listed by either CNPS or CalIPPC. Homeowner landscaping plans shall be submitted to the HOA for review and approval consistent with this requirement as described in the CCARs. The review shall ensure that no invasive exotic plant species are planted onsite in order to reduce the chance of inadvertent introductions or escapes of invasive exotic species into native habitats, including bordering open space areas and SEAs. Implementing Mitigation Measure BIO7 will also mitigate for this impact	Homeowners shall submit landscaping plans to the HOA for review and approval consistent with the requirements described in the CC & R's	During Landscaping Plan Check Phase	One Time Activity	Prior to Issuance of a Certificate of Occupancy for each residential unit	Project Applicant, L.A. County DRP - County Biologist	L.A. County Planning Dept. - County Biologist	
BIO10	Implement BMPs. In order to minimize impacts to aquatic (riparian) habitat and aquatic wildlife due to alteration of the riparian habitat onsite, the construction activities shall be conducted during times of no active channel flows (during the dry season, generally June through October). However, if construction must be conducted while active flows are present within the riparian system, the following measures shall be implemented to minimize impacts: <ul style="list-style-type: none"> Equipment contact with the active channel should be avoided, and equipment should enter the active channel only within the permitted and demarcated areas; Flows should be diverted from the work area prior to initiating work; Sedimentation barriers should be installed downstream of any work areas within the active channel and should be maintained frequently to ensure they are working properly; Exposed groundwater should be allowed to settle behind a downstream diversion berm prior to discharge to the primary flow channel; Turbidity levels should be monitored and minimized to levels consistent with the project's RWQCB General Permit for stormwater discharge requirements (no greater than a 20% increase in turbidity downstream of the work areas); and All foreign materials and litter should be removed from the channel, including but not limited to trash, concrete, metal, fencing, rebar, Styrofoam, plastic, and any dumped materials. 	Developer shall implement Stormwater BMPs in active channel if construction occurs when active flows are present within the riparian system	During Construction	Periodic as Necessary	Prior to Issuance of Grading Permits	Project Applicant	L.A. County DRP - County Biologist	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BIO11	<p>Pre-construction Surveys and Reclamation. Prior to grading or site-clearing activities, a qualified biologist acceptable to the DRP shall survey the construction areas of the site to determine if wildlife species are foraging, frequenting, or nesting on or adjacent to the construction areas. If any wildlife species are observed foraging, frequenting, or nesting during construction activities, the wildlife biologist shall allow the wildlife species to escape or shall relocate the wildlife species to a preserved area with similar required habitat.</p> <p>Implementing Mitigation Measure BIO8 will also contribute to mitigate for this impact.</p>	<p>Project Biologist shall survey the construction areas of the site to determine if wildlife species are foraging, frequenting, or nesting on or adjacent to the construction areas.</p>	Prior to Construction	One Time Activity	Prior to Issuance of Grading Permits	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	
BIO12	<p>Comply with Migratory Bird Treaty Act. To avoid violating the Migratory Bird Treaty Act or Fish and Game Code §3503, a qualified ornithologist shall survey the construction site(s) two weeks prior to initiation of site disturbance to identify any nests of birds that would be directly or indirectly affected by the construction activities. Bird nesting typically occurs from February through August. Some bird species nest outside this period. To protect any active nest sites, the following restrictions on construction are required between February and August (or until nests are no longer active as determined by a qualified biologist). Clearing limits shall be established a minimum of 300 feet in any direction from any occupied nest (or as otherwise deemed appropriate by the monitoring biologist). Access and land surveying shall not be allowed within 100 feet of any occupied nest (or as otherwise deemed appropriate by the monitoring biologist). Onsite nests shall be avoided and vacated. Any encroachment into the 300/100-foot buffer areas around the known nest shall only be allowed if it is determined biologist has determined that fledglings have left the nest. Occupied nests adjacent to the construction site(s) may need to be avoided for short durations to ensure nesting success. Any nest permanently vacated for the season need not be protected.</p> <p>Implementing Mitigation Measure BIO11 will also contribute to mitigate for this impact.</p>	<p>A qualified ornithologist shall survey the construction site prior to initiation of site disturbance to identify any nests of birds that would be directly or indirectly affected by the construction areas.</p>	Prior to Construction	One Time Activity	Prior to Issuance of Grading Permits	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	
BIO13	<p>Pre-construction Surveys and Fencing off Sensitive Areas. Prior to grading or site-clearing activities, a qualified biologist acceptable to DRP shall survey the construction areas of the site to determine if any special-status wildlife species are foraging, frequenting, or nesting on or adjacent to the construction areas. If any special-status wildlife species are observed foraging, frequenting, or nesting during construction activities, the area in which the special-status species was observed should be flagged or fenced off to protect the wildlife species. In addition, the equipment operators shall be informed of the species' presence and provided with pictures in order to help avoid impacts to this species to the maximum extent possible. As part of the environmental training, contractors and heavy equipment operators shall be provided with photographs of expected special-status wildlife species to identify them, and to avoid harming them during construction.</p>	<p>A qualified biologist shall survey the construction areas of the site to determine if wildlife species are foraging, frequenting, or nesting on or adjacent to the construction areas.</p>	Prior to Construction	One Time Activity	Prior to Issuance of Grading Permits	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BI014	<p>Survey for Nests and Nesting Activity. Thirty (30) days prior to the onset of construction activities, a qualified biologist acceptable to DRP shall survey within the limits of project disturbance for the presence of any active raptor and bird nests. Any nest found during survey efforts shall be marked on the construction plans and marked on the ground. If no active nests are found, no further mitigation is required. Results of the surveys shall be provided to the CDFG. If nesting activity is present at any raptor nest site, the active site shall be protected, 100 to 300 feet away from construction activities, until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for bird species in the region of the project site normally occurs from February through August.</p>	<p>Project Biologist shall survey within the limits of project disturbance for the presence of any active raptor or bird nests</p>	<p>Prior to Construction</p>	<p>One Time Activity</p>	<p>Prior to Issuance of Grading Permits</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	
BI015	<p>Avoid Contact or Harm to Special-Status Species. To avoid impacts to all special-status wildlife species observed onsite, equipment operators shall avoid contact with or harm to any special-status species and any of their sources of cover (e.g., nest, midden, burrow). If a special-status wildlife species is encountered during construction activities, it shall be allowed to escape any danger that may result from construction work, and the onsite biological monitor shall be notified in order to implement all measures necessary to protect the sensitive species.</p>	<p>Equipment operators shall avoid contact with or harm to any special-status species and their sources of cover</p>	<p>During construction</p>	<p>Continuous</p>	<p>During Construction</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	
BI016	<p>Replace Required Habitat of Observed Special-Status Species. Existing habitat, required by observed or likely special-status wildlife species, shall be replaced, or compensated for, after all development activities have been completed, as presented below in the Mitigation for Impacts to Natural Vegetation, including Sensitive Habitats Section. Compensation for lost habitat onsite shall be accomplished at least in part through improving habitat conditions of preserved onsite habitats, such as through removal of invasive exotic plant species and replacing them with indigenous native species. A residual impact will remain since there will be a reduction of the total area of habitat available onsite.</p> <p>Implementation of Mitigation Measures BI011 and BI012 described above should also mitigate project-related impacts to special-status wildlife species.</p>	<p>Project Biologist shall implement habitat mitigation program as required above in Mitigation Measures BI011 and BI012</p>	<p>Post Construction</p>	<p>One Time Activity</p>	<p>Prior to Issuance of Certificate Of Occupancy for Last Residential Unit</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	
BI017	<p>Conduct Focused Surveys. Prior to grading, focused surveys shall be conducted on the proposed development site for special-status reptile species that have a high potential to occur onsite. The survey results shall be submitted within 45 days after completion of the last survey to the CDFG and DRP for concurrence. If it is determined that special-status wildlife species are not present on the proposed development site, then no further mitigation is necessary.</p>	<p>Project Biologist shall complete focused surveys for special-status reptile species</p>	<p>Prior to construction</p>	<p>One time activity</p>	<p>Prior to Issuance of Grading Permits</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BIO18	<p>Implement Relocation Program. If Slinky Legless Lizard, Coastal Western Whiptail, Rosy Boa, San Diego Banded Gecko, San Diego Horned Lizard, and/or Coast Rattlesnake (the six special-status reptile species that are likely to occur onsite) are found onsite, then a capture and relocation program shall be implemented. Prior to implementation of the relocation program, the program and the Biologist(s) implementing the program shall be prepared to include a detailed methodology for locating, capturing, and relocating individuals prior to construction. The program shall identify a suitable location for relocation of each species prior to capture. A qualified biologist with the necessary permits (if required by CDFG) shall be required for handling the specific special-status wildlife species. The adopted relocation program shall be implemented.</p>	<p>Project Biologist shall implement Slinky Legless Lizard, Coastal Western Whiptail, Rosy Boa, San Diego Banded Gecko, San Diego Horned Lizard, and/or Coast Rattlesnake relocation plan. If species are found onsite</p>	<p>Prior to and During Construction</p>	<p>One Time Activity</p>	<p>Prior to issuance of Grading Permits</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	
BIO19	<p>Control Argentine Ants. The control of Argentine Ant from the project site is necessary to prevent the loss of forage resources for the San Diego Horned Lizard, which cannot survive on consumption of Argentine Ant. The landscaping plan, within 500 feet of any natural areas containing San Diego Horned Lizard, shall be designed to utilize native plant species that do not require supplemental irrigation in an attempt to keep invading Argentine Ant populations as low as possible. In addition, an Argentine Ant control plan shall be developed and implemented in perpetuity by the homeowners, association or other responsible party. Implementing Mitigation Measures BIO13, BIO15, and BIO16 will also mitigate for this impact.</p>	<p>L.A. County Biologist to review and approval landscaping plan</p>	<p>During Landscape Plan Check Phase</p>	<p>One Time Activity</p>	<p>Prior to issuance of Building Permits</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	
BIO20	<p>Install Bat Boxes. If the Western Masiff Bat or other special-status bat species, is found to forage or nest onsite, then bat boxes shall be installed at appropriate locations within preserved land onsite to replace lost nesting habitat. A mitigation plan designed specifically to provide nesting and foraging habitat for special-status bat species shall be prepared and submitted to CDFG and the County Biologist for approval, and after approval, it shall be implemented.</p>	<p>Project Biologist shall install bat boxes within preserved land onsite to replace lost nesting habitats</p>	<p>Prior to and During Construction</p>	<p>One Time Activity</p>	<p>Prior to issuance of Building Permits</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	
BIO21	<p>Install Perimeter Fencing. Perimeter fencing at houses onsite adjacent to open space areas shall be designed to prevent dogs from accessing open space areas onsite, and keep wildlife from entering yards and homes as much as feasible. Details of acceptable fencing materials will be included in the project CC&Rs. Implementing Mitigation Measure BIO2 will also mitigate for this impact.</p>	<p>Developer shall install perimeter fencing at houses onsite adjacent to open space areas</p>	<p>During Construction</p>	<p>One Time Activity</p>	<p>Prior to issuance of C or O for first residential unit</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	

Number	Mitigation Measure	Actions Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BIO22	<p>County Review of Project Plans. Prior to issuance of building permits, the County of Los Angeles shall ensure that the following elements are included in all project plans, as appropriate:</p> <ul style="list-style-type: none"> All exterior lighting shall be designed and located as to avoid intrusive effects on adjacent residential properties and undeveloped areas adjacent to the project site. Motion detectors, low-intensity street lighting, and low-intensity street lighting and low-intensity exterior lighting shall be used throughout the development. Lighting fixtures shall use shielding, if necessary, to prevent spill lighting on adjacent off-site areas; Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings, and roadways; Fixtures and standards shall conform to state and local safety and illumination requirements; All trail and park lighting shall provide optimum public safety, while at the same time reducing nighttime light spillover and glare; Development projects shall use minimally reflective glass and all other materials used on exterior building and structures shall be selected to minimize reflective glare; and Automatic timers on lighting shall be designed to maximize personal safety during nighttime use while saving energy. <p>These measures would partially mitigate for adverse impacts of landscaping nuisance lighting impacting wildlife in adjacent open space areas of the project site.</p>	<p>L.A. County Biologist and DPW shall review and approve Landscape Lighting Plans</p>	<p>During Plan Check of Improvement Plans</p>	<p>One Time Activity</p>	<p>Prior to Reconciliation of Final Map</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DPW - Building and Safety Division, L.A. County DRP</p>	
BIO23	<p>Hooded Outdoor Lighting. Require all street and outdoor lighting to be hooded to direct away from, or prevent light from entering, open space areas of the project site. Light intensity should be set as low as possible while meeting the primary objective of the outdoor lighting.</p> <p>Implementing Mitigation Measure BIO2 will also mitigate for this impact.</p>	<p>Same as Above</p>	<p>During Plan Check of Improvement Plans</p>	<p>One Time Activity</p>	<p>Prior to Reconciliation of Final Map</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DPW - Building and Safety Division, L.A. County DRP</p>	
BIO24	<p>Protect and Enhance Grassland. The loss of 28.53 acres of Grassland vegetation shall be mitigated by enhancing at an acreage rate of 1.5 acres for each acre lost (1.5:1 replacement ratio), equating 44.29 acres of required mitigation. Prior to implementation of any restoration, a detailed program shall be developed by the project applicant for review and approval by DRP and shall contain the following items:</p> <p>Responsibilities and Qualifications Specified. The responsibilities of the landowner, technical specialists, and maintenance personnel that shall supervise and implement the restoration plan shall be specified.</p> <p>Protect Grassland Preserved Onsite. The project shall preserve 8.43 acres of Grassland onsite in perpetuity by a legal instrument.</p>	<p>L.A. County Biologist shall review and approve Grassland Enhancement Plan</p>	<p>During Plan Check of Improvement Plans</p>	<p>One Time Activity</p>	<p>Prior to issuance of Certificate of Occupancy for 1st Residential Unit</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
B1024	<p>Enhance Degraded Grassland Preserved Onsite. Habitat enhancement of the required 44.29 acres of Grassland will include eradicating invasive exotics from the remaining Grassland onsite. The areas of Grassland, from which invasive species will be eradicated, will be planted with supplemental native Grassland grasses and herbs. This will increase native groundcover cover to match desired cover levels, and increase dominance by native species. Approximately 6.43 acres of Grassland vegetation will be avoided by the proposed project; however, the Grassland onsite is contaminated with invasive exotic plant species in varying amounts. Enhancement of up to 8.43 acres of degraded Grassland habitat onsite will mitigate for 19% of the area needed, based on the 1.5:1 enhancement ratio. An additional 35.86 acres would need to be preserved and enhanced, for a total of 44.29 acres of Grassland enhanced and protected. The lack of reasonable availability (the offsite component) may render this mitigation measure at least partially infeasible.</p> <p>Mitigation Site Selection. The site for the mitigation shall be determined in coordination with the project applicant and resource agencies. The site shall be located on the proposed development site in a dedicated open space area or dedicated open space area shall be purchased onsite. Appropriate sites shall have suitable hydrology and soils for the establishment of target native species.</p> <p>Site Preparation and Planting Implementation. A seasonal survey shall be conducted in suitable habitat after the flowering season to collect seeds from the native grasses and wildflowers inhabiting Grassland habitats onsite. The survey shall be conducted by a qualified botanist capable to DFR and familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned, and stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery experienced with propagating native herbaceous grassland species and grown out to 1-gallon container size plantings. The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (i.e. duff); soil treatments (e.g., imprinting, decompacting); temporary irrigation installation; erosion control measures (i.e., rice or willow wattles); seed mix application; and container plantings. The best time to sow seed is in the fall in conjunction with the onset of rain.</p> <p>These native annual and perennial grass and herb plantings shall be planted in suitable preserved habitat onsite. The propagated plants shall be maintained and monitored for a period of five (5) years after initial planting, with annual reports submitted to the County. Mitigation Measure B1024 will aid in planting implementation.</p>	See Above	See Above	See Above	See Above	See Above	See Above	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BIO24, Cont.	<ul style="list-style-type: none"> • Schedule. A schedule shall be developed which includes planting to occur in late fall and early winter between October 1 and January 30. • Maintenance Plans/Guidelines. The maintenance plan shall include: weed control herbicide control; trash removal; irrigation system maintenance; maintenance training; and replacement planting. • Mitigation and Monitoring Plan. A detailed mitigation plan shall be submitted for approval to the County prior to project implementation. The mitigation plan shall include specifics regarding grassland enhancement, planting details, timing, and monitoring proposed for grassland mitigation. The monitoring plan shall include: qualitative monitoring (i.e. photographs and general observations); quantitative monitoring (e.g. randomly placed transects); performance criteria as approved by the resource agencies; monthly reports for the first year and biennially thereafter; and annual reports for two years that shall be submitted to the resource agencies. The site shall be monitored and maintained for two years to ensure successful establishment of Grassland habitat within the restored and created areas. • Long-term Preservation. Long-term preservation of the site shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. An appropriate legal instrument over the area to be preserved shall be recorded prior to implementation of site grading to ensure protection in perpetuity. • Earth-moving Equipment. Earth-moving equipment shall avoid maneuvering in any area identified as natural open space areas. Prior to grading, the open space limits shall be marked by the construction supervisor and the project biologist. These limits shall be identified on the grading plan. • Implementing Mitigation Measure BIO1 and BIO2 will also mitigate for this impact. 	See above	See Above	See Above	See Above	See Above	See Above	
BIO25.	<ul style="list-style-type: none"> • Protect and Enhance Coastal Sage Scrub. The loss of 40.39 acres of Coastal Sage Scrub vegetation shall be mitigated by enhancing at an acreage rate of 1.5 acres for each acre lost (1.5:1 replacement ratio), equalling 60.58 acres of required mitigation. Prior to implementation of any restoration, a detailed program prior to issuance of a grading permit shall be developed by the project applicant and shall contain the following items: <ul style="list-style-type: none"> - Responsibilities and Qualifications Specified. The responsibilities of the landowner, technical specialists, and maintenance personnel that shall supervise and implement the restoration plan shall be specified. - Protect Coastal Sage Scrub Preserved Onsite. The project shall preserve 17.04 acres of Coastal Sage Scrub onsite in perpetuity by a legal instrument. 	L.A. County Biologists shall review and approve Coastal Sage Scrub Restoration Plan	During Plan Check of Improvement Plans	One Time Activity	Prior to Issuance of Certificate of Occupancy for 1st Residential Unit	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
B1025, cont.	<p>• Enhance Degraded Coastal Sage Scrub Preserved Onsite. Habitat enhancement of the required 60.58 acres of Coastal Sage Scrub will include eradicating invasive exotics from the remaining Coastal Sage Scrub onsite. The areas of Coastal Sage Scrub from which invasive species will be eradicated, will be planned with supplemental Coastal Sage Scrub species. This would increase native canopy cover to match desired cover levels, and increase dominance by native species. Approximately 17.04 acres of Coastal Sage Scrub vegetation will be avoided by the proposed project; however, the Coastal Sage Scrub onsite is contaminated with invasive exotic plant species in varying amounts. Specifically, of the 17.04 acres avoided, 7.6 acres of Coastal Sage Scrub vegetation is highly infested with invasive axoid plants (<i>Sesuvia leucophylla</i>-<i>Brassica</i> Alliance). Enhancement of up to 17.04 acres of degraded Coastal Sage Scrub habitat onsite will mitigate for 20% of the area needed, based on the 1.5:1 enhancement ratio. An additional 43.64 acres would need to be preserved and enhanced, for a total of 60.58 acres of Coastal Sage Scrub habitat.</p> <p>end protected. The lack of reasonable availability (the offsite component) may render this mitigation measure at least partially infeasible.</p> <p>• Exhibit 5.9-22, Potential Habitat Mitigation A-veas, shows the locations of remaining Coastal Sage Scrub patches available for implementing the mitigation measures required for impacts to Coastal Sage Scrub habitat.</p> <p>• Mitigation Site Selection. The site for the mitigation shall be determined in coordination with the project applicant and the lead and resources agencies. The site shall be located on the proposed development site in a dedicated open space area or dedicated open space area shall be purchased onsite. Appropriate sites shall have suitable hydrology and soils for the establishment of target native species.</p> <p>• Site Preparation and Planting Implementation. The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (e.g. dirt), soil treatments (i.e., importing, decompacting); temporary/ingalen installation; erosion control measures (i.e., rice or willow walls); seed mix application, and container species. Mitigation Measures B101 will aid in planting implementation.</p> <p>• Schedule and Maintenance. A schedule shall be developed which includes planting to occur in late fall and early winter between October 1 and January 30. The maintenance plan shall include: weed control; herbivore control; trash removal; irrigation system maintenance; maintenance training; and replacement planting.</p>	<p>Biological Resources</p> <p>See Above</p>	<p>See Above</p>	<p>See Above</p>	<p>See Above</p>	<p>See Above</p>	<p>See Above</p>	<p>Initial Once Completed</p>

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BIO25 - cont.	<p>Mitigation and Monitoring Plan. A detailed mitigation plan shall be submitted for approval to the County prior to project implementation. The mitigation plan shall include specifics regarding grassland enhancement, planting details, timing, and monitoring proposed for Coastal Sage Scrub mitigation. The monitoring plan shall include: qualitative monitoring (i.e. photographs and general observations); quantitative monitoring (e.g. randomly placed transects); performance criteria as approved by the resource agencies; monthly reports for the first year and bimonthly thereafter; and annual reports for five years that shall be submitted to the resource agencies. The site shall be monitored and maintained for five years to ensure successful establishment of Coastal Sage Scrub habitat within the restored and created areas.</p> <p>Long-term Preservation. Long-term preservation of the site shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. An appropriate legal instrument over the area to be preserved shall be recorded prior to implementation of site grading to ensure protection in perpetuity.</p> <p>Earth-moving Equipment. Earth-moving equipment shall avoid maneuvering in any area identified as natural open space areas. Prior to grading, the open space limits shall be marked by the construction supervisor and the project biologist. These limits shall be identified on the grading plan. Implementing Mitigation Measure BIO1 and BIO2 will also mitigate for this impact.</p>	See Above	See Above	See Above	See Above	See Above	See Above	
BIO26	<p>Preserve and Protect Avoided Onsite Oak Trees. The 1,185 oak trees to be avoided by the proposed project shall be protected onsite in perpetuity by establishing onsite preserves that are permanently protected from future development and managed for conservation purposes. Management of the preserved trees shall be minimal, focused on facilitating the natural growth and condition of the protected trees and associated habitat. Prior to the issuance of a grading permit, the applicant shall have prepared an oak resource management plan to be reviewed and approved by the DRP and County Forester. Only oak trees and oak resource habitat not in private lots will be credited as preserved habitat.</p>	<p>Developer shall preserve 1,186 oak trees in perpetuity. Project Biologist shall prepare Oak Tree Management Plan</p>	Prior to Construction	Per Management Plan	Prior to issuance of grading permit	Project Applicant, Project Biologist	L.A. County DRP - County Biologist, LA County Forester	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Onsite Completed
BIO27	<p>Plant 15-gallon Young Oaks Onsite. To mitigate for the loss of 162 and the encroachment of 54 mature oak trees by this proposed project, young oak trees of all three species impacted shall be planted at a 2:1 ratio for non-heritage trees impacted, and at a 10:1 ratio for heritage trees impacted, per the County Oak Tree Ordinance replacement criteria. Specifically, to mitigate for impacted non-heritage oak trees, an overall mitigation ratio of two 15-gallon oaks shall be planted for each tree impacted. To mitigate for impacted heritage oak trees, an overall mitigation ratio of ten 15-gallon oaks shall be planted for each tree impacted. Therefore, at a 2:1 ratio, 288 15-gallon young oak individuals (including 282 Q. agrifolia, 4 Q. berberidifolia, and 12 Q. lobata) would be required for mitigation for the impacts to 216 non-heritage oak trees (including 182 non-heritage lost and 54 non-heritage encroached) onsite. In addition, 130 15-gallon young oak individuals (all Q. agrifolia) would be required for mitigation for the impacts to 19 heritage oak trees (including 13 heritage lost and 6 heritage encroached) required to mitigate for impacts to 216 oak trees, including 19 heritage trees. No existing sensitive habitat shall be impacted as a result of any planting activities. The planted trees shall be maintained and monitored for a period of seven (7) years after planting. Success of this mitigation measure will be achieved if 100 percent of the acorns or seedlings survive after 7 years. Implementation of BIO1 should also mitigate for impacts to oak species and woodland onsite.</p> <p>Contribute Funds to the Oak Species Forest Fund. If the success criteria for this mitigation measure are not met, the Applicant shall contribute to the Oak Species Forest Fund. The compensation rate shall be set at 50 percent of the assessed economic value of the trees lost, less the estimated economic value of the trees successfully covered under mitigation measures BIO28 and BIO27. The economic value of the 164 oak trees to be lost is approximately \$4,211,700. In addition, the economic value of the 54 trees to be encroached is approximately \$2,125,400, totaling \$6,337,100 (including \$4,080,630 for 154 Q. agrifolia lost; \$1,865,700 for 49 Q. agrifolia encroached; \$12,000 for 2 Q. berberidifolia lost; \$90,500 for 6 Q. lobata lost, and \$252,600 for Q. lobata encroached).</p> <p>Transplant Selected Mature Oak Trees Onsite. As part of the proposed project, the applicant proposes to transplant several mature and heritage oak trees that will be impacted from the project, to onsite open areas and landscaped areas. Even though transplanting mature oak trees is expensive and may have a low success rate, the Applicant desires to transplant selected mature oak trees to potentially help mitigate the loss of oak habitat. A detailed transplantation plan shall be developed by a qualified arborist and submitted to the County for approval. Maintenance and monitoring of all transplanted oak trees shall be required for a period of ten (10) years after transplantation. No sensitive habitat shall be impacted as a result of any transplanting activities.</p>	<p>Developer shall plant required number of 15-gallon Oak Trees onsite. If success criteria is not met, developer shall contribute funds to the Oak Species Mitigation Fund and transplant selected mature oak trees onsite</p>	<p>During and After Construction</p>	<p>Annually</p>	<p>Prior to Issuance of Issuance of Certificates of Occupancy for last residential unit</p>	<p>Project Applicant, Project Biologist</p>	<p>L.A. County DRP - County Biologist</p>	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BIO28	Plant Acorns or Oak Seedlings Onsite. To mitigate for the loss of 182, and the encroachment of 54, mature oak trees by the proposed project, sown oak acorns seedlings of the species impacted shall be planted in appropriate ratios. To mitigate for impacted oak trees, an overall mitigation ratio of 5 seedlings planted for each tree impacted (6.5:1 replacement ratio) shall be implemented. Therefore, 1,080 container seedlings would be required for mitigation for the impacts to 218 oak trees onsite. The planted seedlings shall be maintained and monitored for a period of seven (7) years after planting. Success of this mitigation measure will be achieved if 75 percent of the acorns or seedlings survive after 7 years. Implementation of BIO1 should also mitigate for impacts to oak species and woodland onsite.	Developer shall plant acorns or oak seedlings onsite	During Construction	Annually	Prior to issuance of Issuance of Certificate of Occupancy for last residential unit	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	
BIO29	Replace Oak Woodland Habitat Onsite. Oak woodland impacts are estimated at 6.82 (including 7.87 acres of upland Coast Live Oak Woodland impacted, 0.92 acres of Coast Live Oak Riparian Woodland impacted, and 0.03 acre of Valley Oak Woodland impacted). Oak woodland habitat will be replaced onsite at a 2:1 ratio within preserved portions of the project site, or at an offsite location. The oak woodland habitat will partially be replaced with the implementation of Mitigation Measures BIO26 through BIO28. Based on the 2:1 ratio, a total of 16.4 acres of oak woodland shall be created onsite, offsite, or a combination of onsite and offsite locations. The oak woodland habitat shall be monitored and maintained for a period of seven (7) years.	Developer shall replace Oak Woodland habitat onsite	During Construction	Annually	Prior to issuance of Issuance of Certificate of Occupancy for last residential unit	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	
BIO30	Landscape Irrigation Out of Oak Dringles. Landscaping requiring irrigation shall not be planted within the dripline of oaks due to the susceptibility of native oaks to root rot caused by excessive unseasonable irrigation. The design and installation of landscape irrigation systems outside the dripline of the oaks shall be such that the area within the dripline is not wetted during operation of the system. In addition, surface runoff from impermeable surfaces shall be directed away from oaks; where natural topography has been altered, provisions shall be made for drainage away from oaks so that water shall not pond or collect within the dripline of any oak. If any existing oak tree are damaged or impacted by the effects of irrigation or mitigation plantings, additional plantings shall be implemented as replacement. Implementing Mitigation Measure BIO1 and BIO2 will also mitigate for this impact.	Developer shall keep landscape irrigation out of Oak driplines	During Construction	One Time Activity	Prior to issuance of Issuance of Certificate of Occupancy for last residential unit	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	
BIO31	Implement Best Management Practices (BMPs) During Construction In/Near Wetlands to Minimize Impacts. Impacts to riparian habitat shall be minimized to the maximum extent possible by implementing the following BMPs: <ul style="list-style-type: none"> Construction equipment shall only cut back or cut down riparian habitat that is absolutely necessary for construction equipment access. All construction activities, within the banks of Lyon Creek and tributaries, should be conducted during seasons of low, or minimal, channel flows (summer/early fall); A path through the creek channel shall be selected that minimizes impacts to the existing riparian vegetation; 	Developer to implement wetland related Best Management Practices (BMPs) during construction	During Construction	Continuous	Prior to issuance of Building Permits	Project Applicant, Project Biologist	L.A. County DRP - County Biologist, Regional Water Quality Control Board, Army Corps of Engineers, and Fish and Game	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BIO31	<p>Cont.</p> <ul style="list-style-type: none"> A fence shall be placed around any (mature) trees, which are less efficiently replaced by mitigation/restoration efforts. All active wildlife nests existing within the project site riparian vegetation shall be protected and avoided by construction equipment, and A biological monitor shall be present during all construction activities within or adjacent to the drainages of Lyon Canyon that are not to be impacted. 	See Above	See Above	See Above	See Above	See Above	See Above	
BIO32	<p>Protect Existing Wetlands Onsite. 6.83 acres of existing wetlands, not to be impacted by the proposed project, shall be protected in perpetuity through a prohibition from any development. The wetland preserve area(s) shall be clearly marked with signs, and a public education program shall be developed for future residences of the project site and visitors.</p>	Developer shall protect remaining onsite wetlands in perpetuity	During Construction	Continuous	Prior to Issuance of Building Permits	Project Applicant, Project Biologist	L.A. County DRP - County Biologist, Regional Water Quality Control Board, Army Corps of Engineers, and Fish and Game	
BIO33	<p>Enhance Existing Disturbed Wetlands Onsite. Existing wetlands not impacted by the proposed project currently are degraded by past activities on the project site (e.g. road crossings, fill, culverts, berms, dumping, invasion by exotic plants). A 1/3 credit shall be allowed for every acre of existing protected wetland habitat that is enhanced onsite and shall be credited towards the 10.20 acres required for mitigation. Therefore, 1/3 of the protected 10.20 acres equals 3.37 acres to be enhanced. Enhancement activities shall include: removing all foreign materials from wetland areas; eradicating and controlling invasive exotic plant species; and planting native riparian plant species in disturbed areas. Nearly all the wetland areas onsite are currently in a degraded condition, to varying degrees, and are available for habitat enhancement. Approximately 10.20 acres is required for mitigation based on the 2:1 ratio. The 10.20 acres of required mitigation area minus the 3.37 acres of enhanced wetlands habitat equals 6.83 acres of mitigation that is still required to be created. Since the County detention basins onsite, the applicant shall be required to implement one of the following measures: (1) make a payment to an in-lieu fee mitigation program; (2) contribute to a mitigation bank; or (3) create off-site mitigation for 6.83 acres of remaining required mitigation after enhancement of 3.37 acres onsite (totaling the required 10.20 acres based on the 2:1 mitigation ratio).</p>	Project Biologist shall restore existing disturbed wetlands onsite and/or off-site	Prior to and During construction	Periodic as Necessary	Prior to Issuance of a Certificate of Occupancy for Least Residential Unit	Project Applicant, Project Biologist	L.A. County DRP - County Biologist, Regional Water Quality Control Board, Army Corps of Engineers, and Fish and Game	
BIO34	<p>Prepare Disturbed Wetland Areas for Replanting. After efforts to minimize the impacts to the riparian vegetation are implemented, appropriate areas of the project site shall be restored, and best habitat mitigated. This shall be accomplished by implementing the following mitigation measures:</p> <ul style="list-style-type: none"> Re-grading portions of the drainages to accommodate onsite revegetation and to accomplish natural sinuosity of the creek channel; Replanting and planting selected portions of the site with indigenous riparian plant species; Maintaining and ingaling the restored area; 	Developer shall prepare disturbed wetland areas for replanting	Prior to grading and During Construction	Periodic as Necessary	Prior to Issuance of Building Permits	Project Applicant, Project Biologist	L.A. County DRP - County Biologist, Regional Water Quality Control Board, Army Corps of Engineers, and Fish and Game	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
B1034, cont.	<p>Mitigation Measure</p> <ul style="list-style-type: none"> Removing invasive exotic plants, such as <i>Centaurea melitensis</i> (Tocallote), and replacing them with native species to increase species diversity and habitat function; and Monitoring the site for at least five (5) years after restoration plantings have been completed. 	See Above	See Above	See Above	See Above	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	
B1035.	<p>Design and Implement a Wetlands Restoration Plan. Prior to implementation of any restoration, a detailed program shall be developed by the project applicant and shall be approved by the Corps and CDFG as part of the 404 and 1600 et seq. permitting process. The program shall contain the following items:</p> <ul style="list-style-type: none"> <i>Responsibilities and qualifications of the personnel to implement and supervise the plan.</i> The responsibilities of the landowner, technical specialists, and maintenance personnel that shall supervise and implement the restoration plan shall be specified. <i>Site selection.</i> The site for the mitigation shall be determined in coordination with the project applicant and resource agencies. The site shall either be located on the proposed development site in a dedicated open space area or dedicated open space area that be purchased offsite. Appropriate sites shall have suitable hydrology and soils for establishment of riparian species. <i>Site preparation and planting implementation.</i> The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (i.e., dust); soil treatments (i.e., imprinting, decompacting); temporary irrigation installation; erosion control measures (i.e., rice or willow wattles); seed mix application; container plantings. <i>Schedule.</i> A schedule shall be developed which includes planting to occur in late fall and early winter between October and January. <i>Maintenance plan/practices.</i> The maintenance plan shall include: wood control; herbicide control; trash removal; irrigation system maintenance; maintenance training; and replacement planting. <i>Monitoring plan.</i> The monitoring plan shall include: 1) qualitative monitoring (i.e. photographs and general observations); 2) quantitative monitoring (i.e. randomly placed transects); 3) performance criteria as approved by the resource agencies; 4) monthly reports for the first year and bimonthly thereafter; and 5) annual reports for five years that shall be submitted to the resource agencies on an annual basis. The site shall be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the project applicant may request to be released from the monitoring requirements from USACE and CDFG. <i>Long-term preservation.</i> Long-term preservation of the site through an appropriate recordable legal instrument shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. 	Project Biologist shall design and implement Wetland Restoration Plan	Prior to and During Construction	Periodic As Necessary	Prior to Issuance of a Certificate of Occupancy for the Last Residential Unit	Project Applicant, Project Biologist	L.A. County DRP - County Biologist, Regional Water Quality Control Board, Army Corps of Engineers, and Fish and Game	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
BI035, Cont.	<p>* Earth-moving equipment shall avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas that will remain undeveloped. Prior to grading, the open space limits shall be marked by the construction supervisor and the project biologist. These limits shall be identified on the grading plan. No earth-moving equipment shall be allowed within the open space area.</p> <p>- If work must be conducted when surface water flows are present, specific actions should be taken to avoid increasing water turbidity downstream. Surface water flows should be diverted around all construction activities, and no equipment should be allowed to actively work in flowing water without sedimentation and turbidity control measures in place. In order to minimize impacts to aquatic habitat and aquatic wildlife due to alteration of the Riverino habitat onsite, construction shall be conducted during times of no active channel flows. However, if construction must be conducted while active flows are present within the Riverino system, these measures should be implemented to minimize impacts:</p> <ul style="list-style-type: none"> o Equipment contact with the active channel should be minimized to a maximum extent o Flows should be diverted from the work area, and sedimentation barriers should be installed and maintained. o Arising groundwater should be allowed to settle behind a downstream diversion berm prior to discharge to the primary flow channel. o Turbidity levels should be monitored and minimized (kept below a 20 percent increase over background turbidity). o Employ BMPs for avoiding fuel leaks in or near active flows; and o All foreign materials and litter should be removed from the channel. 	See Above	See Above	See Above	See Above	See Above	L.A. County DRP - County Biologist, Regional Water Quality Control Board, Army Corps of Engineers, and Fish and Game	
BI036	<p>Open Area Protection and Management Plan. In addition to Biological Life History mitigation measures presented above, an open area protection and management plan for all preserve areas designated onsite, shall be prepared to ensure the implementation by HOA of the mitigation and to aid in the protection of the remaining preserved open areas after the development onsite.</p>	Develop/Project Biologist shall prepare and implement an Open Space Protection and Management Plan	Post-Construction	Continuous	Prior to Issuance of Certificate of Occupancy for last residential unit	Project Applicant, Project Biologist	L.A. County DRP - County Biologist	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
CR1.	A pre-grade meeting shall be conducted in which the project archaeologist shall explain the procedures necessary to protect and safely remove potentially significant cultural materials.	Developer shall hire native American archaeologist for construction monitoring	During Site Grading	Periodic as Necessary	Prior to Issuance of Grading Permits	Project Applicant, and Project Archaeologist	L.A. County DRP - Land Development	
CR2.	A cultural resource monitoring program shall be instituted during the initial vegetation clearance and soil disturbance for the project. The purpose of this monitoring program is to determine if any significant deposits not identified during the Phase I cultural resources survey exist within the project boundary. The monitoring shall be limited to the initial vegetation clearance and soil disturbance phases of the construction grading. If cultural deposits are found and meet the significance criteria defined in Public Resources Code Section 21009.2(g), limited data recovery shall be conducted consistent with present financial and research limitations established in CEQA Guidelines. Native Americans shall be actively involved in the monitoring and any subsequent phases of the project mitigation program. Native American participation shall include monitoring of archaeological investigations, construction monitoring, and data analysis. The County shall retain control over the selection and participation of Native Americans in any program required for the project.	Developer shall hire native American archaeologist for construction monitoring	Prior to Site Grading	Periodic as Necessary	Prior to Issuance of Grading Permits	Project Applicant, and Project Archaeologist	L.A. County DRP - Land Development	
CR3.	If human remains are discovered during grading activities, the Los Angeles County Coroner's Office shall be notified immediately, per state law, and all activities in the immediate area shall cease, until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are Native American, the N&HC shall also be contacted. The N&HC shall designate a Most Likely Descendant (MLD) who will make recommendations concerning the disposition of the remains in consultation with the property owner and project archaeologist.	If any human remains are discovered, developer shall cease construction as directed by archaeological monitor	During Site Grading	Periodic as Necessary	Prior to Continuation of Grading	Project Applicant, and Project Archaeologist	L.A. County DRP - Land Development	
CR4.	A pre-grade meeting shall be conducted in which the project paleontologist shall explain the procedures necessary to protect and safely remove potentially significant fossil materials for study and curation at the NHMLAC.	Developer shall hire qualified paleontologist to conduct pre-construction meeting	During Site Grading	Periodic as Necessary	Prior to Issuance of Grading Permits	Project Applicant, and Project Paleontologist	L.A. County DRP - Land Development	
CR5.	Monitoring of grading activities shall be conducted by a qualified paleontologist, or monitor(s) supervised by a qualified paleontologist, and shall include periodic screening of sediment samples to identify potential macro and microfossil materials. Sediment samples may be removed, in bulk and screened in a designated area onsite to minimize interference with grading operations. The monitoring program shall be directed by a qualified paleontologist and shall consist of the recovery, preparation (to a point of identification), and cataloging of fossil materials.	Developer shall hire qualified paleontologist to conduct on-site monitoring of graded areas	During Site Grading	Periodic as Necessary	Prior to Issuance of Building Permits	Project Applicant, and Project Paleontologist	L.A. County DRP - Land Development	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
CR6	Fossil beds impacted by the proposed project should be excavated by a qualified paleontologist to gather and record which species of vertebrate and macroinvertebrate fauna existed onsite during the Pliocene. The fossil record should be preserved in an appropriate museum, such as the Natural History Museum of Los Angeles County, and the results published for the benefit of the scientific community and general public.	Developer shall hire qualified paleontologist to properly excavate any fossils found on-site	During Site Grading	Periodic as Necessary	Prior to Issuance of Building permits	Project Applicant, and Project Paleontologist	L.A. County DRP - Land Development	
Aesthetic and Visual Resources								
AES 1.	Construction equipment staging areas shall be located a minimum of 500 feet from existing residential uses and appropriate screening (i.e., temporary fencing with opaque material) shall be used to buffer views of construction equipment and material, when feasible. Staging location shall be indicated on project Final Development Plans and Grading Plans.	L.A. County shall review and approve of Construction Staging Plans during plan check	Prior to Construction	One Time Activity	Prior to Issuance of Grading permits	Project Applicant	L.A. County DRP - Land Development	
AES 2.	All construction-related lighting shall be located and aimed away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the County of Los Angeles for review concurrent with Grading Permit applications for the subdivision of the lots.	L.A. County shall review and approve Lighting Plans during plan check	Prior to Construction	One Time Activity	Prior to Issuance of Grading Permits	Project Applicant	L.A. County DRP - Land Development	
AES 3.	The project biologist shall review the construction staging and construction safety lighting plans and determine the most appropriate location for the staging of construction equipment and construction lighting so that impacts to wildlife are minimized. The project biologist shall provide written certification of his/her approval of these plans to the County of Los Angeles Biologist prior to issuance of a grading permit.	Project Biologist shall review and approve Lighting Plans during plan check	Prior to Construction	One Time Activity	Prior to Issuance of Grading Permits	Project Applicant, Project Biologist	L.A. County DRP - Land Development	
AES4.	The project applicant/developer/builder shall prepare and implement a Landscape Plan that provides planting and maintenance guidance for common landscaped areas, slopes, and developed building pads. The project applicant/developer/builder shall be responsible for the Plan's implementation until such time as a homeowners' association is prepared to take over landscape maintenance responsibilities. The Landscape Plan shall be subject to the review and approval by the Los Angeles County Department of Public Works and Regional Planning, prior to issuance of the grading permit. To ensure its implementation, the Landscape Plan shall be incorporated into the project's Conditions, Covenants, and Restrictions (CC&Rs) to be recorded prior to final map recordation.	L.A. County shall review and approve Landscape Plans during plan check	Prior to Construction	One Time Activity	Prior to Issuance of Grading Permits	Project Applicant	L.A. County DRP - Land Development	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
AESS	<p>Prior to issuance of building permits, the following elements are included in all project plans, as appropriate:</p> <ul style="list-style-type: none"> All exterior lighting shall be designed and located as to avoid intrusive effects on adjacent residential properties and undeveloped areas adjacent to the project site. Low-intensity street lighting and low-intensity exterior lighting shall be used throughout the development, as permitted by the Los Angeles County Public Works Department. Lighting fixtures shall use shielding, if necessary to prevent spill lighting on adjacent off-site uses. Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings, and roadways. Fixtures and standards shall conform to state and local safety and illumination requirements. All trail and park lighting shall provide optimum public safety, while at the same time reducing nighttime light spillover and glare. Development projects shall use minimally reflective glass and all other materials used on exterior building and structures shall be selected with attention to minimizing reflective glare, and Automatic timers on all lighting fixtures within any on-site recreational structures shall be included in the building design to maximize personal safety during nighttime use while saving energy and reducing light pollution. The timers shall be set so that structure lighting within common areas is turned off at 10:00 PM. 	<p>L.A. County shall review and approve Landscape plan that includes lighting plan designed to reduce light pollution</p>	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DRP - Land Development	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
T1.	<p>The improvements summarized below shall be implemented to address project site-specific traffic impacts at the following locations:</p> <p>Roadway Improvements: The Old Road shall be improved to include four travel lanes and a center turn-lane/median along the project frontage. Appropriate roadway transitions south of the project site shall also be constructed by the developer pursuant to the Los Angeles County Department of Public Works roadway design standards.</p> <p>Intersection Improvements: The Old Road & 'A' Street: The developer shall improve the above referenced intersection to include the following lane specifications: Northbound: 1 Left-turn Lane, 2 Through Lanes Southbound: 1 Through Lane, 1 Shared Through/Right-turn Lane Eastbound: 1 Left-turn Lane, 1 Right-turn Lane Project Share - 100%</p> <p>The Old Road & 'E' Street: The developer shall improve the above referenced intersection to include the following lane specifications: Northbound: 2 Through Lanes (left-turns prohibited) Southbound: 1 Through Lane, 1 Shared Through/Right-turn Lane Eastbound: 1 Right-turn Lane (left-turns prohibited) Project Share - 100%</p>	<p>Developer shall construct all traffic improvements to the satisfaction of L.A. County DPW and if necessary, City of Santa Clara</p>	<p>During Construction</p>	<p>One Time Activity</p>	<p>Prior to issuance of Certificates of Occupancy for last residential unit</p>	<p>Project Applicant</p>	<p>L.A. County DPW - Traffic and Lighting Division</p>	
T2.	<p>The improvements summarized below shall be implemented to address off-site traffic impacts. Please note that these mitigation measures are required to address cumulative traffic impacts. Thus, the project developer shall be responsible for providing its "fair-share" contribution prior to recondition of the final map. This contribution will go towards implementation of the following roadway improvements:</p> <p>Freeway On/Off Ramp Intersections I-5 SB Ramps/Mariposa & Pico Cyn Rd: Add 3rd Eastbound Through Lane (striping) Project Share - 4.0% I-5 NB Ramps and Lyons Ave: Add 2nd Eastbound Left-turn lane (striping) Project Share - 100%</p> <p>I-5 SB Ramps & Calgrove Blvd: Add 2nd Eastbound Through Lane, and Add 2nd Westbound Through Lane (striping). Install Traffic Signal Project Share - 20.3%</p> <p>The Old Road & Pico Cyn Rd: Convert Eastbound Right-turn Lane to 3rd Eastbound Through Lane (striping) Project Share - 3.3%</p> <p>Chiquella Lane and The Old Road: Add Southbound Right-turn Lane (striping) Install Traffic Signal Project Share - 48.3%</p>	<p>Developer shall contribute pro-rata share of funds for improvements</p>	<p>Prior to Construction</p>	<p>One Time Activity</p>	<p>Prior to Recondition of Final Map</p>	<p>Project Applicant</p>	<p>L.A. County DPW - Traffic and Lighting Division</p>	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
WW1.	The Los Angeles County Sanitation Districts and/or the City of Santa Clara Public Works Department shall review and approve both the points of connection and quantification of the available capacity in the affected portions of the sewer system serving any project proposed within the SCVSD service area boundary.	Water and Wastewater LA County DPW and City of Santa Clara shall review and approve final sewer improvement plans	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, Department of Health Services	
SE1.	Project participation in a mitigation agreement with the Newhall District fully mitigates project specific impacts on this district. This agreement would provide full funding of the costs to construct new facilities necessary to house the additional students generated by the project.	Schools/Education Developer shall pay required school mitigation fees to Newhall School District	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	Newhall School District, LA County DRP - Land Development	
SE2.	Project participation in the fair share mitigation agreement with the Hart District fully mitigates project specific impacts on this district. This agreement would provide full funding of the costs to construct new facilities necessary to house the additional students generated by the project.	Schools/Education Developer shall pay required school mitigation fees to Hart School District	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	Hart School District, LA County DRP - Land Development	
FS1.	All proposed development on the site must comply with applicable state and County code and ordinance requirements for fire protection.	Fire Services Fire Department shall review and approve all building plans consistent with County Code/Building Code fire protection requirements	During and After Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County Fire Department - Fire Prevention Division	
FS2.	Prior to the issuance of a certificate of occupancy, the project applicant shall dedicate to the Los Angeles County Fire Department, a 1.26 acre fire station site at the northeast corner of the proposed project. The fire station site must be constructed and dedicated to the Los Angeles County Fire Department in accordance with the provisions of the AGREEMENT BETWEEN THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY AND WESTERN PACIFIC HOUSING - LYONS CANYON PARTNERS, LLC. Please refer to Appendix P of the Draft EIR for the full text of this agreement	Fire Services Developer shall dedicate land for the station site	During Construction	One Time Activity	Prior to Issuance of a C/O for the 50th residential unit	Project Applicant	L.A. County Fire Department - Fire Prevention Division	
FS3.	The project shall prepare a Fuel Modification Plan (which includes a landscape plan and irrigation plan) as required for projects located within a Very High Fire Hazard Severity Zone. The Fuel Modification Plan shall be submitted and approved by the County Fire Department prior to issuance of grading permit. The Fuel Modification Plan shall depict a fuel modification zone in conformance with the Fuel Modification Ordinance in effect at the time of subdivision. The fuel modification plan shall not conflict with the revegetation plan as directed in Section 5.8, Biological Resources	Fire Services Fire Department shall review and approve all fuel modification plans consistent with County Fire Code protection requirements	During Construction	One Time Activity	Prior to Issuance of Grading Permits	Project Applicant	L.A. County Fire Department - Fire Prevention Division	
FS4.	Brush clearance shall be conducted prior to initiation of construction activities in accordance with Los Angeles County Fire Department requirements.	Fire Services Developer to implement fuel modification in conformance with approved Fuel Modification Plan	During Construction	Periodic as necessary	Prior to Issuance of Building Permits	Project Applicant	L.A. County Fire Department - Fire Prevention Division	
FS5.	Adequate access to all buildings on the project site shall be provided for emergency vehicles during the building construction process.	Fire Services Developer to provide adequate construction access	During Construction	Periodic as necessary	Prior to Issuance of Building Permits	Project Applicant	L.A. County Fire Department - Fire Prevention Division	
FS6.	Adequate water availability shall be provided to service construction activities.	Fire Services L.A. County Fire Dept. to confirm adequate design of fire flows during plan check	Prior to Construction	One Time Activity	Prior to Recordation of Final Map	Project Applicant	L.A. County Fire Department - Fire Prevention Division	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial/Once Completed
FS7.	The project shall comply with the Los Angeles County Fire Department Development standards with respect to access roadways, building orientation, brush clearance and fire flows.	Fire-S2929293 L.A. County Fire Dept. to confirm compliance with all Fire Codes during plan check	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County Fire Department - Fire Prevention Division	
Sheriff Services								
SS1.	During construction, private security patrols shall be utilized to protect the project site	Developer shall hire private security to monitor equipment and site during construction	During Construction	Continuous	Prior to issuance of Grading Permits	Project Applicant	L.A. County Sheriff Department	
SS2.	As final building plans are submitted to the County for approval in the future, Sheriff's Department design requirements which reduce demands for service and ensure adequate public safety (such as those pertaining to site access, site security lighting), shall be incorporated into building designs.	Developer shall submit final improvement plans to L.A. County Sheriff Dept. for review and approval	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County Sheriff Department	
SS3.	Project design shall landscape the project site with low-growing groundcover and shade trees, rather than a predominance of shrubs which could conceal potential criminal activity around buildings and parking areas.	Landscape plan shall incorporate "defensible space" concepts to reduce potential criminal activity within project	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County Sheriff Department	
SS4.	Project design shall provide lighting, to the satisfaction of the Sheriff's Department, around and throughout the development to enhance crime prevention and enforcement efforts	Lighting plan to be reviewed and approved by Sheriff Dept.	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County Sheriff Department	
SS5.	Project design shall provide clearly visible (during the day and night) address signs and/or building numbers for easy identification during emergencies.	Address signs shall be reviewed and approved by L.A. County DPW	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division	
SS6.	Project design shall provide visibility of doors and windows from the street and between buildings.	Plan Check review and approval of building design to ensure visibility of doors and windows from the street	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division	
Solid Waste								
SW1.	The project applicant/individual project applications shall adhere to all source reduction programs for the disposal of construction materials and solid waste, as required by the County of Los Angeles. Prior to issuance of building permits, a source reduction program shall be prepared and submitted to the Director of Public Works for each future structure constructed on the subject properties to achieve a minimum 50 percent reduction in waste disposal rates, including green waste.	Developer shall develop source reduction program pursuant to L.A. County requirements	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	
SW2.	Project will provide recycling/separation areas in close proximity to dumpsters for non-recyclables, elevators, loading docks, and primary internal and external access points.	Developer shall develop source reduction program pursuant to L.A. County requirements	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	
SW3.	The location of recycling/separation areas shall not be in conflict with any applicable federal, state or local laws relating to fire, building, access, transportation, circulation, or safety.	Developer shall develop source reduction program pursuant to L.A. County requirements	Prior to Construction	One Time Activity	Prior to issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency/Party	Initial Once Completed
SW4.	The location of recycling/separation areas shall be convenient for those persons who deposit, collect, and load the recyclable materials.	Solid Waste L.A. County shall review and approve improvement plans which include efficient placement of recycling/separation areas	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	
SW5.	Recycling containers/bins shall be located so that they do not block access to each other	L.A. County shall review and approve project improvement plans that include efficient placement of recycling/separation areas	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	
SW6.	Yard waste shall be reduced through the use of drought-tolerant and native vegetation in common area landscaping whenever possible.	L.A. County shall review and approve landscaping plan which includes common area maintenance and drought tolerant species	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	
SW7.	Kitchen, garage or garden design shall accommodate trash and recyclable components to assist in the County's recycling efforts.	L.A. County shall review and approve final project building plans which include efficient placement of recycling/separation areas	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	
SW8.	Property buyers shall receive educational material on the City's waste management efforts.	Developer shall distribute the County's waste management information to each homeowner	Post Construction	One Time Activity	Prior to Issuance of a C of O for Each Unit	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	
SW9.	The applicant shall comply with all applicable state and Los Angeles County regulations and procedures for the use, collection and disposal of solid and hazardous wastes.	Developer provide solid waste disposal areas as required by L.A. County Public Works	During Construction	Continuous	Prior to Issuance of Building Permits	Project Applicant	L.A. County DPW - Building and Safety Division, L.A. County Sanitation District	
LIB1.	The project applicant shall pay the standard Los Angeles County Library mitigation fee of \$695 per dwelling unit, or other amount determined to be appropriate by the County of Los Angeles Public Library.	Library Services Developer shall pay standard L.A. County Library mitigation fee	Prior to Construction	One Time Activity	Prior to Recordation of Final Map	Project Applicant	L.A. County DRP	
PR1.	The project shall comply with the County Ordinance and/or Quimby Act by paying the mitigation fees totaling \$384,831 to the County of Los Angeles.	Parks and Recreation Developer shall pay required L.A. County Quimby fees	Prior to Construction	One Time Activity	Prior to Recordation of Final Map	Project Applicant	L.A. County Dept. of Parks and Rec.	

Number	Mitigation Measure	Action Required	Mitigation Timing	Monitoring Frequency	Verification of Compliance	Responsible Party	Monitoring Agency	Initial Date Completed
SWA	The location of recycling/segregation areas shall be convenient for those persons who deposit, collect, and load the recyclable materials.	L.A. County shall review and approve interim plans which include sufficient placement of recycling areas.	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
SWB	Recycling containers shall be located so that they do not block access to a step or ramp.	L.A. County shall review and approve interim plans which include placement of recycling containers.	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
SWC	Waste shall be removed through the use of drought tolerant and native vegetation in common area landscaping whenever possible.	L.A. County shall review and approve interim plans which include common area maintenance and drought tolerant plants.	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
SWD	Mechanics, gangs or other dirt shall accommodate trash and recyclable components to assist in the County's recycling efforts.	L.A. County shall review and approve interim plans which include placement of recycling containers.	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
SWE	Facility owners shall receive educational material on the City's waste management efforts.	Developer shall provide the County with an informational brochure to each homeowner.	Prior to Construction	One Time Activity	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
SWF	The applicant shall comply with all applicable DMG and Los Angeles County requirements and procedures for the use, collection and disposal of solid and hazardous wastes.	Developer provides solid waste disposal areas as required by L.A. County Public Works.	During Construction	Continuous	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
LIB1	The project applicant shall pay the standard Los Angeles County Library mitigation fee of \$685 per dwelling unit, or other amount determined to be appropriate by the County of Los Angeles Public Library.	Developer shall pay standard L.A. County Library mitigation fee.	Prior to Construction	One Time Activity	Prior to Issuance of Final Map	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
PR1	The project shall comply with the County Ordinance and/or Quimby Act by paying the fee of \$384.00 to the County of Los Angeles.	Developer shall pay Quimby Act fee.	Prior to Construction	One Time Activity	Prior to Issuance of Final Map	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
Global Climate Change								
CC1	Construction equipment shall be limited to the use of low-emission equipment. A schedule of equipment shall be provided to the County of Los Angeles.	Construction equipment shall be limited to the use of low-emission equipment.	During Construction	Continuous	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
CC2	Construction equipment shall be limited to the use of low-emission equipment. A schedule of equipment shall be provided to the County of Los Angeles.	Construction equipment shall be limited to the use of low-emission equipment.	During Construction	Continuous	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	
CC3	Construction equipment shall be limited to the use of low-emission equipment. A schedule of equipment shall be provided to the County of Los Angeles.	Construction equipment shall be limited to the use of low-emission equipment.	During Construction	Continuous	Prior to Issuance of Building Permits	Project Applicant	L.A. County DEW - Building and Safety Division, L.A. County Sanitation District	

PROJECT NO. 53656-(5)

**ADDITIONAL
CORRESPONDENCE
AFTER CLOSE OF
HEARING**



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

June 12, 2008

Bruce W. McClendon FAICP
Director of Planning

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

FROM: Susan Tae, AICP, Supervising Regional Planner *SMT*
Land Divisions Section

SUBJECT: **ZONE CHANGE CASE NO. 2008-00004-(5)**
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
JUNE 18, 2008; AGENDA ITEM NO. 9 a, b, c, d, e

SUPPLEMENTAL INFORMATION

PROJECT BACKGROUND

Your Regional Planning Commission ("Commission") held a public hearing on November 15, 2006 for Vesting Tentative Tract Map No. 53653, a residential subdivision proposal to create 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The project is located approximately 273 feet southwest of Sagecrest Circle west of Interstate 5 (I-5) Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal also required approval of Conditional Use Permit Case No. 2005-00088-(5) ("CUP") to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

UPDATED DRAFT FINDINGS AND CONDITIONS

Attached are updated draft findings and conditions for the project, reflecting minor editorial corrections and clarifications as well as additional conditions for the vesting tentative tract map and housing permit. These additional conditions include requiring the applicant to submit a

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
June 18, 2008 RPC Memo – Supplemental Information

PAGE 2

condition requiring an offsite access easement through the subject property for the Kantor and Speer parties (please see previous June 5, 2008 memo for exhibits depicting both offsite properties as well as various access route options). The Los Angeles County Department of Public Health's recommended condition for the vesting tentative tract map was also inadvertently left out of the previous package, and has been included.

ADDITIONAL CORRESPONDENCE

One additional correspondence has been received since the distribution of the June 5, 2008 hearing package. The letter is from a constituent who is opposed to the project, and concerned specifically with the need for infrastructure and traffic improvements to I-5 (Golden State) Freeway as well as water shortages, destruction of oak-covered hills, and the more suited use of the property as a park.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Commission close the public hearing, and adopt the environmental document. Staff also recommends the Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, certify the Final Environmental Impact Report, and adopt the Statement of Facts and Overriding Considerations."

Suggested Motion: "I move that the Regional Planning Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5) (with the conditions as added into the record); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors."

SMT:st
06/12/08

Attachment: Updated Draft Findings and Conditions
Correspondence

DRAFT
A RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
RELATING TO ZONE CHANGE CASE NO. 2008-00004-(5)

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted a public hearing regarding Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) on November 15, 2006 and June 18, 2008; and

WHEREAS, the Regional Planning Commission ("Commission") finds as follows:

1. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
2. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
3. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
4. Zone Change Case No. 2008-00004-(5) is a request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
5. Zone Change Case No. 2008-00004-(5) was heard concurrently with Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) at the June 18, 2008 public hearing. Zone Change Case No. 2008-

00004-(5) was previously not considered during the November 15, 2006 public hearing.

6. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
7. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
8. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
9. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
10. Approval of the vesting tentative tract map, conditional use permit, oak tree permit and housing permit will not become effective unless and until the Los Angeles County Board of Supervisors ("Board of Supervisors") has adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.
11. The applicant's site plan, labeled as "Exhibit A," depicts a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.
12. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories.

The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs

13. The project site is currently zoned A-2-1, A-2-2 and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP over the senior multi-family Lot No. 94.
14. Surrounding zoning includes RPD-1-14U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
15. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.

18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.
20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition.

Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.

26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Through prescriptive easements however, Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate independent from the subject project.

- Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
 31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
 32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 33. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
 34. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
 35. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
 36. The zone change is consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.

37. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Forester and Fire Warden, Parks and Recreation, Public Health and Regional Planning.
38. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping and other accessory structures, as shown on the site plan and Vesting Tentative Tract Map No. 53653.
39. Compatibility with surrounding land uses will be ensured through the related ~~zone change~~, subdivision, conditional use permit, oak tree permit, housing permit and environmental conditions.
40. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
41. Modified conditions warrant a revision in the zoning plan as it pertains to the subject property as residential housing is needed for the fast-growing senior population.
42. The subject property is a proper location for the recommended zoning classification in that the recommended zoning classification for the subject property is compatible with adjacent and/or nearby zoning classifications and/or land uses. There is existing C-3 zoning in the areas adjacent to the proposed zone change area, as well as north of the subject property along The Old Road.
43. The adoption of the proposed zoning classification will be in the interest of public health, safety and general welfare, and in conformity with good planning practices in that the proposed zoning classification implement a project that promotes higher-density residential development for seniors in a location near commercially-zoned properties and near local shopping. Transportation options will be provided by the project for the senior condominium residents.
44. Adoption of the proposed zone change will enable the development of the subject property as proposed.
45. The applicant in this case has satisfied the "Burden of Proof" for the requested Zone Change which is needed and appropriate.
46. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial

Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

47. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map for this project.
48. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
49. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
50. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
51. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
52. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian

of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

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

1. Hold a public hearing to consider the above recommended zone change; and
2. Certify that the Final EIR has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto and reflects the independent judgment of the Board of Supervisors; and
3. Approve the Final EIR prepared for the project and certify that it has reviewed and considered the information contained therein; and
4. Approve and adopt the Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, find that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
5. Find that the proposed change of zone are consistent with the goals, policies and programs of the Santa Clarita Valley Area Plan, a component of the Los Angeles Countywide General Plan; and
6. Adopt Zone Change Case No. 2008-00004-(5) changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

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 June 18, 2008.

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

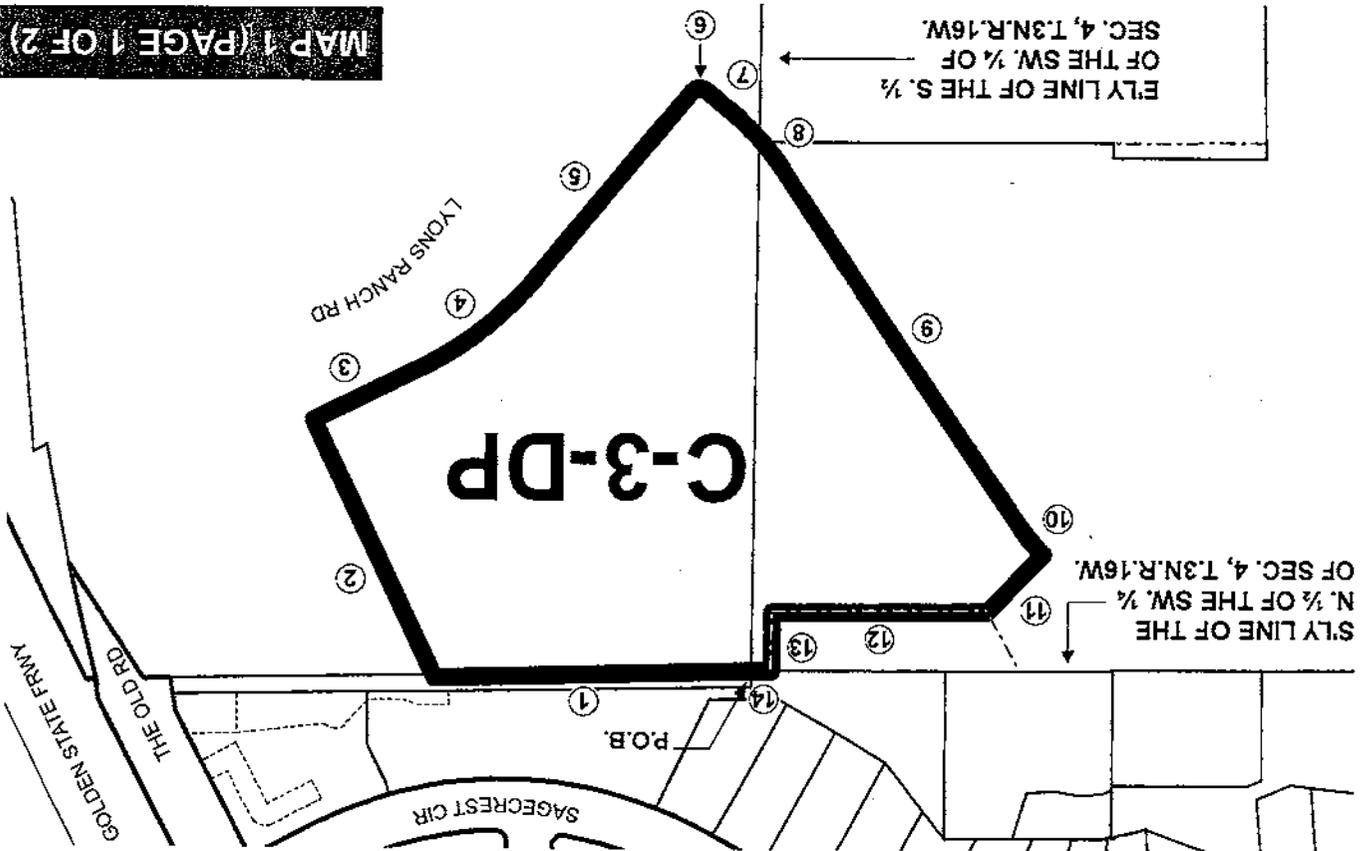
CHANGE OF PRECISE PLAN
NEWHALL ZONED DISTRICT

ADOPTED BY ORDINANCE:

ON:

ZONING CASE: ZC 2008-00004 (5)

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



LEGAL DESCRIPTION:

ALL THAT PORTION OF THE S. 1/2 OF SEC. 4, T.3N., R.16W., SAN BERNARDINO MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE S. 1/2 LINE OF THE N. 1/2 OF THE SW. 1/4 OF SAID SEC. 4 WITH THE E. LINE OF SAID SW. 1/4 OF SAID SEC. 4, SAID INTERSECTION ALSO BEING AT AN ANGLE POINT IN THE S. 1/2 LINE OF LOT 35 OF TR43792 AS PER MAP RECORDED IN BOOK 1071 PAGES 42 THROUGH 48, INCLUSIVE OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG THE N. LINE OF THE SW. 1/4 OF THE SE. 1/4 OF SAID SEC. 4,

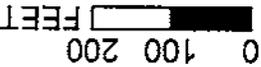
CONTINUE TO PAGE 2 OF MAP 1

DIGITAL DESCRIPTION: ZC02D_NEWHALL

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
HAROLD V. HELSLEY, CHAIR
BRUCE W. McCLENDON, PLANNING DIRECTOR

246H117

COUNTY ZONING MAP



- LEGEND:
- PARCELS
 - STREET / RIGHT OF WAY
 - LOT LINE
 - CUT/DEED LINE
 - EASEMENT LINE
 - ZONE CHANGE AREA

MAP 1 (PAGE 1 OF 2)

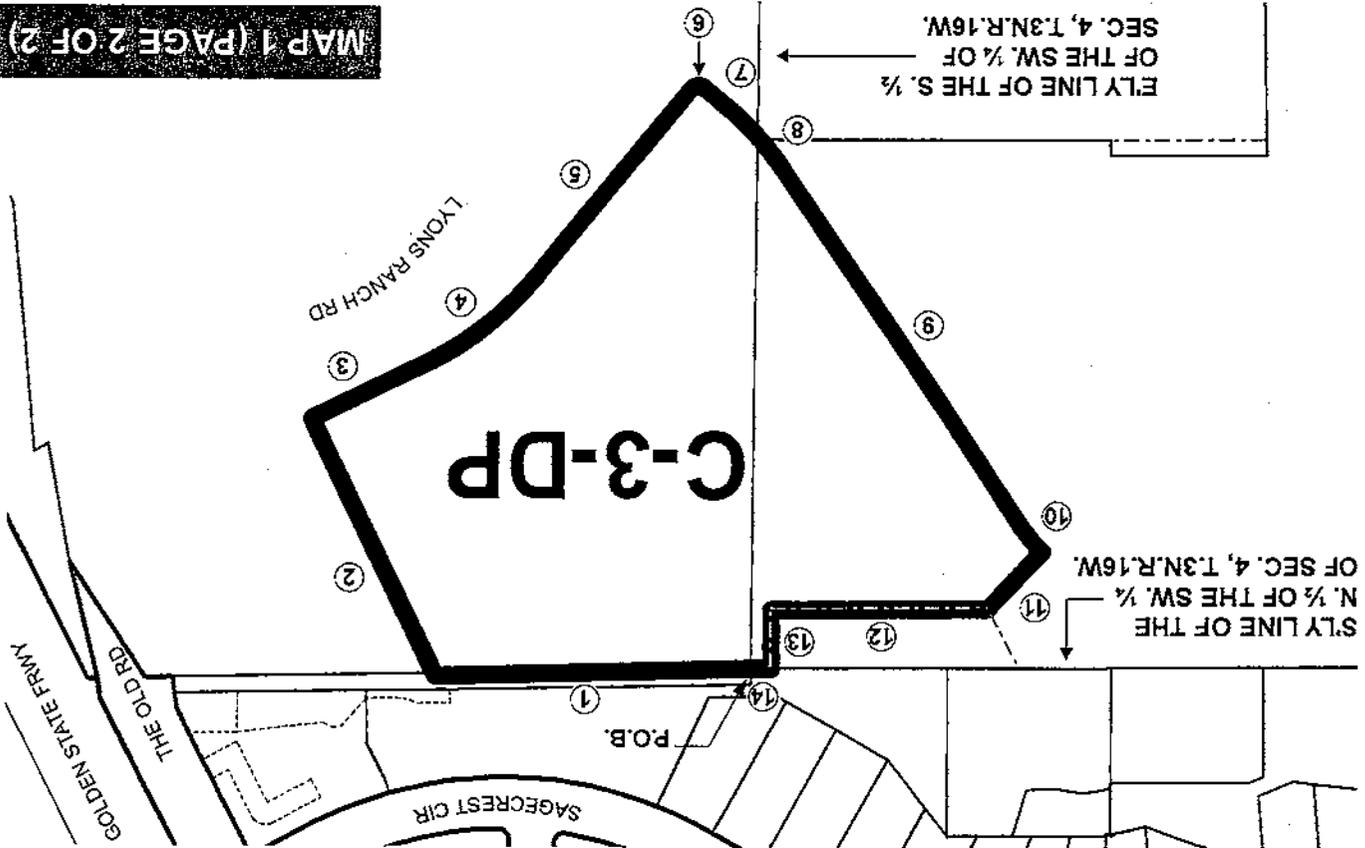
CHANGE OF PRECISE PLAN
NEWHALL ZONED DISTRICT

ADOPTED BY ORDINANCE:

ON:

ZONING CASE: ZC 2008-00004 (5)

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



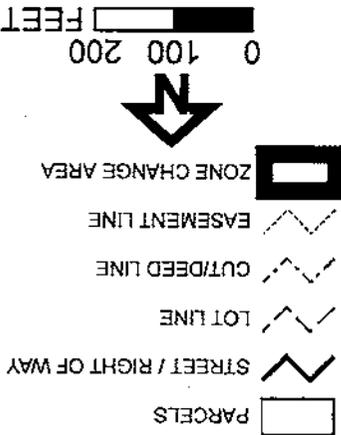
LEGAL DESCRIPTION: CONTINUED FROM PAGE 1 OF MAP 1

- ① - N.88°48'07"E. 399.90'
- ② - S.26°07'39"E. 356.62'
- ③ - S.63°52'21"W. 153.66'
- ④ - RADIUS: 432.00'
- ⑤ - RADIUS: 13.00'
- ⑥ - RADIUS: 13.00'
- ⑦ - S.39°32'49"W. 303.55'
- ⑧ - RADIUS: 370.00'
- ⑨ - N.88°48'07"E. 399.90'
- ⑩ - RADIUS: 230.00'
- ⑪ - N.44°10'26"E. 99.28'
- ⑫ - N.89°43'46"E. 275.00'
- ⑬ - N.00°16'14"W. 75.00' TO THE S.W. LINE OF THE N. 1/2 OF THE SW. 1/4 OF SAID SEC. 4
- ⑭ - N.89°43'46"E. 25.21' TO THE POINT OF BEGINNING

DIGITAL DESCRIPTION: ZC02D_NEWHALL

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COUNTY ZONING MAP
246H117



MAP 1 (PAGE 2 OF 2)

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Conditional Use Permit Case No. 2005-00088-(5) on November 15, 2006 and June 18, 2008. Conditional Use Permit Case No. 2005-00088-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. The applicant, D.R. Horton, is proposing a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
3. A conditional use permit ("CUP") is required to ensure compliance with the requirements of nonurban hillside management, density-controlled development, development within an SEA, residential use in a commercial zone, and onsite project grading pursuant to Sections 22.24.100, 22.24.150, 22.28.210, 22.56.010, 22.56.205, 22.56.215 of the Los Angeles County Code ("County Code") as well as ensure compliance with the proposed Development Program ("DP") zoning pursuant to Section 22.40.040 of the County Code.
4. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
5. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
6. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
7. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.

8. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
9. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
10. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.
11. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
14. The Exhibit “A” dated July 11, 2006, depicts a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west.

and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces

15. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots.

Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and

unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.

27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding conclusion of three options:
- Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Through prescriptive easements however, Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.

30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
33. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
34. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
35. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
36. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
37. Pursuant to Section 22.56.205 of the County Code, all commonly owned areas within the density-controlled development shall be permanently reserved by homeowners association or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas. Open space Lot Nos. 102 and 103 shall be owned and maintained by the homeowners association. Open space Lot Nos. 104 through 107 shall be dedicated to a public agency to the satisfaction of Los Angeles County Department of Regional Planning ("Regional Planning").
38. Pursuant to Section 22.56.205 of the County Code, all dwelling unit types shall be single-family residences. The density-controlled development covers the project

site with exception of the senior multi-family Lot No. 94 and fire station Lot No. 95. All proposed residential lots are single-family.

39. Pursuant to Section 22.56.205 of the County Code, the location, separation and height of buildings shall be governed by conditions. By County Code provisions, the single-family dwelling units may reach a maximum height of 35 above grade, and may be located on the lot in compliance with applicable yard setbacks.
40. Pursuant to Section 22.52.215 of the County Code, a minimum of 70 percent shall be provided as open space. The subject property is 234.8 acres in size, and provides 167.6 acres or 71.4 percent open space. Areas counted toward open space include undisturbed natural areas, graded slopes within private ownership, and unpaved portions of the debris basin and proposed park.
41. The applicant has submitted a development progress schedule for the DP zone pursuant to Section 22.40.050 of the County Code.
42. As a condition of approval of this grant, the permittee shall be required to comply with all applicable conditions for hillside management, SEA, DP, and density-controlled development as set forth in Sections 22.40.070, 22.56.205, and 22.56.215 of the County Code.
43. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.
44. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can

be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions ~~in this vesting map~~ for this project.

45. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
46. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
47. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
48. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
49. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
50. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
51. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted Plan, a component of the General Plan;
- 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 or 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 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 service facilities as are required;
- E. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow or erosion hazard;
- F. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area;
- G. That the proposed project is conveniently served by neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;
- H. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;
- I. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

- J. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;
- K. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;
- L. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resources from said requested development;
- M. That where necessary, fences or walls are provided to buffer important habitat areas from development;
- N. That 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
- O. That such development program provides necessary safeguards to ensure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Conditional Use Permit Case No. 2005-00088-(5) subject to the attached conditions.

DEPARTMENT OF REGIONAL PLANNING

CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5) Exhibit "A" Date: 7-11-2006

DRAFT CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and 93 senior attached condominium units, as modified from the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval:
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 7, 9 and 44 9 and 57.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. The subject property shall be developed and maintained 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.
8. If inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all inspections and for any enforcement efforts

necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

9. Within 5 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.
10. 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.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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 ("County Code").

12. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
13. No grading permit shall be issued prior to final map recordation, unless otherwise authorized by the Director of Regional Planning ("Director of Planning").
14. The subject property shall be graded, developed and maintained in substantial compliance with the approved vesting tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
15. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
16. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval. The CC&Rs shall include all of the project conditions, and include language that those conditions required to be in the CC&Rs may not be amended or eliminated by the homeowners' association without approval from the Director of Planning.
17. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
18. The permittee or successor in interest, shall provide a minimum of 167.6 acres or 71.4 percent open space, which includes natural, undisturbed areas; graded slopes; park; trail; and unpaved debris basin area.
19. The permittee shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.
20. The permittee shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.

21. The permittee shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
22. The permittee shall reserve in the CC&Rs the right for all residents within senior multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
23. The permittee shall provide in the CC&Rs that at least 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity.
24. The permittee shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The permittee shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients.
25. As agreed to by the applicant, horsekeeping activities that comply with all County requirements, shall not be prohibited within the development. Include language in the CC&Rs and provide a draft copy of the CC&Rs to Regional Planning for review and approval.
26. This project is approved as density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acres Minimum Required Lot Area) in accordance with Section 22.56.205 of the County Code.
27. All commonly owned areas within the density-controlled development, shall be permanently reserved as open space. Such reservation shall be by establishment of a homeowners association, maintenance district or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas.
28. 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 areas or a share in the corporation or voting membership in an association owning the commonly owned areas.

29. All dwelling units within the density-controlled development (entire property except multi-family Lot No. 94 and fire station Lot No. 95) shall be single-family residences.
30. Prior to the issuance of any grading and/or building permit, site plans covering the development shall be submitted to and approved by the Director of Planning indicating that the proposed grading and/or construction:
 - a. complies with the conditions of this grant and the standards of the zone; and
 - b. is compatible with hillside and SEA resources.
31. No structure shall exceed 35 feet in height, except for chimneys and rooftop antennas, except for the main residential structures within multi-family Lot No. 94 which shall not exceed 50 feet in height. Prior to any issuance of any building permit, a site plan including exterior elevations and major architectural features shall be submitted to and approved by the Director of Planning, as a revised Exhibit "A," to ensure compliance.
32. A minimum of two covered automobile parking spaces for each single family residential lot shall be provided and continuously maintained and developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicle parking only and shall not be used for storage, automobile repair, or any other unauthorized use.
33. A minimum of 172 automobile parking spaces, as depicted on the approved Exhibit "A" (dated July 11, 2006) or on an approved revised Exhibit "A", shall be provided and continuously maintained on multi-family Lot No. 94, developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&Rs.
34. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence that contractual arrangements have been made with the local utilities to install underground all new facilities necessary to furnish services in the proposed development.
35. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
36. Detonation of explosives or any other blasting device or material is prohibited unless required permits have been obtained and adjacent property owners have been notified.

37. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m., and Saturday between the hours of 8:00 a.m. and 5:00 p.m. Sunday or holiday operations are prohibited. 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.
38. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works.
39. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activities is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high wind (i.e. greater than 20 mph average over one hour) to prevent excessive amounts of dust.
40. The permittee shall, upon commencement of any grading activity allowed by this grant, diligently pursue all grading to completion.
41. No construction equipment or vehicles, including construction crew's personal vehicles, shall be parked or stored on any existing public or private streets.
42. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.
43. 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.
44. 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.
45. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence. Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.

46. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with the ordinances and County Building and Plumbing Codes.
47. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Public Health ("Public Health"). Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.
48. If during construction of the project, 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.
49. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with State Seismic Hazard Safety laws to the satisfaction of Public Works.
50. 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 to the satisfaction of and approval by Public Works.
51. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of Public Works.
52. During construction, all large-size truck trips shall be limited to off-peak commute periods.
53. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on state highways.
- ~~54. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Director of Planning indicating that the proposed construction and associated grading complies with the conditions of this grant and the standards of the zone.~~
55. All graded slopes (cut and fill) shall be revegetated. Prior to the issuance of any grading or building permit, three copies of a landscape plan, which may be incorporated into a revised Exhibit "A," shall be submitted to and approved by the Director of Planning. The landscape plan 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, and shall use reclaimed water.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of Regional Planning and the Los Angeles County Forester and Fire Warden ("Forester and Fire Warden"). Their 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. No invasive species are permitted.

The landscaping plan must show that landscaped areas shall contain minimum 75 percent locally indigenous species, including trees, shrubs and ground covering. However, if the permittee demonstrates to the satisfaction of the Director of Planning that compliance with this requirement is not possible due to County fire safety requirements, then the Director of Planning may determine that a lower percentage of such planting shall be required. In those areas where the Director of Planning approves a lower percentage, the amount of such required locally indigenous vegetation shall be at least 50 percent. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by the Director of Planning and the Forester and Fire Warden. Fire retardant plants shall be given first consideration.

Timing of Planting. Prior to the issuance of grading or building permits for any development, the permittee shall submit a landscaping phasing plan for the landscaping associated with the construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

56. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program ("MMP"). Prior to recordation, submit a copy of the covenant to the Director of Planning for review and approval.
57. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
58. Within 30 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.
59. Except as otherwise modified herein, the permittee shall comply with all of the following permit conditions for Development Program zoning:

- a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the program shall be built, erected, or moved onto any part of the multi-family Lot No. 94;
- b. No existing building or structure which under the program is to be demolished shall be used;
- c. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered;
- d. All improvements shall be completed prior to the occupancy of any structures within multi-family Lot No. 94; and
- e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR OAK TREE PERMIT CASE NO. 2005-00039-(5)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Oak Tree Permit Case No. 2005-00039-(5) on November 15, 2006 and June 18, 2008. Oak Tree Permit Case No. 2005-00039-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Housing Permit Case No. 2006-00001-(5).
2. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
3. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
4. Oak Tree Permit Case No. 2005-00039-(5) is a request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).

The applicant submitted an Oak Tree Report as prepared and amended by Interface Management Services (arborist: Doug Nickles) and Trees, etc., a division of RDI and Associates, Inc. the consulting arborist, dated September 2006, that identifies and evaluates 1,395 oak trees on the subject property.

5. The applicant proposes to remove 162 oak trees and encroach into the protected zone of 52 oak trees. The proposed removals and encroachments are due to potential impacts from construction and development of the property including debris basins, roads, and grading.
6. The Los Angeles County Forester and Fire Warden ("Forester"), has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The Forester has recommended approval of the requested oak tree removals, subject to recommended conditions of approval, including replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 428 mitigation oak trees.
7. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre

Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior multi-family Lot No. 94. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.

8. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
9. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone, and onsite project grading.
10. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet
11. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway (as designated on the Los Angeles County Master Plan of Highways). The main access road serving the project will be 64-foot wide “A” Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
12. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the “back portion” of the development, and provision of full

monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

13. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
14. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
15. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
16. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.
17. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior

housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.

18. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
19. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
20. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

21. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.

22. After the close of public hearing on November 16, 2006, the applicant had worked ~~over the course of more than 16 months~~ with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes with the applicant ultimately ~~concluding~~ conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.

 - Option 2: Access rights may already exist along the northern property line of the subject property. ~~Through prescriptive easements however,~~ Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time ~~separate~~ independent from the subject project.

 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.

23. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

24. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
25. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
26. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
27. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
28. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
29. The necessary drainage improvements for soil erosion control will be designed in accordance with the standards of the Los Angeles County Department of Public Works as a condition of approval of the associated vesting tentative tract map.
30. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
31. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

32. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions ~~in this vesting map for this project.~~
33. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
34. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
35. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
36. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
37. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
38. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
39. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of

Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code;
- B. That the proposed removal of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
- C. That in addition to the above facts, that the removal of up to 74 oak trees and the encroachment of 71 oak trees is necessary for development reasons as continued existence of the trees at the present location frustrates the planned improvements or proposed use of the subject property to such an extent that a) alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive; or b) Placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized;
- D. That the proposed removal and encroachment of the oak trees will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.

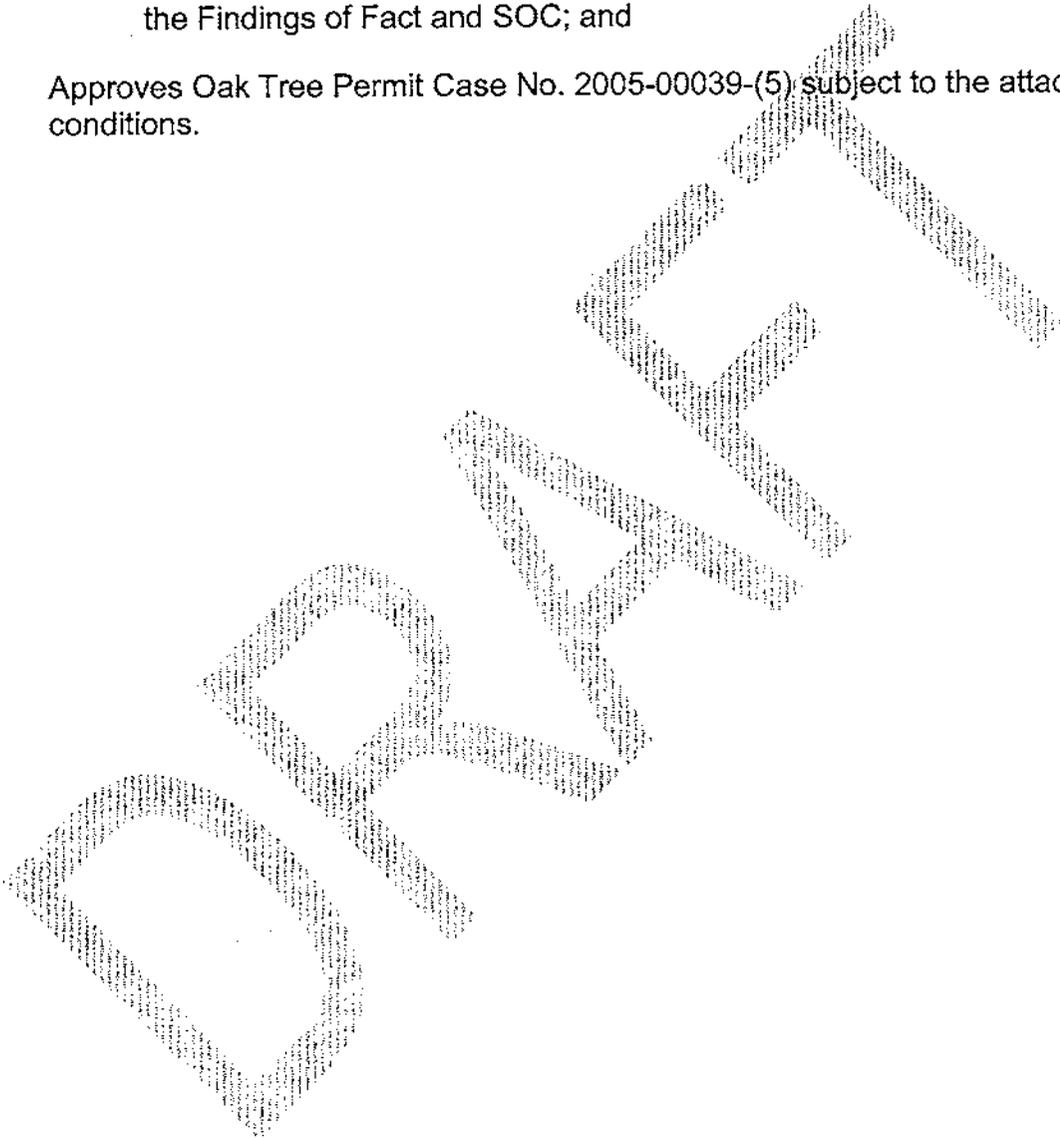
THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for an oak tree permit as set forth in Section 22.56.2100 of the Los Angeles County Code (Zoning Ordinance).

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation

measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and

2. Approves Oak Tree Permit Case No. 2005-00039-(5) subject to the attached conditions.



**DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT CASE NO. 2005-00039-(5)**

DRAFT CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the Los Angeles County Forester and Fire Warden ("Forester") at 323-890-4330.)

1. This grant authorizes the removal of 162 trees of the Oak genus identified on the applicant's site plan and Oak Tree Report, subject to all of the following conditions of approval. This grant also authorizes encroachment within the protected zone of 54 trees of the Oak genus also identified on the applicant's site plan and Oak Tree Report.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions have been recorded as required by Condition No.4 and until all required monies have been paid pursuant to Condition No.9 and 10.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in such full compliance shall be a violation of these conditions.
7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.
9. Within five days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a

Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Los Angeles County Fire Department ("Fire Department") a sum of \$600.00. Such fee shall be used to compensate the Forester \$100 per inspection 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 initial inspection of temporary fencing (required to secure the protected zone of the remaining Oak trees), prior to the commencement of construction and five subsequent annual inspections until the conditions of approval have been met. The Director of Regional Planning ("Director of Planning") and the Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the report on file by Interface Management Services and Trees, etc., the consulting arborists, dated September 2006.
12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forester stating that he or she has been retained by the permittee to perform or supervise the work, and that her or she agrees to report to the Director of Planning and Forester any failure to fully comply with the conditions of this grant. The arborist shall prepare a schedule of construction activities wherein the arborist will be present on the project site to ensure compliance with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
13. 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. 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 Forester for the life of the Oak Tree Permit or the Vesting Tentative Tract Map No. 53653.
14. The permittee shall install temporary chain-link fencing, not less than four feet in height, to secure the protected zone of the remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall

not be removed without approval of the Forester. The term "protected zone" refers to the area extending five feet beyond the dripline of the Oak tree (before pruning), or 15 feet from the trunk, whichever is greater.

15. 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. If the conditions of approval are not present on site during a monitoring inspection of an active project, the Forester will give an immediate "Stop Work Order." This will be administered both verbally and in writing. The "Stop Work Order" will be rescinded after the conditions of approval are present on the site and all employees associated with the project are fully aware of these conditions.
16. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak trees 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 Fire Department. In no case shall more than 20 percent of the tree canopy of any one tree be removed.
17. Except as otherwise expressly authorized by this grant, the 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 Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

18. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for 149 trees for a total of 298 15-gallon trees.

The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) trees for 13 heritage oak trees for a total of 130 24-inch (24") box trees. In addition, the permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachment.

19. Each non-Heritage Oak mitigation tree shall be at least a 15-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.

Each Heritage Oak mitigation tree shall be at least a twenty-four inch (24") box specimen in size and measure two inches or more in diameter one foot above the base unless otherwise specified by the Forester. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees

shall measure a minimum of two inches in diameter one foot above the base or as deemed appropriate by the Forester.

20. This total of 428 mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* or *Quercus lobata* depending on which species of tree was removed or lost due to its permitted encroachment. The seed shall be grown from a local seed source and be of high-quality.
21. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
22. All required 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 in locations approved by the project arborist in consultation with the Forester. In circumstances where on-site planting is shown to be infeasible, the mitigation trees may be planted at an off-site location approved by the Forester, or 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 Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
23. 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 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.
24. 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 Forester, including any loss of trees.
25. 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.
26. Prior to the planting of the trees, 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 Forester and Director of Planning.
27. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

28. 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.
29. 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.
30. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited. If the applicant encroaches or removes an Oak tree not specified in the Oak Tree Report all work must stop immediately. A new Oak Tree Report, which accurately identifies the project conditions must be submitted for approval through the permitting process. The applicant will be responsible to pay all associated fees for the new Oak Tree Permit.
31. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.
32. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.
33. 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.
34. Any violation of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.
35. Should any future inspection disclose that the subject property is being used in violation of any condition of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the Fire Department for all enforcement efforts necessary to bring the subject property into compliance. The Director of Planning and the Forester shall retain the right to make regular and unannounced site inspections.
36. 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 the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or as to be a nuisance.

37. The permittee shall defend, indemnify and hold harmless Los Angeles County ("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.

38. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay Regional Planning an initial deposit of \$5,000.00, 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 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 in accordance with Section 2.170.010 of the Los Angeles County Code.

41. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.

42. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.

43. This grant shall terminate upon the completion of the authorized oak tree removal and the completion of all required mitigation and monitoring to the satisfaction of the Forester and Regional Planning.

DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR HOUSING PERMIT CASE NO. 2006-00001-(5)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Housing Permit Case No. 2006-00001-(5) on November 15, 2006 and June 18, 2008. Housing Permit Case No. 2006-00001-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Oak Tree Permit Case No. 2005-00039-(5).
2. Housing Permit Case No. 2006-00001-(5) is a request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of

Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.

9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.
10. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
11. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. The Exhibit “A” dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the

project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was

designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant had worked ~~over the course of more than 16 months~~ with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately ~~concluding~~ conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. ~~Through prescriptive easements however,~~ Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time ~~separate~~ independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time ~~separate~~ independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change

proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

30. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
31. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
32. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
33. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
34. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
35. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
36. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

37. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions ~~in this vesting map for this project.~~
38. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
39. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
40. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
41. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
42. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
43. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
44. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of

Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the requested use is consistent with the General Plan;
- B. That the requested use at the location will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
 - b. Be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or
 - c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or 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 this Title 22, 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:
 - a. By highways or streets of sufficient width, and improved as necessary to carry out the kind and quantity of traffic such use would generate; and
 - b. By other public or private service facilities as are required;
- E. That the proposed project at the location proposed has been designed to be complementary to the surrounding area in terms of land use patterns and design;
- F. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs; and
- G. That modification of the maximum building height is necessary to make the housing units economically feasible; and do not have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Housing Permit Case No. 2006-00001-(5) subject to the attached conditions.

DRAFT CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and a 93-unit senior housing project, including a density bonus of 62 units, as depicted on the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 7 and 17.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. Within 5 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is

\$2,656.75. No land use project subject to this requirement is final, vested or operative until the fee is paid.

8. 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.
9. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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 ("County Code").

10. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
11. The subject property shall be graded, developed and maintained in substantial compliance with the approved tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
12. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless

specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.

13. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval. The CC&Rs shall include all of the project conditions, and include language that those conditions required to be in the CC&Rs may not be amended or eliminated by the homeowners association without approval from the Director of Planning.
14. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653.
15. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program. Prior to recordation, submit a copy of the covenant to the Director of Planning for approval.
16. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
17. Within 5 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program ("MMP"). The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.
18. The following housing permit conditions shall apply:
 - a. As agreed to by the applicant, ninety-three (93) condominium units shall be reserved for senior citizens in perpetuity; and
 - b. The permittee shall submit for review and approval by County Counsel a deed restriction, covenant or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation, that complies with all pertinent federal, state and local housing laws, to ensure the continuing availability of the 93 total multi-family units to senior citizens in perpetuity. The document shall contain remedies for violations of the covenant including but not limited to monetary penalties. The approved document shall be recorded in the office of the Los Angeles County Recorder prior to or concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 53653.

19. As agreed to by the applicant, a transportation program for residents shall be provided by the development. Submit a copy of the program for Regional Planning review, and include language in the CC&Rs to Regional Planning for review and approval.



DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 53653

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Vesting Tentative Tract Map No. 53653 on November 15, 2006 and June 18, 2008. Vesting Tentative Tract Map No. 53653 was heard concurrently with Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. Vesting Tentative Tract Map No. 53653 proposes a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, which includes a 62-unit density bonus for the reservation of at least half of the proposed condominium units for seniors in perpetuity, as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family lot Lot No. 94.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3

(Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.

8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
10. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
11. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
12. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
13. The vesting tentative tract map and exhibit map dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second

means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of

tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant had worked ~~over the course of more than 16 months~~ with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately ~~concluding~~ conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. ~~Through prescriptive easements however,~~ Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time ~~separate~~ independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time ~~separate~~ independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request

to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

30. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
31. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
32. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
33. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
34. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
35. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified by Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5).
36. The proposed subdivision and the provisions for its design and improvement are consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
37. The site is physically suitable for the type of development and density being proposed, since the property has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs, and will have flood hazards and geologic hazards mitigated in accordance with the requirements of Los Angeles County Department of Public Works.

38. 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 geologic and soils factors are addressed in the conditions of approval.
39. The design of the subdivision and the proposed improvements will cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is located within two Significant Ecological Areas, and does contain any stream courses or high value riparian habitat.
40. The design of the subdivision provides for future passive or natural heating or cooling opportunities as feasible.
41. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the tentative tract map, provide adequate protection for any such easements.
42. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
43. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.
44. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.
45. This tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
46. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural

resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

47. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map for this project.
48. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
49. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
50. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
51. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
52. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.

53. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Vesting Tentative Tract Map No. 53653 subject to the attached conditions and recommendations of the Los Angeles County Subdivision Committee.

DRAFT CONDITIONS:

1. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance). Also, conform to the requirements of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the Mitigation Monitoring Program.
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), the subdivider shall conform to the applicable requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial) zones as well as proposed C-3-DP (Unlimited Commercial – Development Program) zone.
3. In accordance with Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), this land division is approved as a density-controlled development in a nonurban hillside management area, in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 and A-2-2 zone. If multiple final maps are recorded, the average area of all lots shown on each final unit map and all previously recorded final unit maps shall comply with the minimum lot area requirements of the A-2-1 and A-2-2 zone. This land division is also approved with including a senior housing development with component of modification to maximum permitted building height of 35 feet to allow a 50-foot high building height, for the two main residential buildings, in accordance with Section 22.56.202 of the County Code.
4. Recordation of the final map is contingent upon the effectuation of an ordinance by the Los Angeles County Board of Supervisors, changing the zoning of 9.3 acres of the subject property within multi-family Lot No. 94 from A-2-1 and A-2-2 to C-3-DP.
5. The subdivider shall submit a copy of the project Conditions, Covenants and Restrictions ("CC&Rs") and any covenants or maintenance agreements as proposed, to the Los Angeles County Department of Regional Planning ("Regional Planning") for review and approval.
6. The subdivider shall submit evidence that the conditions of the associated Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) have been recorded.

7. The subdivider shall record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures. Prior to recordation, the subdivider submit a draft copy of the covenant to the Director of Regional Planning ("Director") for review and approval.
8. Permission is granted to adjust lot lines to the satisfaction of Regional Planning.
9. The subdivision shall provide at least 40 feet of street frontage at the property line for each lot fronting on a cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. The subdivision shall provide approximately radial lot lines for each lot.
10. The subdivider shall show The Old Road, "A" Street, "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, and "G" Street as dedicated streets on the final map.
11. The subdivider shall show "H" Street and "I" street as future streets on the final map.
12. The subdivider shall place a note or notes on the final map, to the satisfaction of Regional Planning, that a portion of this subdivision (Lot No. 94) is approved as a condominium project for a total of 93 residential units whereby the owners of the units of air space will hold an undivided interest in the common areas, which will in turn provide the necessary access and utility easements for the units.
13. The subdivider shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
14. The subdivider shall reserve in the CC&Rs the right for all residents within senior multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
15. The subdivider shall provide in the CC&Rs that at least 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity.
16. The subdivider shall dedicate to the County of Los Angeles on the final map, the right to prohibit the construction of any structures on the open space areas as depicted on the open space exhibit as individual open space lots (Lot Nos. 103 through 107), and shall record "Open Space-Building Restriction Area" over those open space ~~lots~~ on the final map.
17. The subdivider shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.

18. The subdivider shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.
19. The subdivider shall number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of Regional Planning.
20. Permission is granted to create additional open space lots to the satisfaction of Regional Planning.
21. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The subdivider shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients.
22. Prior to final map approval, the subdivider shall submit an amendment to the approved vesting tentative map, to depict the elimination of one single-family lot and depict the location of the easement to the offsite properties with all other necessary associated changes to the satisfaction of Regional Planning and Los Angeles County Subdivision Committee ("Subdivision Committee").
23. No grading permit shall be issued prior the recordation of a final map, unless the Director determines that the proposed grading conforms to the conditions of this grant and the conditions of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
24. The subdivider shall provide slope planting and an irrigation system in accordance with the Grading Ordinance. The subdivider shall include conditions in the tract's CC&Rs which would require continued maintenance of the plantings for lots having planted slopes. Prior to final map approval, the subdivider shall submit a draft copy of the document to be recorded, to Regional Planning.
25. Prior to the issuance of a grading and/or building permit, the subdivider shall submit three copies of a landscape plan which may be incorporated into a revised site plan. The landscape plans shall be approved by the Director as required by Conditional Use Permit Case No. 2005-00088-(5) prior to any work on the property.

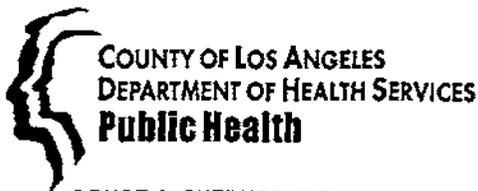
26. Per Section 21.32.195 of the County Code, the subdivider shall plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential lot. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
27. The subdivider shall plant or cause to be planted at least 69 trees of a non-invasive species within the multi-family residential Lot No. 94 in addition to the required front yard tree. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
28. Within five days of tentative map approval, remit processing fees (currently \$2,656.75) 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 California Public Resources Code and Section 711 of the California 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 project subject to this requirement is final, vested or operative until the fee is paid.
29. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Draft Environmental Impact Report ("EIR") for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53653. Comply with all such mitigation measures in accordance with the attached Mitigation Monitoring Program ("MMP"). After completion of the appeal period, record a covenant and agreement, and submit a copy to Regional Planning for approval, agreeing to the mitigation measures imposed by the Draft EIR for this project. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to Regional Planning as frequently as may be required by the department. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.
30. ~~Upon completion of the appeal period,~~ Within 30 days of approval, deposit the sum of \$3,000.00 with Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the MMP.
31. The subdivider 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, and employees to attack, set aside, void or annul this tract map approval, or related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 65499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action or proceeding and the County shall cooperate fully in the defense.

32. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay 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 subdivider, or subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the subdivider, 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 subdivider according to Section 2.170.010 of the County Code.

Except as modified herein above, this approval is subject to all those conditions set forth in Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5); the attached MMP; and the attached reports recommended by the Subdivision Committee, which also consists of members of the Public Works, Fire Department, Department of Parks and Recreation, and Public Health.



BRUCE A. CHERNOF, M.D.
Acting Director and Chief Medical Officer

FRED LEAF
CHIEF OPERATING OFFICER

JONATHAN E. FIELDING, M.D., M.P.H.
Director of Public Health and Health Officer

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
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TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm



BOARD OF SUPERVISORS

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September 7, 2006

RFS No. 06-0022820

Tract No. 53653

Vicinity: Santa Clarita

Tentative Tract Map Date: July 11, 2006 (4th Revision)

The County of Los Angeles Department of Public Health has no objection to **Vesting Tentative Tract Map 53653** and the map is cleared for public hearing. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Valencia Water Company**, public water system, which guarantees water connection and service to all lots. A "will serve" letter has been received and approved.
2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Los Angeles County Sanitation District #32** as proposed.
3. Water wells that may be discovered on the property must be properly decommissioned.
4. Any existing septic systems on the property must be completely emptied of effluent and destroyed by a licensed contractor.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valenti, E.H.S. IV
Mountain and Rural/Water, Sewage, and Subdivision Program

June 7, 2008

Ms. Susan Tae
Dept. of Regional Planning

Dear M. Tae,

We do not need more urban sprawl in the Santa Clarita Valley. I would venture to say that in the last 10 years there has been 30,000+ homes and families added to the area along with thousands of commercial fronts. What we need is infrastructure improvements not more sprawl. Nothing has been done to improve I-5 and the massive amounts of traffic it handles. The new diamond lane only makes it worse. The freeway has become a parking lot in the last 10 years with many more accidents and SIG alerts. When the next quake comes and the freeway bridges come down again the chaos will be unparalleled. The secondary roads in the area are clogged and very busy. We are facing major water shortages in our area and statewide. More homes will only make matters worse. Also, we do not need more new homes in the area to dilute and bring down existing real-estate values. This new development would only be the beginning of the destruction of the one remaining virgin area of beautiful oak covered hills, and the miraculous Santa Susana mountain range. This property would serve the public much better as a major park than just the beginning of more destructive sprawl.

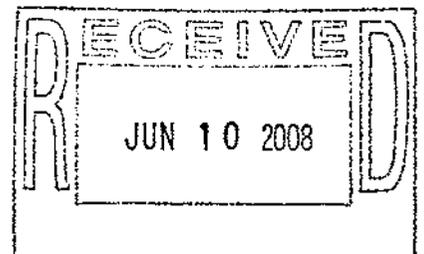
We are strongly opposed to the continued unchecked and unwarranted development of the Santa Clarita Valley. We need improved infrastructure, less traffic, less congestion and less chaos. Please do not approve this project.

Thank you for your time and attention in this important matter.

Yours truly,



David & Linda Snell
24718 Sagecrest Circle
Newhall, CA 91381





Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

June 5, 2008

Bruce W. McClendon FAICP
Director of Planning

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

FROM: Susan Tae, AICP, Supervising Regional Planner
Land Divisions Section

SUBJECT: **ZONE CHANGE CASE NO. 2008-00004-(5)**
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
JUNE 18, 2008; AGENDA ITEM NO. 9 a, b, c, d, e

PROJECT BACKGROUND

As you may recall, your Regional Planning Commission ("Commission") held a public hearing on November 15, 2006 for Vesting Tentative Tract Map No. 53653, a residential subdivision proposal to create 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The project is located approximately 273 feet southwest of Sagecrest Circle west of Interstate 5 (I-5) Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal also required approval of Conditional Use Permit Case No. 2005-00088-(5) ("CUP") to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

On November 15, 2006, after taking public testimony both in favor and in opposition, the public hearing was closed and staff was directed to prepare final documents for approval. The Commission also directed the applicant to resolve off-site access issues that were raised at the public hearing, before the project returns on consent.

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Subsequent to the close of the November 15, 2006 public hearing, a zone change was filed on the 9.3-acre multi-family Lot No. 94 for the senior condominiums. The proposed zone change from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) would be located near the existing C-3 (Unlimited Commercial) zone located to the east, and require a CUP for the Development Program zoning (“DP”) as well as to permit a residential use in a commercial zone. The project does not propose any design changes beyond what was presented to the Commission during the November 15, 2006 public hearing. Rather, these additional entitlements are required to implement the project as originally presented to your Commission.

As the requests for the zone change and additional elements of the CUP were not previously considered by your Commission, your Commission re-opened the public hearing on May 7, 2008, and directed staff to prepare appropriate notice for the hearing to consider the zone change and amended CUP request.

PROJECT ISSUES

The following are main project issues as determined by staff at time of writing:

Santa Clarita Valley Area Plan Consistency

The subject property is depicted within the Non-urban 2 (“N2”), Hillside Management (“HM”) and Hillside Management/SEA (“HM/S”) land use categories of the Santa Clarita Valley Area Plan (“Plan”), a component of the Los Angeles Countywide General Plan (“General Plan”). Based on Plan categories and hillside management policy, a maximum density of 123 dwelling units is calculated for the subject property. While the project exceeds the maximum permitted by the land use categories, a density bonus of up to 50 percent is requested for the senior development, to yield a new maximum of 185 dwelling units on the subject property. The project currently proposes 186 dwelling units, and will be required to eliminate one single-family lot prior to final map approval.

In addition to staff’s previous discussion regarding the Plan’s many goals and policies for orderly development in underutilized urban areas, where services and infrastructure exist, the additional requests for a zone change and amended CUP request are consistent with the Plan’s goals for encouraging development in a concentrated pattern. Senior citizen housing is located close to The Old Road where public transportation options would be most available, and is proposed within an already existing graded location.

The fire station lot is proposed within the N2 land use category and the Plan acknowledges that in addition to those areas mapped Commercial (“C”) in the Plan, there are areas that may be appropriate for certain levels of commercial activity, and reference these as “unmapped commercial” (Plan, page 36). The fire station lot is within existing C-3 (Unlimited Commercial) zoning, which is consistent with the unmapped commercial provisions of the Plan in the N2 land use designation. The senior housing portion of the development is proposed adjacent to the proposed fire station lot, and will create a transitional pattern of use from the fire station on the east to the single-family residential to the west.

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Applicable Plan Provisions

The following are excerpts of additional selected applicable Plan goals and policies:

LAND USE ELEMENT

"Accommodate population and land use growth in a concentrated, rather than dispersed, pattern, providing for a broad range of densities and types of use" (Policy 2.1, Page 13).

"Concentrate land use growth in and adjacent to existing urban, suburban, and rural communities..." (Policy 2.3, Page 13).

"Encourage and support a mix of housing types in the urban areas" (Policy 2.7, Page 13).

"Encourage the appropriate mix of land use types to prevent disharmony and degradation. Residential, commercial, employment, recreational, and cultural uses should be integrated using appropriate buffering techniques to create a cohesive community" (Policy 6.1, Page 15).

Zone Change

The applicant is requesting to change the zoning on 9.3 acres (multi-family Lot No. 94) of the 234.8-acre subject property (four percent) from A-2-1 and A-2-2 to C-3-DP to address the need for senior housing. The applicant's burden of proof states that the master-planned community, Stevenson Ranch, lies north of the subject property which includes single-family residential, multi-family residential and commercial uses. Supporting infrastructure has also been constructed to the north to support this level of development, and that these modified conditions warrant the revision to this portion of the subject property. Senior housing is also in need as a growing population reaches retirement age and looks to move from their existing residence. The DP zoning will ensure that the multi-family development proposed at this location will be consistent as a transitional use between the adjacent fire station lot and single-family residential lots as well as aesthetically pleasing in conformance with the previously submitted building elevations.

The applicant must meet the following burden of proof required for a zone change:

- A. Modified conditions warrant a revision to the zoning plan as it pertains to the area or district under consideration;
- B. A need for the proposed zone classification exists within such area or district;
- C. The particular property under consideration is a proper location for said zone classification within such area or district; and
- D. Placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practices.

The applicant's Burden of Proof responses are attached.

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Amended Conditional Use Permit Request

In addition to the CUP originally requested pursuant to Sections 22.56.010, 22.56.205, and 22.56.215 of the Los Angeles County Code ("County Code"), the applicant has amended their CUP request to include compliance with requirements of the DP zoning as well as permit a residential use in a commercial zone pursuant to Sections 22.28.210 and 22.40.040 of the County Code. These additional CUP requests do not affect the development design as originally presented to your Commission during the November 15, 2006 public hearing.

Development within a DP overlay zone requires a CUP to ensure that future development adhere to the designs presented at the time of a zone change request. The applicant is requesting a zone change on 9.3 acres from Heavy Agricultural to Unlimited Commercial with DP. With the CUP for DP, the senior housing portion will be required to comply with submitted plans, including providing units in two three-story buildings with an entryway, motor court and 28-foot wide private driveway and fire lane. The development will also include a recreational building, pool and spa as well as uncovered parking.

The CUP also requests to permit a residential use in a commercial zone. Unlimited Commercial zoning exists east and north of the senior housing portion of the property.

Offsite Access

During the November 15, 2006 public hearing, two parties adjacent to the subject property raised concerns regarding acquiring offsite access through this project site. Your Commission directed the applicant to work with these parties, and to return with an outcome before your Commission takes final action.

Over the course of 17 months since the public hearing, the applicant had been diligently working with these parties to determine the most appropriate access. The applicant met with staff on several occasions, including the Board office, as well as with the two parties in attempts to resolve this issue. The applicant has provided correspondence dated May 8, 2008 (please see attached) which summarizes the applicant's efforts in providing this offsite access.

As staff has been able to determine, there are three potential access routes to the offsite properties known as the "Kantor" property and "Speer" property (please see attached map):

- Route 1: This route would travel generally through the subject property in the vicinity of debris basin Lot No. 96 and open space Lot No. 104. An easement would have to be granted through the project, and the benefactors of the easement would be responsible for the environmental review and construction of the access road. Depending on the alignment of the future access route, permission for access through debris basin Lot No. 96 would have to be granted by Los Angeles County Flood Control District. Further engineering for this route would be required by the benefactors to determine the best feasible alignment should this route option be pursued.
- Route 2: This easement may already exist along the subject property's northern boundary.

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Use of this easement may require establishing prescriptive rights, and would be the responsibility of the Kantor and Speer properties to pursue through legal means. Further engineering would be required by the parties to determine the best feasible alignment should this route option be pursued.

- **Route 3:** This route would travel from the northern Larwin development through an existing single-family lot. The access would narrow through the side yard of the residence, and then widen as it traveled southerly through the natural area to the Kantor and Speer properties. The alignment of this route was negotiated with Larwin and the Kantor and Speer properties, and Los Angeles County Fire Department reviewed the widths and determined them to be acceptable for further development. However, as indicated in applicant's letter dated May 8, 2008, the terms of the easement agreement were never agreed upon and finalized, and the easement agreement therefore was never consummated.

The applicant has also indicated in their May 8, 2008 letter that the Kantor and Speer parties are negotiating the sale of their properties with the Santa Monica Mountains Conservancy. Staff understands that the status is still pending, and the applicant is not directly involved in these negotiations.

ADDITIONAL CORRESPONDENCE

A total of five additional letters, all in opposition, have been received since the close of public hearing on November 15, 2006 (please see attached). These include two letters that are considered new and were not previously forwarded to your Commission in prior mailings. Older correspondence include that continuing to express concern regarding the provision of offsite access to the Speer property, and request for reduction of project size to reduce impacts to the SEA. More recent correspondence from the Santa Clarita Organization for Planning and the Environment ("SCOPE") dated May 5, 2008, includes concerns regarding the project's provision of a second means of access, request for fire station to be constructed as part of the project, and request for disclosure regarding fire danger. Concerns from SCOPE also include changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development.

New correspondence (two letters) are also being distributed to your Commission with this submittal. These letters express continued concerns and opposition to this project based on lack of adequate offsite access to the Speer property, and comments from the Santa Clarita Oak Conservancy ("SCOC") regarding opposition to destruction of SEAs and removal of the number of oak trees, including heritage oak trees. SCOC also requests that the full monetary value of the oak removals be placed in the Los Angeles County Oak Tree Fund (estimated at \$18.2 million based on their May 21, 2008 correspondence), and that bonds be posted to ensure that oak trees encroached upon are inspected for health before bond monies are returned.

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STAFF EVALUATION

Zone Change and Amended CUP Request

The overall project considered by your Commission on November 15, 2006, has not changed. The subdivision and building design remain the same, and these additional requests for a zone change and amended CUP request for DP and residential use in a commercial zone, are required to implement the project as previously reviewed and considered by your Commission. Existing C-3 zoning exist both north and on the subject property, and the DP zone requires that the project be developed as presented to your Commission.

Offsite Access

Since the close of the public hearing, the applicant has been working with the offsite Kantor and Speer parties to negotiate an access acceptable to their properties. Several routes have been discussed, including one through the subject property. Currently, the offsite properties are in negotiation with the Santa Monica Mountains Conservancy for public acquisition and at this time, staff proposes adding a condition requiring an access easement through the subject property in the event that these properties are not acquired by a public agency prior to final map approval (Route 1 option).

The Route 2 option along the northern boundary of the subject property may also be feasible, but would be the responsibility of the Kantor and Speer parties to pursue and can be done so independent of the processing of this subject project.

The Route 3 option through the northern Larwin development appears no longer feasible based on the information provided by the applicant in their May 8, 2008 letter. Any further negotiations however, if pursued for the Route 3 option, would be the responsibility of the Kantor and Speer parties to pursue, and can be done so independent of the processing of this subject project.

Oak Trees

Of the 1,395 oak trees (including 81 heritage oaks) located on the property subject to the Oak Tree ordinance, the project requires removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). The additional zone change and amended CUP request does not affect the oak tree permit as originally presented before your Commission. Your Commission indicated during your November 15, 2006 hearing that while this was a large number of removals, the project has been designed to mitigate and avoid removals as feasible, including balancing grading onsite and preserving large oak groves within its open space lots. The project avoids large oak groves and retains 88 percent or 1,233 oak trees onsite as well as 78 percent or 31.9 acres of the onsite oak woodland. The project has also been designed to avoid the most sensitive habitat, and provides other benefits including much needed senior housing located near shopping.

During the November 15, 2006 public hearing, the applicant also indicated their intent to mitigate impacts to oak trees by planting mitigation trees onsite as feasible. If onsite mitigation proves infeasible, the applicant is willing to provide funds into the Oak Tree Fund.

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Additional Trees

Section 21.32.195 of the County Code requires one tree in the front yard of each new residential lot. As multi-family Lot No. 94 contains 186 condominium units, staff recommends that an additional 69 trees, for a minimum total of 70 trees, be required throughout Lot No. 94 in order to meet the aesthetic of this requirement. This number of trees may be accommodated on this lot based on general landscaping depicted on the project's Exhibit "A."

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Commission close the public hearing, and adopt the environmental document. Staff also recommends the Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, certify the Final Environmental Impact Report, and adopt the Statement of Facts and Overriding Considerations."

Suggested Motion: "I move that the Regional Planning Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5) (with the conditions as added into the record); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors."

SMT:st
06/05/08

- Attachment:
- Final Environmental Impact Report
 - Findings of Fact and Statement of Overriding Considerations
 - Factual
 - Draft Resolution
 - Draft Findings and Conditions
 - Updated Burdens of Proof
 - Zone Change Exhibit
 - Development Schedule
 - Applicant's Letter dated May 8, 2008 regarding offsite access
 - GIS-NET Map: Offsite Access to Kantor/Speer
 - Correspondence

DRAFT
A RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
RELATING TO ZONE CHANGE CASE NO. 2008-00004-(5)

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted a public hearing regarding Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) on November 15, 2006 and June 18, 2008; and

WHEREAS, the Regional Planning Commission ("Commission") finds as follows:

1. The subject site is located approximately 1573 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
2. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
3. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
4. Zone Change Case No. 2008-00004-(5) is a request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
5. Zone Change Case No. 2008-00004-(5) was heard concurrently with Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) at the June 18, 2008 public hearing. Zone Change Case No. 2008-

00004-(5) was previously not considered during the November 15, 2006 public hearing.

6. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
7. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
8. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
9. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
10. Approval of the vesting tentative tract map, conditional use permit, oak tree permit and housing permit will not become effective unless and until the Los Angeles County Board of Supervisors ("Board of Supervisors") has adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.
11. The applicant's site plan, labeled as "Exhibit A," depicts a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 125-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.
12. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units

permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs

13. The project site is currently zoned A-2-1, A-2-2 and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP over the senior multi-family lot.
14. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
15. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.

19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.
20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included

comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willing to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of

Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.

27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Through prescriptive easements however, access rights would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lie outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the

Kantor and Speer parties were never finalized, and can be done at any time separate from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.

30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
33. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
34. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
35. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
36. The zone change is consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
37. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Forester and Fire Warden, Parks and Recreation, Public Health and Regional Planning.
38. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping and other accessory structures, as shown on the site plan and Vesting Tentative Tract Map No. 53653.

39. Compatibility with surrounding land uses will be ensured through the related zone change, subdivision, conditional use permit, oak tree permit, housing permit and environmental conditions.
40. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
41. Modified conditions warrant a revision in the zoning plan as it pertains to the subject property as residential housing is needed for the fast-growing senior population.
42. The subject property is a proper location for the recommended zoning classification in that the recommended zoning classification for the subject property is compatible with adjacent and/or nearby zoning classifications and/or land uses.
43. The adoption of the proposed zoning classification will be in the interest of public health, safety and general welfare, and in conformity with good planning practices in that the proposed zoning classification implement a project that promotes higher-density residential development for seniors in a location near commercially-zoned properties and near local shopping. Transportation options will be provided by the project for the senior condominium residents.
44. Adoption of the proposed zone change will enable the development of the subject property as proposed.
45. The applicant in this case has satisfied the "Burden of Proof" for the requested Zone Change which is needed and appropriate.
46. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of

Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

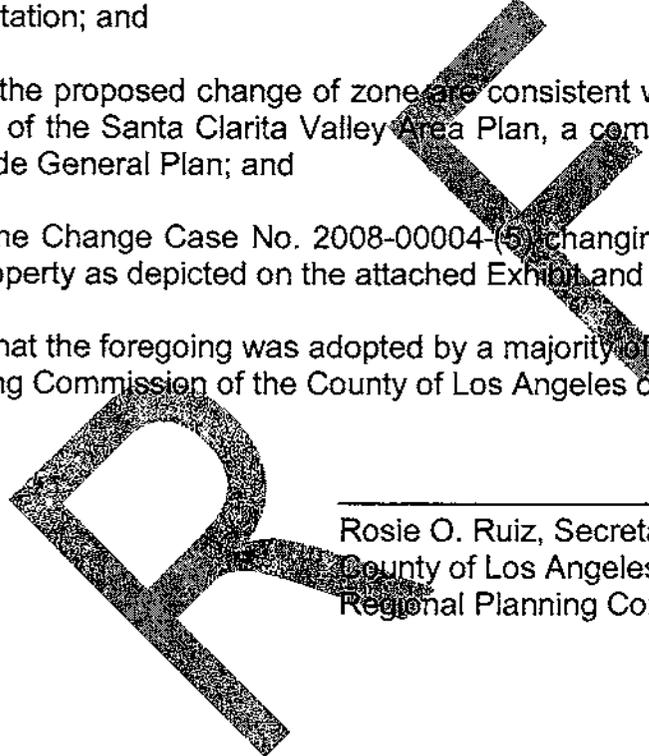
47. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map.
48. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determines that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
49. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
50. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
51. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
52. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

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

1. Hold a public hearing to consider the above recommended zone change; and

2. Certify that the Final EIR has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto and reflects the independent judgment of the Board of Supervisors; and
3. Approve the Final EIR prepared for the project and certify that it has reviewed and considered the information contained therein; and
4. Approve and adopt the Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, find that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
5. Find that the proposed change of zone are consistent with the goals, policies and programs of the Santa Clarita Valley Area Plan, a component of the Los Angeles Countywide General Plan; and
6. Adopt Zone Change Case No. 2008-00004-(5) changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

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 June 18, 2008.



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

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Conditional Use Permit Case No. 2005-00088-(5) on November 15, 2006 and June 18, 2008. Conditional Use Permit Case No. 2005-00088-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. The applicant, D.R. Horton, is proposing a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
3. A conditional use permit ("CUP") is required to ensure compliance with the requirements of nonurban hillside management, density-controlled development, development within an SEA, residential use in a commercial zone, and onsite project grading pursuant to Sections 22.24.100, 22.24.150, 22.28.210, 22.56.010, 22.56.205, 22.56.215 of the Los Angeles County Code ("County Code") as well as ensure compliance with the proposed Development Program ("DP") zoning pursuant to Section 22.40.040 of the County Code.
4. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
5. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
6. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
7. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family lot.

8. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
9. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
10. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.
11. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
14. The Exhibit “A” dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west,

and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces

15. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 126 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to

the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and

unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willing to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.

27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding three options:
- Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Through prescriptive easements however, access rights would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lie outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.

30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
33. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
34. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
35. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
36. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
37. Pursuant to Section 22.56.205 of the County Code, all commonly owned areas within the density-controlled development shall be permanently reserved by homeowners association or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas. Open space Lot Nos. 102 and 103 shall be owned and maintained by the homeowners association. Open space Lot Nos. 104 through 107 shall be dedicated to a public agency to the satisfaction of Los Angeles County Department of Regional Planning ("Regional Planning").
38. Pursuant to Section 22.56.205 of the County Code, all dwelling unit types shall be single-family residences. The density-controlled development covers the project

site with exception of the senior multi-family Lot No. 94 and fire station Lot No. 95. All proposed residential lots are single-family.

39. Pursuant to Section 22.56.205 of the County Code, the location, separation and height of buildings shall be governed by conditions. By County Code provisions, the single-family dwelling units may reach a maximum height of 35 above grade, and may be located on the lot in compliance with applicable yard setbacks.
40. Pursuant to Section 22.52.215 of the County Code, a minimum of 70 percent shall be provided as open space. The subject property is 234.8 acres in size, and provides 167.6 acres or 71.4 percent open space. Areas counted toward open space include undisturbed natural areas, graded slopes within private ownership, and unpaved portions of the debris basin and proposed park.
41. The applicant has submitted a development progress schedule for the DP zone pursuant to Section 22.40.050 of the County Code.
42. As a condition of approval of this grant, the permittee shall be required to comply with all applicable conditions for hillside management, SEA, DP, and density-controlled development as set forth in Sections 22.40.070, 22.56.205, and 22.56.215 of the County Code.
43. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.
44. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can

be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map.

45. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
46. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
47. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
48. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
49. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
50. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
51. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted Plan, a component of the General Plan;
- 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 or 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 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 service facilities as are required;
- E. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard;
- F. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area;
- G. That the proposed project is conveniently served by neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;
- H. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;
- I. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

- J. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;
- K. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;
- L. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resources from said requested development;
- M. That where necessary, fences or walls are provided to buffer important habitat areas from development;
- N. That 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
- O. That such development program provides necessary safeguards to ensure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Conditional Use Permit Case No. 2005-00088-(5) subject to the attached conditions.

DEPARTMENT OF REGIONAL PLANNING

CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5) Exhibit "A" Date: 7-11-2006

DRAFT CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and 93 senior attached condominium units, as modified from the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 7, 9 and 44.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. The subject property shall be developed and maintained 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.
8. If inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all inspections and for any enforcement efforts

necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

9. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.
10. 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.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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 ("County Code").

12. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
13. No grading permit shall be issued prior to final map recordation, unless otherwise authorized by the Director of Regional Planning ("Director of Planning").
14. The subject property shall be graded, developed and maintained in substantial compliance with the approved vesting tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
15. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A," approved by the Director of Planning.
16. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval. The CC&Rs shall include all of the project conditions, and include language that those conditions required to be in the CC&Rs may not be amended or eliminated by the homeowners association without approval from the Director of Planning.
17. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
18. The permittee or successor in interest, shall provide a minimum of 167.6 acres or 71.4 percent open space, which includes natural, undisturbed areas; graded slopes; park; trail; and unpaved debris basin area.
19. The permittee shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.
20. The permittee shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.

21. The permittee shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
22. The permittee shall reserve in the CC&Rs the right for all residents within senior multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
23. The permittee shall provide in the CC&Rs that at least 93 dwelling units shall be reserved for senior citizens in perpetuity.
24. The permittee shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway. The permittee shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement.
25. As agreed to by the applicant, horsekeeping activities that complies with all County requirements, shall not be prohibited within the development. Include language in the CC&Rs and provide a draft copy of the CC&Rs to Regional Planning for review and approval.
26. This project is approved as density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acres Minimum Required Lot Area) in accordance with Section 22.56.205 of the County Code.
27. All commonly owned areas within the density-controlled development, shall be permanently reserved as open space. Such reservation shall be by establishment of a homeowners association, maintenance district or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas.
28. 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 areas or a share in the corporation or voting membership in an association owning the commonly owned areas.
29. All dwelling units within the density-controlled development (entire property except multi-family Lot No. 94 and fire station Lot No. 95) shall be single-family residences.

30. Prior to the issuance of any grading and/or building permit, site plans covering the development shall be submitted to and approved by the Director of Planning indicating that the proposed grading and/or construction:
 - a. complies with the conditions of this grant and the standards of the zone; and
 - b. is compatible with hillside and SEA resources.
31. No structure shall exceed 35 feet in height, except for chimneys and rooftop antennas, except for structures within multi-family Lot No. 94 which shall not exceed 50 feet in height. Prior to any issuance of any building permit, a site plan including exterior elevations and major architectural features shall be submitted to and approved by the Director of Planning, as a revised Exhibit "A," to ensure compliance.
32. A minimum of 172 automobile parking spaces, as depicted on the approved Exhibit "A" (dated July 11, 2006) or on an approved revised Exhibit "A", shall be provided and continuously maintained on multi-family Lot No. 94, developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&Rs.
33. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence that contractual arrangements have been made with the local utilities to install underground all new facilities necessary to furnish services in the proposed development.
34. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
35. Detonation of explosives or any other blasting device or material is prohibited unless required permits have been obtained and adjacent property owners have been notified.
36. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m., and Saturday between the hours of 8:00 a.m. and 5:00 p.m. Sunday or holiday operations are prohibited. 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.

37. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works.
38. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activities is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high wind (i.e. greater than 20 mph average over one hour) to prevent excessive amounts of dust.
39. The permittee shall, upon commencement of any grading activity allowed by this grant, diligently pursue all grading to completion.
40. No construction equipment or vehicles, including construction crew's personal vehicles, shall be parked or stored on any existing public or private streets.
41. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.
42. 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.
43. 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.
44. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence. Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.
45. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with the ordinances and County Building and Plumbing Codes.
46. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Public Health ("Public Health"). Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.

47. If during construction of the project, 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.
48. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with State Seismic Hazard Safety laws to the satisfaction of Public Works.
49. 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 to the satisfaction of and approval by Public Works.
50. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of Public Works.
51. During construction, all large-size truck trips shall be limited to off-peak commute periods.
52. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on state highways.
53. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Director of Planning indicating that the proposed construction and associated grading complies with the conditions of this grant and the standards of the zone.
54. All graded slopes (cut and fill) shall be revegetated. Prior to the issuance of any grading or building permit, three copies of a landscape plan, which may be incorporated into a revised Exhibit "A," shall be submitted to and approved by the Director of Planning. The landscape plan 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, and shall use reclaimed water.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of Regional Planning and the Los Angeles County Forester and Fire Warden ("Forester and Fire Warden"). Their 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. No invasive species are permitted.

The landscaping plan must show that landscaped areas shall contain minimum 75 percent locally indigenous species, including trees, shrubs and ground covering. However, if the permittee demonstrates to the satisfaction of the Director of

Planning that compliance with this requirement is not possible due to County fire safety requirements, then the Director of Planning may determine that a lower percentage of such planting shall be required. In those areas where the Director of Planning approves a lower percentage, the amount of such required locally indigenous vegetation shall be at least 50 percent. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by the Director of Planning and the Forester and Fire Warden. Fire retardant plants shall be given first consideration.

Timing of Planting. Prior to the issuance of grading or building permits for any development, the permittee shall submit a landscaping phasing plan for the landscaping associated with the construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

55. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program ("MMP"). Prior to recordation, submit a copy of the covenant to the Director of Planning for review and approval.
56. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
57. Within 15 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.
58. Except as otherwise modified herein, the permittee shall comply with all of the following permit conditions for Development Program zoning:
 - a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the program shall be built, erected, or moved onto any part of the multi-family Lot No. 94;
 - b. No existing building or structure which under the program is to be demolished shall be used;
 - c. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered;

- d. All improvements shall be completed prior to the occupancy of any structures within multi-family Lot No. 94; and
- e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.



DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR OAK TREE PERMIT CASE NO. 2005-00039-(5)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Oak Tree Permit Case No. 2005-00039-(5) on November 15, 2006 and June 18, 2008. Oak Tree Permit Case No. 2005-00039-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Housing Permit Case No. 2006-00001-(5).
2. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
3. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
4. Oak Tree Permit Case No. 2005-00039-(5) is a request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
5. The applicant submitted an Oak Tree Report as prepared and amended by Interface Management Services (arborist: Doug Nickles) and Trees, etc., a division of RDI and Associates, Inc., the consulting arborist, dated September 2006, that identifies and evaluates 1,395 oak trees on the subject property.
6. The applicant proposes to remove 162 oak trees and encroach into the protected zone of 52 oak trees. The proposed removals and encroachments are due to potential impacts from construction and development of the property including debris basins, roads, and grading.
7. The Los Angeles County Forester and Fire Warden ("Forester"), has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The Forester has recommended approval of the requested oak tree removals, subject to recommended conditions of approval, including replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 428 mitigation oak trees.
8. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre

Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.

9. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
10. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
11. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet
12. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide “A” Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
13. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the “back portion” of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund (“Oak Fund”), were also raised in written correspondence.

14. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
15. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
16. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project designed to preserve significant natural resources with additional enhancement of habitat.
17. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.
18. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willing to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA

are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.

19. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
20. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
21. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

22. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
23. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding three options:
- Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Through prescriptive easements however, access rights would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lie outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
24. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
25. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the

project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.

26. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
27. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
28. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
29. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
30. The necessary drainage improvements for soil erosion control will be designed in accordance with the standards of the Los Angeles County Department of Public Works as a condition of approval of the associated vesting tentative tract map.
31. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
32. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

33. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map.
34. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
35. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
36. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
37. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
38. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
39. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
40. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian

of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code;
- B. That the proposed removal of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
- C. That in addition to the above facts, that the removal of up to 74 oak trees and the encroachment of 71 oak trees is necessary for development reasons as continued existence of the trees at the present location frustrates the planned improvements or proposed use of the subject property to such an extent that a) alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive; or b) Placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized;
- D. That the proposed removal and encroachment of the oak trees will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.

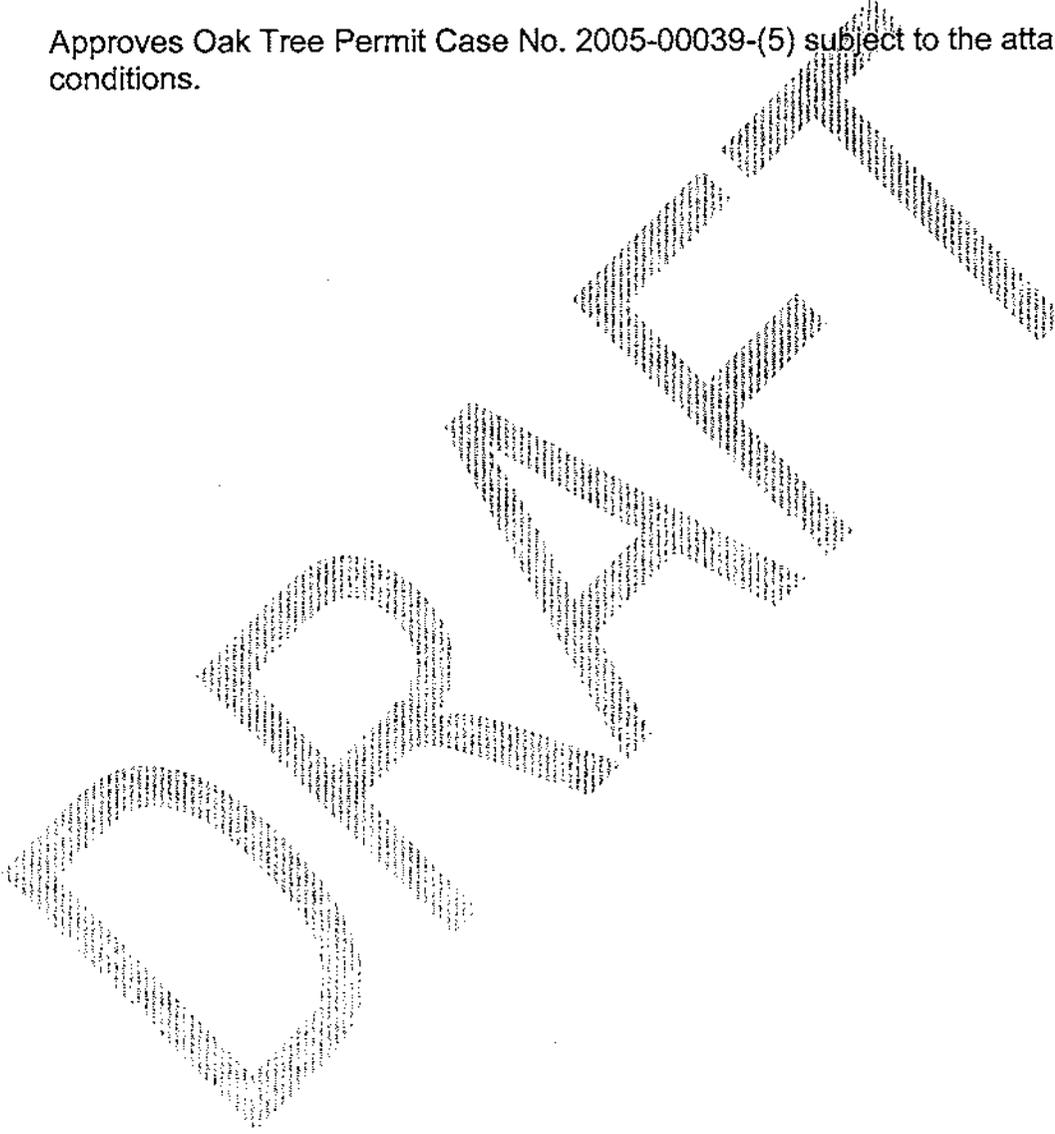
THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for an oak tree permit as set forth in Section 22.56.2100 of the Los Angeles County Code (Zoning Ordinance).

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable

significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and

2. Approves Oak Tree Permit Case No. 2005-00039-(5) subject to the attached conditions.



**DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT CASE NO. 2005-00039-(5)**

DRAFT CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the Los Angeles County Forester and Fire Warden ("Forester") at 323-890-4330.)

1. This grant authorizes the removal of 162 trees of the Oak genus identified on the applicant's site plan and Oak Tree Report, subject to all of the following conditions of approval. This grant also authorizes encroachment within the protected zone of 54 trees of the Oak genus also identified on the applicant's site plan and Oak Tree Report.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning (Regional Planning) an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions have been recorded as required by Condition No.4 and until all required monies have been paid pursuant to Condition No. 9 and 10.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in such full compliance shall be a violation of these conditions.
7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.
9. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a

Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Los Angeles County Fire Department ("Fire Department") a sum of \$600.00. Such fee shall be used to compensate the Forester \$100 per inspection 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 initial inspection of temporary fencing (required to secure the protected zone of the remaining Oak trees), prior to the commencement of construction and five subsequent annual inspections until the conditions of approval have been met. The Director of Regional Planning ("Director of Planning") and the Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the report on file by Interface Management Services and Trees, etc., the consulting arborists, dated September 2006.

12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forester stating that he or she has been retained by the permittee to perform or supervise the work, and that her or she agrees to report to the Director of Planning and Forester any failure to fully comply with the conditions of this grant. The arborist shall prepare a schedule of construction activities wherein the arborist will be present on the project site to ensure compliance with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.

13. 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. 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 Forester for the life of the Oak Tree Permit or the Vesting Tentative Tract Map No. 53653.

14. The permittee shall install temporary chain-link fencing, not less than four feet in height, to secure the protected zone of the remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall

not be removed without approval of the Forester. The term "protected zone" refers to the area extending five feet beyond the dripline of the Oak tree (before pruning), or 15 feet from the trunk, whichever is greater.

15. 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. If the conditions of approval are not present on site during a monitoring inspection of an active project, the Forester will give an immediate "Stop Work Order." This will be administered both verbally and in writing. The "Stop Work Order" will be rescinded after the conditions of approval are present on the site and all employees associated with the project are fully aware of these conditions.
16. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak trees 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 Fire Department. In no case shall more than 20 percent of the tree canopy of any one tree be removed.
17. Except as otherwise expressly authorized by this grant, the 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 Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

18. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for 149 trees for a total of 298 15-gallon trees.

The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) trees for 13 heritage oak trees for a total of 130 24-inch (24") box trees. In addition, the permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachment.

19. Each non-Heritage Oak mitigation tree shall be at least a 15-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.

Each Heritage Oak mitigation tree shall be at least a twenty-four inch (24") box specimen in size and measure two inches or more in diameter one foot above the base unless otherwise specified by the Forester. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees

shall measure a minimum of two inches in diameter one foot above the base or as deemed appropriate by the Forester.

20. This total of 428 mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* or *Quercus lobata* depending on which species of tree was removed or lost due to its permitted encroachment. The seed shall be grown from a local seed source and be of high-quality.
21. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
22. All required 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 in locations approved by the project arborist in consultation with the Forester. In circumstances where on-site planting is shown to be infeasible, the mitigation trees may be planted at an off-site location approved by the Forester, or 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 Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
23. 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 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.
24. 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 Forester, including any loss of trees.
25. 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.
26. Prior to the planting of the trees, 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 Forester and Director of Planning.
27. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

28. 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.
29. 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.
30. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited. If the applicant encroaches or removes an Oak tree not specified in the Oak Tree Report all work must stop immediately. A new Oak Tree Report, which accurately identifies the project conditions must be submitted for approval through the permitting process. The applicant will be responsible to pay all associated fees for the new Oak Tree Permit.
31. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.
32. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.
33. 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.
34. Any violation of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.
35. Should any future inspection disclose that the subject property is being used in violation of any condition of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the Fire Department for all enforcement efforts necessary to bring the subject property into compliance. The Director of Planning and the Forester shall retain the right to make regular and unannounced site inspections.
36. 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 the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or as to be a nuisance.

37. The permittee shall defend, indemnify and hold harmless Los Angeles County ("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.
38. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay Regional Planning an initial deposit of \$5,000.00, 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 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 in accordance with Section 2.170.010 of the Los Angeles County Code.

41. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
42. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
43. This grant shall terminate upon the completion of the authorized oak tree removal and the completion of all required mitigation and monitoring to the satisfaction of the Forester and Regional Planning.

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FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR HOUSING PERMIT CASE NO. 2006-00001-(5)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Housing Permit Case No. 2006-00001-(5) on November 15, 2006 and June 18, 2008. Housing Permit Case No. 2006-00001-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Oak Tree Permit Case No. 2005-00039-(5).
2. Housing Permit Case No. 2006-00001-(5) is a request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture -- One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture -- Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial -- Development Program) over the senior multi-family lot.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development -- One Acre Minimum Required Lot Area -- 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of

Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.

9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.
10. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
11. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. The Exhibit “A” dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces
14. The property is depicted in the Non-urban 2 (“N2”) and Hillside Management (“HM”) land use category of the Santa Clarita Valley Areawide Plan (“Plan”), a

component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.

15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor,

including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project designed to preserve significant natural resources with additional enhancement of habitat.
22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.
23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant

indicated their willing to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.

24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided

in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Through prescriptive easements however, access rights would have to be established through legal means by the Kantor and Speer parties and can be done at any time separate from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lie outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

30. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
31. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
32. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
33. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
34. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
35. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
36. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.
37. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings

of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map.

38. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
39. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
40. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
41. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
42. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
43. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
44. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That the requested use is consistent with the General Plan;
- B. That the requested use at the location will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
 - b. Be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or
 - c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or 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 this Title 22, 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:
 - a. By highways or streets of sufficient width, and improved as necessary to carry out the kind and quantity of traffic such use would generate; and
 - b. By other public or private service facilities as are required;
- E. That the proposed project at the location proposed has been designed to be complementary to the surrounding area in terms of land use patterns and design;
- F. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs; and
- G. That modification of the maximum building height is necessary to make the housing units economically feasible; and do not have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it

independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and

2. Approves Housing Permit Case No. 2006-00001-(5) subject to the attached conditions.

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**DEPARTMENT OF REGIONAL PLANNING
HOUSING PERMIT CASE NO. 2006-00001-(5)**

Exhibit "A" Date: 7-11-2006

DRAFT CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and a 93-unit senior housing project, including a density bonus of 62 units, as depicted on the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 7 and 17.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The

current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.

8. 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.
9. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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 ("County Code").

10. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
11. The subject property shall be graded, developed and maintained in substantial compliance with the approved tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
12. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless

specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.

13. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval.
14. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653.
15. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program. Prior to recordation, submit a copy of the covenant to the Director of Planning for approval.
16. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
17. Within 15 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program ("MMP"). The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.
18. The following housing permit conditions shall apply:
 - a. As agreed to by the applicant, ninety-three (93) condominium units shall be reserved for senior citizens in perpetuity; and
 - b. The permittee shall submit for review and approval by County Counsel a deed restriction, covenant or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation, that complies with all pertinent federal, state and local housing laws, to ensure the continuing availability of the 93 total multi-family units to senior citizens in perpetuity. The document shall contain remedies for violations of the covenant including but not limited to monetary penalties. The approved document shall be recorded in the office of the Los Angeles County Recorder prior to or concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 53653.

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FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 53653

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Vesting Tentative Tract Map No. 53653 on November 15, 2006 and June 18, 2008. Vesting Tentative Tract Map No. 53653 was heard concurrently with Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. Vesting Tentative Tract Map No. 53653 proposes a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, which includes a 62-unit density bonus for the reservation of at least half of the proposed condominium units for seniors in perpetuity, as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family lot.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.

8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
10. CUP Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
11. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
12. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
13. The vesting tentative tract map and exhibit map dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,360 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the

recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project designed to preserve significant natural resources with additional enhancement of habitat.
22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willing to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 5 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was

designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding three options:
- Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Through prescriptive easements however, access rights would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lie outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior

multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

30. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
31. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
32. During the June 18, 2008 public hearing, the Commission after considering all testimony, closed the public hearing and approved Vesting Tentative Tract Map No. 53653.
33. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
34. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
35. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified by Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5).
36. The proposed subdivision and the provisions for its design and improvement are consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
37. The site is physically suitable for the type of development and density being proposed, since the property has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs, and will have flood hazards and geologic hazards mitigated in accordance with the requirements of Los Angeles County Department of Public Works.

38. 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 geologic and soils factors are addressed in the conditions of approval.
39. The design of the subdivision and the proposed improvements will cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is located within two Significant Ecological Areas, and does contain any stream courses of high value riparian habitat.
40. The design of the subdivision provides for future passive or natural heating or cooling opportunities as feasible.
41. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the tentative tract map, provide adequate protection for any such easements.
42. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
43. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.
44. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.
45. This tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
46. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural

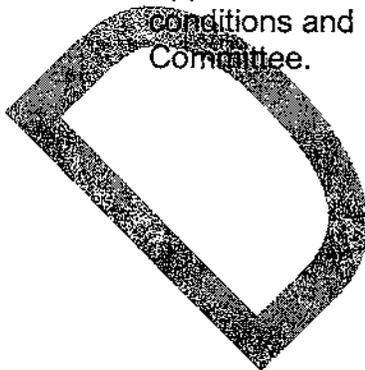
resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

47. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map.
48. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
49. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
50. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
51. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
52. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.

53. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings, and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC, and
2. Approves Vesting Tentative Tract Map No. 53653 subject to the attached conditions and recommendations of the Los Angeles County Subdivision Committee.



DRAFT CONDITIONS:

1. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance). Also, conform to the requirements of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the Mitigation Monitoring Program.
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), the subdivider shall conform to the applicable requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial) zones as well as proposed C-3-DP (Unlimited Commercial – Development Program) zone.
3. In accordance with Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), this land division is approved as a density-controlled development in a nonurban hillside management area, in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 and A-2-2 zone. If multiple final maps are recorded, the average area of all lots shown on each final unit map and all previously recorded final unit maps shall comply with the minimum lot area requirements of the A-2-1 and A-2-2 zone. This land division is also approved including a senior housing development with modification to maximum permitted building height of 35 feet to allow a 50-foot high building height, in accordance with Section 22.56.202 of the County Code.
4. Recordation of the final map is contingent upon the effectuation of an ordinance by the Los Angeles County Board of Supervisors, changing the zoning of 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP.
5. The subdivider shall submit a copy of the project Conditions, Covenants and Restrictions ("CC&RS") and any maintenance agreements as proposed, to the Los Angeles County Department of Regional Planning ("Regional Planning") for review and approval.
6. The subdivider shall submit evidence that the conditions of the associated Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) have been recorded.
7. The subdivider shall record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures. Prior to

recordation, the subdivider submit a copy of the covenant to the Director of Regional Planning ("Director") for review and approval.

8. Permission is granted to adjust lot lines to the satisfaction of Regional Planning.
9. The subdivision shall provide at least 40 feet of street frontage at the property line for each lot fronting on a cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. The subdivision shall provide approximately radial lot lines for each lot.
10. The subdivider shall show The Old Road, "A" Street, "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, and "G" Street as dedicated streets on the final map.
11. The subdivider shall show "H" Street and "I" street as future streets on the final map.
12. The subdivider shall place a note or notes on the final map, to the satisfaction of Regional Planning, that a portion of this subdivision (Lot No. 94) is approved as a condominium project for a total of 93 residential units whereby the owners of the units of air space will hold an undivided interest in the common areas, which will in turn provide the necessary access and utility easements for the units.
13. The subdivider shall provide in the CC&Rs a method for the continuous maintenance of the common areas within Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
14. The subdivider shall reserve in the CC&Rs the right for all residents within senior multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
15. The subdivider shall provide in the CC&Rs that at least 93 dwelling units shall be reserved for senior citizens in perpetuity.
16. The subdivider shall dedicate to the County of Los Angeles on the final map, the right to prohibit the construction of any structures on the open space lots (Lot Nos. 103 through 107), and shall record "Open Space-Building Restriction Area" over those open space lots on the final map.
17. The subdivider shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.
18. The subdivider shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.

19. The subdivider shall number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of Regional Planning.
20. Permission is granted to create additional open space lots to the satisfaction of Regional Planning.
21. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway.
22. Prior to final map approval, the subdivider shall submit an amendment to the approved vesting tentative map, to depict the elimination of one single-family lot, and depict the location of the easement to the offsite properties to the satisfaction of Regional Planning and Los Angeles County Subdivision Committee ("Subdivision Committee").
23. No grading permit shall be issued prior the recordation of a final map, unless the Director determines that the proposed grading conforms to the conditions of this grant and the conditions of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
24. The subdivider shall provide slope planting and an irrigation system in accordance with the Grading Ordinance. The subdivider shall include conditions in the tract's CC&Rs which would require continued maintenance of the plantings for lots having planted slopes. Prior to final map approval, the subdivider shall submit a draft copy of the document to be recorded, to Regional Planning.
25. Prior to the issuance of a grading and/or building permit, the subdivider shall submit three copies of a landscape plan which may be incorporated into a revised site plan. The landscape plans shall be approved by the Director as required by Conditional Use Permit Case No. 2005-00088-(5) prior to any work on the property.
26. Per Section 21.32.195 of the County Code, the subdivider shall plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential lot. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.

27. The subdivider shall plant or cause to be planted at least 69 trees of a non-invasive species within the multi-family residential lot in addition to the required front yard tree. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
28. Within five days of tentative map approval, remit processing fees (currently \$2,656.75) 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 California Public Resources Code and Section 711 of the California 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 project subject to this requirement is final, vested or operative until the fee is paid.
29. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Draft Environmental Impact Report ("EIR") for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53653. Comply with all such mitigation measures in accordance with the attached Mitigation Monitoring Program ("MMP"). After completion of the appeal period, record a covenant and agreement, and submit a copy to Regional Planning for approval, agreeing to the mitigation measures imposed by the Draft EIR for this project. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to Regional Planning as frequently as may be required by the department. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.
30. Upon completion of the appeal period, deposit the sum of \$3,000.00 with Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the MMP.
31. The subdivider 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, and employees to attack, set aside, void or annul this tract map approval, or related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 65499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action or proceeding and the County shall cooperate fully in the defense.
32. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay 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 subdivider, or subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional fund to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
- b. At the sole discretion of the subdivider, 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 subdivider according to Section 2170.010 of the County Code.

Except as modified herein above, this approval is subject to all those conditions set forth in Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5), the attached MMP, and the attached reports recommended by the Subdivision Committee, which also consists of members of the Public Works, Fire Department, Department of Parks and Recreation, and Public Health.

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

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. Install off-site sewer main line to serve this subdivision to the satisfaction of Public Works.
3. Install sewer main line between "A" street and "E" street in The Old Road to serve this subdivision to the satisfaction of Public Works.
4. A sewer area study for the proposed subdivision (PC11897AS, dated 07-11-2006) was reviewed and approved. No additional mitigation measures are required. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.
5. The subdivider shall send a print of the land division map to the County Sanitation District with a request for annexation. The request for annexation must be approved prior to final map approval.
6. Sewer reimbursement charges as determined by the Director of Public Works shall be paid to the County of Los Angeles before the filing of this land division map.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53653 (Rev.)

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TENTATIVE MAP DATED 07-11-2006
EXHIBIT MAP DATED 07-11-2006

The following reports consisting of 20 pages are the recommendations of Public Works.

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

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

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
7. Prior to final approval of the tract map submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.
8. Place standard condominium notes on the final map to the satisfaction of Public Works.
9. Quitclaim or relocate easements running through proposed structures.
10. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.
11. Reserve reciprocal easements for drainage, ingress/egress, utilities, and maintenance purposes, etc., in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.
12. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.
13. A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.
14. Show open space note and dedicate residential construction rights over the open space lots.
15. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

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



**COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT**

TRACT NO. 53653

**TENTATIVE MAP DATED 07/11/06
EXHIBIT MAP DATED 07/11/06**

DRAINAGE CONDITIONS

1. Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
2. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
3. A hydrology study and a detailed hydraulic analysis (HEC-RAS) for design of drainage facilities/delineation of flood hazard is required. Hydrology study must be submitted and approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
4. Provide fee title lot for desilting inlets to the satisfaction of the Department of Public Works.
5. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).
6. Contact the State Water Resources Control Board to determine if a Notice of intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.
7. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).
8. A maintenance permit is required from the State Department of Fish and Game, the Corps of Engineers, and the State Water Resources Control Board for debris basins with a minimum capacity of 5,000 cubic yards. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
9. Prior to approval of any grading, storm drain, or other improvement plan and prior to recordation of any final map for this subdivision, notarized drainage covenants, in a form approved by Public Works, shall be obtained from all impacted offsite property owners, as determined by Public Works, and shall be recorded by the applicant. The number of offsite drainage covenants will be determined by Public Works based on hydrology and hydraulic studies which must be prepared by the applicant's consultants and submitted to Public Works for review and approval, in a format acceptable to Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require or otherwise involve the construction or installation of an offsite improvement, and that the offsite drainage covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.
10. This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain procedures for revising the flood insurance rate map once the storm drain facilities are constructed. Encroachment into FEMA Zone "A" is not permitted prior to obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA.



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 53653

TENTATIVE MAP DATED 07/11/06
EXHIBIT MAP DATED 07/11/06

11. A process for revising the County Floodway Map must be completed to the satisfaction of the Department of Public Works.
12. Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 06/08/06 to the satisfaction of Public Works.

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GRADING CONDITIONS:

1. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

Name Ernesto Rivera Date 08/29/06 Phone (626) 458-4921
ERNESTO J RIVERA

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

DISTRIBUTION
1 Geologist
1 Soils Engineer
1 GMED File
1 Subdivision

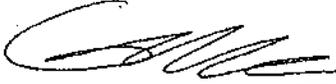
TENTATIVE TRACT MAP 53653 TENTATIVE MAP DATED 7/11/06 (Revised)
SUBDIVIDER Warner Bros. Entertainment, Inc. LOCATION Santa Clarita
ENGINEER Daly Owens Group
GEOLOGIST & SOILS ENGINEER Pacific Soils Engineering, Inc. REPORT DATE 4/11/06, 3/10/04

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical factors have been properly evaluated.
- A grading plan must be geotechnically approved by the GMED. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.
- All geologic hazards associated with this proposed development must be eliminated,
or
delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.
- A statement entitled: "Geotechnical Note(s), Potential Building Site: For grading and corrective work requirements for access and building areas for Lot(s) No(s). _____ refer to the Soils Report(s) by _____, dated _____."
- The Soils Engineering review dated 9/5/06 is attached.

TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:

- This project may not qualify for a waiver of final map under section 21.48.140 of the Los Angeles County Title 21 Subdivision Code.
- The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.
- Geology and/or soils engineering reports may be required prior to approval of building or grading plans.
- Groundwater is less than 10 feet from the ground surface on lots _____
- The Soils Engineering review dated _____ is attached.

Prepared by  Reviewed by _____ Date 9/5/06
Geir R. Mathisen

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

SOILS ENGINEERING REVIEW SHEET

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

District Office B.2
Job Number LX001129
Sheet 1 of 1

Tentative Tract Map 53653
Location Santa Clarita
Developer/Owner Warner Brothers Entertainment Inc.
Engineer/Architect Daly Owens Group
Soils Engineer Pacific Soils Engineering, Inc. (102453-T)
Geologist Same as above

DISTRIBUTION:

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

Review of:

Revised Tentative Tract Map Dated By Regional Planning 7/11/06
Soils Engineering and Geologic Report Dated 4/11/06, 3/10/04
Previous review sheet dated 5/9/06

ACTION:

Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:

1. At the grading plan review stage, provide additional shear strength test results of various materials (in particular, shear strength parameters of the along bedding materials, fill materials for proposed buttresses and keyways, etc.) required for additional stability analyses as indicated below.
2. At the grading plan review stage, provide additional stability analyses for slopes based on a 40-scale to substantiate those proposed at 100-scale. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Show locations of the cross sections used in slope stability analyses on the geotechnical map. Recommend mitigation if factors of safety are below County minimum standards.
3. At the grading plan stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

NOTE TO THE PLAN CHECKER/BUILDING AND SAFETY DISTRICT ENGINEER:

- A. THE ON-SITE SOILS ARE SEVERELY CORROSIVE TO FERROUS METALS.
- B. THE ON-SITE SOILS ARE CORROSIVE TO CONCRETE.
- C. THE ON-SITE SOILS HAVE A MEDIUM TO HIGH EXPANSION POTENTIAL.



Reviewed by _____

Date 9/5/06

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.
P:\Yoshi\53653TentTe

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

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.
2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.
3. The minimum centerline radius is 250 feet on all local streets with 60 feet of right of way.
4. Permission is granted to provide a minimum 200 feet centerline radius on "F" Street in the vicinity of Lot 90 to the satisfaction of Public Works.
5. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways or industrial collectors). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate.
6. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection.
7. Reversing curves and compound curves through intersections should be avoided when possible. If unavoidable, the minimum centerline radius of reversing curves and compound curves through intersections shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances. Maintain a minimum centerline radius of 400 feet on "D" Street at "C" Street along intersections with reversing curves and compound curves.
8. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

9. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.
10. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed 6 percent.
11. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections.
12. For intersections involving multi-lane highways, the maximum permissible grade of the through street is three percent. For 4-legged intersections, the maximum permissible grade of the through street is 8 percent.
13. Provide intersection sight distance for a design speed of:
 - a. 40 mph (415 feet) on "A" Street from "D" Street (northeasterly direction), from "C" Street (both directions), and from "H" Street (both directions); and
 - b. 30 mph (310 feet) on "E" Street from "A" Street (southeasterly direction and on "F" Street from "A" Street (northwesterly direction).

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

14. Depict all line of sight easements on the landscaping and grading plans.
15. Provide property line return radii of 13 feet at all local street intersections to the satisfaction of Public Works.
16. Provide property line return radii of 27 feet at the intersection of local streets with The Old Road to the satisfaction of Public Works.
17. Dedicate right of way 40 feet from centerline per the latest I.E.C. alignment on The Old Road per C.S.B. 5037.

18. Dedicate right of way 32 feet from centerline on "A" Street.
19. Dedicate right of way 30 feet from centerline on "B" Street, "C" Street, "D" Street from "A" Street to the cul-de-sac bulb, "E" Street, and "F" Street plus additional right of way for a standard cul-de-sac bulb.
20. Dedicate right of way 29 feet from centerline on "G" Street plus additional right of way for a standard cul-de-sac bulb.
21. Make an offer of future right of way 32 feet from centerline on "H" Street, "I" Street (the two westerly tap streets). Whenever there is an offer of a future street or a private and future street, provide a drainage statement/letter.
22. Make an offer of future right of way 30 feet from centerline on "D" Street from the cul-de-sac bulb to the easterly property boundary. Whenever there is an offer of a future street or a private and future street, provide a drainage statement/letter.
23. Dedicate slope easements on "H" Street, "I" Street (the two westerly tap streets), and "D" Street from the cul-de-sac bulb to the easterly property boundary to the satisfaction of Public Works.
24. Dedicate vehicular access rights on The Old Road for open space lots 105 and 106, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.
25. Dedicate the right to restrict vehicular access on fire station lot 95.
26. Repair any broken or damaged pavement on along the property frontage on The Old Road.
27. Construct curb, gutter, base, and pavement within the tract boundaries on The Old Road, including the offsite portion of The Old Road adjacent to the easterly tract boundary, and all interior streets.
28. Construct full-width sidewalk along the property frontage on The Old Road.
29. Construct sidewalk (5 feet sidewalk adjacent to the curb or adjacent to the property line) on all interior streets to the satisfaction of Public Works. Permission is granted to use the alternate street section on all interior streets. Construct additional sidewalk pop-out in the vicinity of any above ground utilities to meet current Americans with Disabilities Act (ADA) requirements to the satisfaction of Public Works.

30. Construct any parkway improvements (sidewalk, driveways, curb ramps, landings, etc.) that either serve or form a part of a Pedestrian Access Route to meet current ADA requirements to the satisfaction of Public Works.
31. Construct a slough wall outside the street right of way when the height of the slope is greater than five feet above the sidewalk and the sidewalk is adjacent to the street right of way. The wall shall not impede any required line of sight.
32. Plant street trees within the tract boundaries on The Old Road and all interior streets.
33. Construct off-site transition pavement for a 65 mph design speed on The Old Road in the vicinity of the southerly and northerly property line to the satisfaction of Public Works.
34. Provide and install street name signs prior to occupancy of buildings.
35. Install postal delivery receptacles in groups to serve two or more residential lots.
36. Comply with the following street lighting requirements:
 - a. Provide street lights on concrete poles with underground wiring within the tract boundaries on The Old Road and all interior streets to the satisfaction of Public Works. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.
 - b. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.
 - (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

- (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
 - (3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.
 - c. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.
 - d. For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.
37. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway
38. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works; or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

39. Comply with the traffic mitigation measures as indicated in the attached letter dated February 6, 2006 from our Traffic and Lighting Division to the satisfaction of Public Works.
40. Prepare detailed 1" = 40' scaled signing and striping plans for The Old Road, "A" Street, and "E" Street to the satisfaction of Public Works.
41. Install traffic signals or contribute towards the installation of traffic signals and prepare 1" = 20' scaled traffic signal plans for all intersections (both on-site and off-site) affected by this subdivision as indicated in the attached letter dated 05-22-2006 from our Traffic and Lighting Division to the satisfaction of Public Works.
42. Prior to final map approval, pay the fees established by the Board of Supervisors for the Lyons Avenue/McBean Parkway Bridge and Major Thoroughfare Construction Fee District. The fee is to be based upon the fee rate in effect at the time of final map recordation. The current applicable fee is \$2,700 per factored unit and is subject to change.
43. Prior to approval of the final map, if any improvements constructed by the subdivider are included as District improvements in the Lyons Avenue/McBean Parkway Bridge and Major Thoroughfare Construction Fee District, then the cost of such improvements may be credited against the project's District fee obligation if approved by Public Works. If the amount to be credited exceeds the subdivider's fee obligation, the subdivider may use the excess credits to satisfy the fee obligation of another project within the District, transfer the credit to another subdivider within the District, or be reimbursed by the District at the discretion of Public Works if funds are available. If District improvements are constructed after approval of the final map, the subdivider will receive credit equal to the cost of such improvements, which may be used to satisfy the fee obligation for another project within the District, transferred to another subdivider within the District, or reimbursed at the discretion of Public Works.

HCW

Prepared by John Chin
tr53653r-rev4

Phone (626) 458-4910

Date 08-30-2006



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

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

IN REPLY PLEASE
REFER TO FILE: T-4

February 6, 2006

Mr. Daryl Zerfass, P.E.
Austin Foust Associates, Inc.
2223 Wellington Avenue, Suite 300
Santa Ana, CA 92701

Dear Mr. Zerfass:

**LYONS CANYON
TENTATIVE TRACT NO. 53653
TRAFFIC IMPACT ANALYSIS (NOVEMBER 2005)
SANTA CLARITA AREA**

The Lyons Canyon Project is located on approximately 232 acres immediately west of The Old Road and north of the intersection of The Old Road and Calgrove Boulevard in the unincorporated County of Los Angeles area of Santa Clarita.

The proposed project consists of 96 single-family detached homes, 90 senior condominium homes, a neighborhood park, fire station, and open space. The proposed project is estimated to generate approximately 1,261 vehicle trips daily, with 90 and 121 trips generated during the a.m. and p.m. peak hours, respectively.

Access to the project site is through two new roadways that intersect with The Old Road and extend west into the project site. The first roadway, A Street, intersects with The Old Road approximately 3,500 feet north of Calgrove Boulevard and will function as the primary access point for the site. The second roadway, E Street, intersects with The Old Road approximately 1,100 feet south of the A Street intersection.

The following project site access improvements shall be the sole responsibility of the project. These improvements shall be in place concurrently with the installation of the curb, gutter, and first lift of asphalt pavement of the on-site street improvements.

FILE COPY

Mr. Darly Zerfass
February 6, 2006
Page 2

A Street-TT53653 (Future) at The Old Road

North approach: One through lane and one shared through/right-turn lane (add one shared through/right-turn lane).

South approach: Two through lanes and one left-turn lane (add one left-turn lane and one through lane).

West approach: One left-turn lane and one right-turn lane (add one left-turn lane and one right-turn lane).

The project shall be responsible for the design, procurement, and installation of a traffic signal at A Street-TT53653 intersecting The Old Road, which serves as the access points to the project. The project shall enter into a secured agreement with Public Works for the cost of the traffic signal. This amount, which is estimated to be \$210,000 (Reference Table I). The traffic signal shall be installed when warranted.

E Street-TT53653 (Future) at The Old Road

North approach: One through lane and one through/right-turn lane (add one through lane).

South approach: One through lane and one shared through/right-turn lane (add one shared through/right-turn lane).

West approach: One right-turn lane (add one right-turn lane).

Detail signal and striping plans along project frontage and the above-mentioned improvement shall be prepared and submitted to Public Works for review and approval.

We generally agree with the study that the traffic generated by the project alone will not significantly impact County or County/City intersections in the area. However, the cumulative traffic generated by the project and other related projects will significantly impact the following County intersections. The project shall contribute its proportionate share of the cost for the following cumulative mitigation measures:

I-5 Southbound at Marriott and Pico Canyon Road

West approach: Two through lanes and one shared through/right-turn lane (add a third through lane).

East approach: A left-turn lane, two through lanes, and one shared through/right-turn lane (convert the right-turn lane to a shared through/right-turn lane).

Project share: 4.0 percent.

I-5 Southbound Ramps at Calgrove Boulevard

Install traffic signal (Reference Table I).

West approach: One through lane and one shared through/right-turn lane (add a second through lane).

East approach: Two through lanes and one left-turn lane (add a second through lane).

Project share: 20.3 percent.

The Old Road at Pico Canyon Road

West approach: One left-turn lane, two through lanes, and one shared through/right-turn lane (convert the right-turn lane to a shared through/right-turn lane).

Project share: 3.3 percent.

Chiquella Lane at The Old Road

Install traffic signal (Reference Table I).

North approach: One left-turn lane and one right-turn lane (add a right-turn lane).

Project share: 48.3 percent.

The project shall submit conceptual plans and a feasibility study for all mitigation measures to our Land Development Review Section for review and approval.

Table I
(Signal Share)

Intersections	Signal Cost	Proportionate Share	Cost
I-5 SB Ramp at Calgrove Boulevard	\$250,000	20.3 percent	\$50,750
Chiquella Lane at The Old Road	\$210,000	48.3 percent	\$101,430
The Old Road at A Street-TT53653	\$210,000	100 percent	\$210,000

We also agree with the study that the cumulative traffic generated by the project and other related projects will significantly impact the following City intersection. The project is solely responsible for the following improvement.

I-5 Northbound Ramps at Lyons Avenue

West approach: Two left-turn lanes and two through lanes (add a second left-turn lane).

We agree with the study that the project will not have any significant impact to the Congestion Management Program monitored locations in the area.

We recommend that a copy of the latest tract map showing internal circulation and access locations to and from the project shall be submitted to our Land Development Review Section.

Caltrans shall be consulted to obtain their written concurrence with the California Environmental Quality Act (CEQA) level of significance determination. If Caltrans finds that the project has a CEQA significant impact on the I-5 Freeway, Caltrans shall be requested to include the basis for this finding in their response. If fees are proposed to mitigate the freeway impact, Caltrans shall be requested to identify the specific project to which the fees will apply. These written comments from Caltrans shall be submitted to Public Works.

We recommend that the study also be reviewed by the City of Santa Clarita for potential CEQA impacts within their jurisdiction. Written comments from the City shall be submitted to Public Works.

Mr. Darly Zerfass
February 6, 2006
Page 5

For questions regarding the traffic study, please contact Ms. Marian Tadrous of our Traffic Studies Section at (626) 300-4848. For questions regarding the feasibility study and cost estimate, please contact Mr. Sam Richards of our Land Development Review Section at (626) 300-4842.

Very truly yours,

DONALD L. WOLFE
Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division


MT:cn

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cc: Caltrans (Cheryl Powell)
City of Santa Clarita (Ian Pari)
Department of Regional Planning (Daryl Koutnik)

bc: Land Development (Witler, Wong)



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

R.P. - Susie

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 53653 Map Date July 11, 2006, Ex. A

C.U.P. _____ Vicinity Map 3322D

- FIRE DEPARTMENT HOLD on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
- Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- The Fire Department has no additional requirements for this division of land.

Comments: See additional page 1 for additional access requirements. Additional page 2-3 are the requirements for the Fire Station Site per FD Planning Section.

By Inspector: Janna Masi Date September 13, 2006

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



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. TR 53653 Tentative Map Date July 11, 2006, Ex. A

Revised Report YES

- The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
- The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- Fire hydrant requirements are as follows:
 Install 18 public residential fire hydrant(s). Install 4 public multi-family/commercial fire hydrant(s).
 Install private on-site fire hydrant(s).
- All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
 - Location: As per map on file with the office.
 - Other location: Fire hydrant locations to be determined on approved access.
- All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
- The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
- Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.
- Hydrants and fire flows are adequate to meet current Fire Department requirements.
- Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: THE TENTATIVE MAP IS NOT APPROVED AT THIS TIME, UNTIL ALL CONDITIONS HAVE BEEN APPROVED. Required fire flow for the public multi-family/commercial fire hydrants at this location is 5000 gallons per minute at 20 psi for a duration of 5 hours, over and above maximum daily domestic demand. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow. Fire Department's Fire Prevention Engineering will set the private/on-site fire hydrant locations within the multi-family lot and may reduced the required 5000 gpm fire flow of the public fire hydrants during the building plan check phase.

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

By Inspector Janina Masi Date September 13, 2006



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS

ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **1**

- 1 Gated access that has an ingress and egress shall comply with the following: Each gate shall be a minimum width of 20' wide, the key pad shall be located a minimum distance of 50' from the right-of-way, also provide a 32' turning radii after the keypad and prior to the gate. Indicate compliance on the exhibit "A", prior to the tentative map clearance.
- 2 IN LIEU OF THE REQUIRED SECONDARY ACCESS, THE FOLLOWING CONDITIONS WILL APPLY: ALL NEW CONSTRUCTION SHALL BE FULLY FIRE SPRINKLERED IN ACCORDANCE WITH NFPA 13.
- 3 Access to the senior housing lot shall be as follows, provide 28' of vehicular access to within 150' of all exterior walls. Said access shall be parallel to two sides of the proposed structures. Compliance shall be indicated on either the Exhibit "A" or the C.U.P. prior to the tentative map clearance.
- 4 Due to the proposed driveway lengths for the senior multiple housing development, fire department turnarounds are required. The turnarounds designs shown on the Ex. A are not adequate. Turnarounds shall be designed to the Ladder Truck Standards. Indicate compliance on the Ex. A.
- 5 Show all turning radii have a 32' centerline turning radius. Indicate compliance on the Ex. A.
- 6 Identify plantings within the proposed entry roundabout.
- 7 Clarify if parking is covered or uncovered.

By Inspector: *Junna Massey*

Date: September 13, 2006

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



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **2**

CONDITIONS OF APPROVAL – VTTM 53653 FIRE STATION SITE REQUIREMENTS

DEVELOPER shall convey an improved FIRE STATION SITE to the DISTRICT (actual title to be transferred to "Consolidated Fire Protection District of Los Angeles County") prior to the issuance of the building permit for the 50th unit for VTTM 53653⁽¹⁾. DEVELOPER shall improve the FIRE STATION SITE at its sole cost and expense (the only compensation due the DEVELOPER is a credit for developer fees equal to the appraised value of the improved site as provided through a Developer Fee Credit Agreement⁽²⁾). Improvements shall include:

1. The FIRE STATION SITE shall have a net buildable pad of 1.26 acres (gross lot size is 2± acres).
2. Grading of the FIRE STATION SITE net buildable pad must meet the following requirements: a level pad that measures 225' (width, fronting a public street) X 242' (depth). The pad shall be graded to +/- 0.1 and tops and toes of slopes to +/- 0.3. The minimum pad dimensions shall be free of any easements, building set backs (front, rear and sides), slopes or any other conditions that would restrict full use of the net pad area. The gross acres / square footage to be provided will be calculated based on the net pad requirements outlined above and any additional property that will be conveyed to the DISTRICT. The site is to be graded in relation to the street or streets which front the site such that the emergency vehicle egress driveway can be constructed with a maximum 2% slope and the return driveway can be constructed with a maximum 5% slope. The above driveways begin at the fronting public street and become level at an imaginary 40-foot setback.
3. A two-inch diameter domestic water line installed to a DISTRICT approved meter location with a jumper and meter box. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from Back of Curb (BOC). DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the water purveyor.
4. A one-inch irrigation water line (reclaimed if available) installed to a DISTRICT approved meter location with a jumper and meter box. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC. DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the water purveyor.
5. A fire hydrant on site at a location directed by the DISTRICT.
6. A six-inch diameter fire sprinkler service line installed to a DISTRICT approved location. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC, with a shut-off valve located within a public street.
7. A sewer lateral (fixture count to be provided by the DISTRICT) installed to a DISTRICT approved location. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC. DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the permitting agency.
8. A storm drain connection (sized to accommodate both onsite and offsite drainage) installed to a DISTRICT approved location. The invert of the storm drain pipe must be at an elevation that allows for collection of all surface flows and piped drainage systems. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" behind the BOC.
9. Electric (loading to be provided by the DISTRICT), telephone (number of pairs to be provided by the DISTRICT), television cable, fiber optics (if available), and gas connections stubbed to DISTRICT approved locations. Points of connections shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC.

By Inspector: Jaana Masi

Date: September 13, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerçe, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **3**

CONDITIONS OF APPROVAL – VTTM 53653 FIRE STATION SITE REQUIREMENTS

10. All offsite street improvements adjacent to the FIRE STATION SITE which at a minimum shall include curbs, gutters, sidewalks, driveway approaches (maximum of three), traffic signs, street lights, and median breaks with turn lanes at both the emergency vehicle egress driveway and the emergency vehicle ingress driveway.
11. Installation of two traffic signals that allow for safe access from the emergency egress driveway onto the adjacent public roadways. Traffic signal number one will be installed on A Street fronting the FIRE STATION SITE and traffic signal number two will be installed at the intersection of A Street and The Old Road. Both signals will be designed to include interconnects to the fire station that allows for an emergency override of the signal controllers. Traffic signals must be installed by the time the FIRE STATION SITE is operational.
12. The Completion of a Phase I Site Assessment and, if warranted, a Phase II Site Assessment, and removal or remediation of any hazardous materials located in, upon, or on the FIRE STATION SITE, as required by all applicable federal, state and local laws (to be provided at the completion of all required site improvements).
13. Proof of full compliance with the "California Environmental Quality Act" for the development and operational impacts of a first responder fire station.
14. Remediation of any defects of the property to the satisfaction of the DISTRICT.
15. Any other requirements as reasonably determined by the DISTRICT that are necessary before construction of a fire station can begin on the FIRE STATION SITE.
16. **The FIRE STATION SITE shall be free of any soils and geological hazards and must be located outside of the Los Angeles County 50-year capital flood zone. The soils and geology reports must include language that states that the site has meet the requirements of the California Geological Survey (CGS) – Note 48 "Checklist for the Review of Engineering Geology and Seismology Reports for California Public Schools, Hospitals, and essential Services Buildings".**
17. **The FIRE STATION SITE shall be free of easements, except as expressly approved by the DISTRICT. The developer must provide the DISTRICT with a current American Land Title Association survey (ALTA).**
18. The FIRE STATION SITE shall not contain slopes or hillsides for the DISTRICT to maintain. The developer must arrange for the sloped area to be maintained by a third party, such as a landscaping / maintenance district, at no cost to the DISTRICT.
19. Provide the DISTRICT with the information outlined on the attached "Request for Information" (RFI) form.
 - (1) Developer shall provide a copy to and receive approval of the title language for the FIRE STATION SITE from the Fire Department Planning Division prior to Land Development's final map clearance.
 - (2) Prior to a developer fee credit being issued, an agreement must be approved by the Los Angeles County Fire District. No refunds of developer fees are made for any building permits issued prior to developer fee credit issuance. This agreement takes approximately 30 days to process after DEVELOPER has submitted approved copies to the DISTRICT.

Revised: February 21, 2006

By Inspector: Juana Masi

Date: September 13, 2006



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION**



PARK OBLIGATION REPORT

Tentative Map #	53653	DRP Map Date: 07/11/2006	SCM Date: / /	Report Date: 09/14/2006
Park Planning Area #	35A	NEWHALL / VALENCIA		Map Type: REV. (REV RECD)

Total Units = Proposed Units + Exempt Units

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

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

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

Park land obligation in acres or in-lieu fees:

ACRES:	1.49
IN-LIEU FEES:	\$409,455

Conditions of the map approval:

The park obligation for this development will be met by:

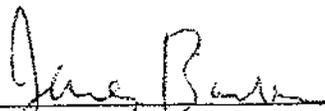
The payment of \$409,455 in-lieu fees.

Trails:

See also attached Trail Report. GAVIN CANYON TRAIL - For trail requirements, please contact Ken Stu, Trails Coordinator at (213) 351-5135.

Contact Patrocenia T. Sobrepena, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: 
James Barber, Advanced Planning Section Head



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION**



PARK OBLIGATION WORKSHEET

Tentative Map #	53653	DRP Map Date: 07/11/2006	SMC Date: / /	Report Date: 09/14/2006
Park Planning Area #	35A	NEWHALL / VALENCIA		Map Type: REV. (REV RECD)

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

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

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

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

Total Units = Proposed Units + Exempt Units

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	3.23	0.0030	93	0.90
M.F. < 5 Units	2.29	0.0030	0	0.00
M.F. >= 5 Units	2.11	0.0030	93	0.59
Mobile Units	1.74	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				1.49

Park Planning Area = 35A NEWHALL / VALENCIA

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	1.49	\$274,802	\$409,455

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

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
1.49	0.00	0.00	1.49	\$274,802	\$409,455



COUNTY OF LOS ANGELES

DEPARTMENT OF PARKS AND RECREATION

"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

September 18, 2006

NOTICE OF TRAIL REQUIREMENT FOR TRACT MAPS AND PARCEL MAPS

Tentative Tract Map #: 53653

Date on Map: June 11, 2006

Provide a 12 foot wide easement with dirt surface trail bed for the Gavin Canyon Trail to the satisfaction of the Department of Parks and Recreations' Standards. Because of the necessity to show the trail alignment as it pertains to topographical lines, trail grade shall not exceed 10%, except in areas where this standard would result in excessive switchbacks. In this instance, grades to a maximum of 15% shall be permitted for distances of less than 300 feet. Trail shall be graded so the tread is outsloped along the entire length, at a maximum of 2% cross-slope. All information pertaining to trail requirements must be shown on the Tentative Parcel Map.

This Tentative Map is approved with the following conditions before final map recordation:

- X TRAIL EASEMENTS MUST BE CALLED OUT "LOS ANGELES COUNTY RIDING AND HIKING TRAIL EASEMENT" ON THE FINAL MAP.
X IDENTIFY PORTIONS OF TRAIL THAT WILL BE CONSTRUCTED AS PART OF DEVELOPMENT AND PROVIDE CALL OUTS FOR THESE PORTIONS TO HAVE TRAIL EASEMENTS DEDICATED TO "LOS ANGELES COUNTY RIDING AND HIKING TRAIL EASEMENT".

Dedications and the exact following language should be shown for trail dedications on the first phase of final map.

Title Page: We hereby dedicate to the County of Los Angeles a 12 foot wide easement for Riding and Hiking purposes for the Gavin Canyon Trail.

- X IF A WAIVER IS FILED, A PLAT MAP DEPICTING THE TRAIL MUST ACCOMPANY THE WAIVER.

For any questions concerning trail alignment or other trail requirements, please contact Ken Slu at (213) 351-5135.

Ken Slu

Ken Slu, Trails Coordinator

LYONS CANYON – TENTATIVE TRACT NO. 53653

22.16.110 Zone change--Burden of proof.

In addition to the information required in the petition by Section 22.16.100, the applicant shall substantiate to the satisfaction of the commission the following facts:

A. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and

The development of Tentative Tract Map 53653 is proposed on a 234.8 acre undeveloped parcel located just south of Stevenson Ranch, west of The Old Road, and north of the Calgrove Boulevard Interchange along the I-5 Freeway. The existing zoning designations for the subject property include 241.5 acres zoned as Agricultural (A-2-2) and 2.3 acres zoned as Commercial (C-3). Tentative Tract Map 53653 proposes to construct 93 single-family residences, 93 condominiums for senior citizens, a fire station site, and privately maintained recreational facilities. In addition, the project proposes to dedicate 128.87 acres of the site for public open space. A Zone Change is currently requested as part of TTM 53653, which would change the zoning of Lot # 94 (9.3 acres in size located in the northwest corner of TTM 56363) from A-2-2 to C-3-DP to permit the construction of 93 multi-family dwellings for senior citizens. This area is directly adjacent to the existing 2.3 acre portion of the subject property zoned C-3.

The existing Santa Clarita Valley Area Plan land use designation for properties immediately north of the subject property is U1 (Urban I). This designation includes a mix of single and multi-family dwellings and commercial uses constructed as part of the Stevenson Ranch master-planned community. Existing land use designations to the south and west of the subject property are N2 (Non-urban 2) and HM (Hillside Management) and include undeveloped privately owned property and Towsley Canyon parkland owned and operated by the Santa Monica Mountains Conservancy. The Old Road and the I-5 Freeway are located immediately east of the subject property.

As described above, the land uses for the parcels immediately north of the subject site have transitioned from undeveloped to a mix of single-family, multi-family, and commercial uses. As a result, the zoning classifications for these parcels have also transitioned to permit residential and commercial development (C-3-DP, and RPD 1-1.4U). These zoning classifications were determined to be consistent with the goals and policies of the Santa Clarita Valley Area Plan adopted by the County of Los Angeles in 1984 and subsequently updated in 1990. In addition, the supporting infrastructure systems (sewer, water, storm drain, roadways and transit) have been upgraded to support the mix of residential and commercial uses. These modified conditions warrant a revision in the zoning plan, as requested by the TTM 53653, to permit the construction of 93 multi-family dwellings for senior citizens.

B. That a need for the proposed zone classification exists within such area or district; and

The County's adopted Housing Element identifies senior housing as an issue in need of special consideration, especially as a growing number of citizens reach retirement age and no longer desire to reside in their current households. The proposed zone change will allow the construction of 93 age restricted housing condominiums for seniors as defined by Section 51.3 of the California Civil Code.

C. That the particular property under consideration is a proper location for said zone classification within such area or district; and

The Zone Change request for the 9.3 acre parcel (Lot #94) as part of TTM 53653 is located directly adjacent to a 2.3 acre portion of the subject site currently zoned C-3. In addition, parcels immediately

north and northwest of the subject property are currently zoned C-3-DP and RPD 1-1.4 U, respectively. These zoning designations permit the construction of apartment house (multi-family) dwellings¹. The 9.3 acre parcel under consideration for a zone change is in the proper location for the C-3-DP zone, as it is directly adjacent to existing commercial uses, existing residential uses, adequately sized infrastructure, and zoning designations that permit the construction of 93 multi-family dwellings for senior citizens.

D. That placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice.

The portion of the subject site proposed for a Zone Change from A-2-2 to C-3-DP will include 93 multi-family dwellings for senior citizens, and active/passive recreational opportunities. These uses will be consistent with the suburban character of the surrounding communities of Stevenson Ranch, will include recreational amenities such as active parks and trails, and thus will serve to perpetuate the use, enjoyment and value of other persons located in the vicinity of the site. The parcel proposed for a Zone Change is also located directly adjacent to a fire station site located in the northeast corner of the site, which will help ensure the preservation of public health, safety, and general welfare of TTM 53653, the surrounding communities, and the surrounding undeveloped areas. The Zone Change request is in conformity with good zoning practice as the use proposed is consistent with all elements of the Santa Clarita Valley Area Plan, and the County of Los Angeles General Plan.

¹ Los Angeles County Zoning Code Title 22 – Planning and Zoning, Part 7 (Residential Planned Development Zone), Section 22.20.460- Uses and development standards, and Part 5 (Unlimited Commercial Zone), Section 22.28.210 - Uses subject to permits.

**Lyons Canyon Ranch
Development Program Conditional Use Permit Burden of Proof**

- A. That the requested use at the location proposed will not:
- 1) Adversely affected the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - 2) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The development of Tentative Tract Map 53653 is proposed on a 234.8 acre undeveloped parcel located just south of Stevenson Ranch, west of The Old Road, and north of the Calgrove Boulevard Interchange along the I-5 Freeway. The existing zoning designations for the subject property include 241.5 acres zoned as Agricultural (A-2-2) and 2.3 acres zoned as Commercial (C-3). Tentative Tract Map 53653 proposes to construct 93 single-family residences, 93 condominiums for senior citizens, a fire station site, and privately maintained recreational facilities. In addition, the project proposes to dedicate 128.87 acres of the site for public open space.

The proposed project requires a Conditional Use Permit for a Development Program to allow the construction of 93 condominiums for senior citizens on Lot # 93 of TTM 53653. This Burden of Proof Statement specifically establishes consistency with the findings required for a Development Program Conditional Use Permit to construct 93 condominiums for senior citizens on a 9.3 acre parcel located in a commercial zone. Please refer to the Zone Change Burden of Proof Statement for verification of consistency with the required Zone Change findings.

The proposed project would be located within the immediate vicinity of a variety of land uses including: large single-family estate housing, agricultural activities, parkland (Towsley Canyon park), open space (Towsley Canyon Park), commercial office uses, and smaller lot detached single-family dwellings. Although there is not a singular land use type in the immediate vicinity, there is a noticeable suburban and semi-rural character throughout the different array of nearby land uses. A feeling of openness, natural beauty, and rural design themes create this character.

In order to remain consistent with the surrounding area and ensure that the project: (1) will not adversely affect the health peace, comfort or welfare of community members, (2) negatively affect the value and/or enjoyment of nearby property, (3) or jeopardize the public health, safety or general welfare, the proposed project incorporates a mix of uses that are consistent the surrounding commercial, residential, and open space uses. Larger lot estate housing is proposed in the southern portion of the development. This housing component will be semi-rural in character consistent with the adjacent open space lands managed by the Santa Monica Mountains Conservancy. The northern portion of the subject site will include smaller lot detached homes, attached condominiums, and active/passive recreational opportunities. These will be consistent with the suburban character of the surrounding communities of Stevenson Ranch, will include recreational amenities such as active parks and trails, and thus will serve to perpetuate the use, enjoyment and value of other persons located in the vicinity of the site. The proposed project will also include a fire station site located in the northeast corner of the site, which will ensure the preservation of public health and safety.

- B. The propose site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in

this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The subject site is 9.3 acres in size. The subject site can adequately accommodate proposed development of 93 multi-family condominiums consistent with Title 21 and Title 22 of the Los Angeles County Code. The 93 condominiums for senior citizens will be consistent with the site's General Plan Land Use and Zoning Designations and will therefore comply with the required yard areas, wall heights, boundary fences, landscaping requirements, and parking and loading facilities.

C. The proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service as are required.

Future residents of the proposed project will utilize the Old Road and the I-5 Freeway as the primary access routes to the subject property. Both the Calgrove and Lyons Avenue freeway interchanges provide direct access to the subject site via the Old Road. The I-5 Freeway and the Old Road are designed with sufficient capacity to convey the project's anticipated traffic without creating a significant impact. Interior roadways are designed consistent with County of Los Angeles roadway design criteria. Right-of-way widths for interior streets are proposed at 64 feet, and 60 feet. Both a primary ("A" Street) and secondary means ("E" Street) of access to the Old Road is proposed. These two roadways meet the vehicle circulation requirements established by the Los Angeles County Fire Department.

Other public services, such as law enforcement, fire prevention, water, sewer, library services, education, and solid waste would either provided by the appropriate County of Los Angeles Agency (i.e. County of Los Angeles Sheriff, County of Los Angeles Fire Dept., LA County Sanitation District, and Los Angeles County Public Library), appropriate private company (i.e. Valencia Water Company), or state agency (i.e. Newhall School District, and William S. Hart Union School District). An analysis of public services impacts was completed as part of the Environmental Impact Report. This report concluded that all public services could be provided to the proposed project without significantly impacted the servicing agency.

DALY OWENS GROUP

Real Estate Development

May 12, 2008

Ms. Susie Tae
Department of Regional Planning
Los Angeles County
Hall of Records, 13th Floor
320 West Temple Street
Los Angeles, CA 90012

Re: Lyons Canyon Project, County Project No. TR53653

Dear Ms. Tae:

Per your request, and on behalf of D.R. Horton, we have developed a Preliminary Development Schedule for the Lyons Canyon Ranch project. Note that the dates used in this schedule are only estimates and are subject to change based upon delays in final project approval, changes in real-estate market conditions, etc.

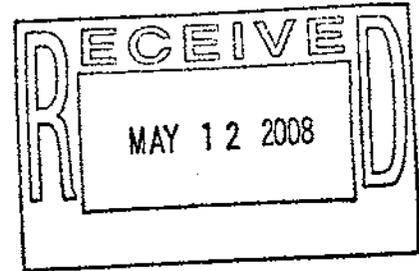
Final Project Approval: July 2008
Improvement Plan Preparation: July 2008-July 2009
Final Map Recordation: December 2009
Site Grading: January 2010 – January 2011
Site Infrastructure: January 2010 – June 2011
New Home Construction: July 2011 – December 2012

Best regards,

Jasch Janowicz
Daly Owens Group

May 8, 2008

Los Angeles County Department of Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, CA 90012



Re: TR 53653 - Access to Kantor/Speer Properties

Dear Ms. Susan Tae:

On November 15, 2006, the Los Angeles County Planning Commission and Staff directed DR Horton (Lyons Canyon Project Applicant), to work in good faith with the adjacent property owners (Kantor and Speer Families) with regard to their request for expanded vehicle access routes to their properties. Over the past 17 months, DR Horton has worked diligently to satisfy the neighboring property owners concerns by repeatedly meeting and corresponding via phone and e-mail to develop a plan for expanded vehicle access.

In February and March 2007, DR Horton – at its expense – prepared: (1) a conceptual roadway alignment study for Kantor/Speer properties; (2) a conceptual grading plan for roadway access to Kantor/Speer properties; (3) a conceptual development plan for the Kantor and Speer properties, and (4) a slope density analysis for both properties. After reviewing these studies, the Kantor and Speer families agreed in March 2007 with the conclusions of the technical studies -- specifically which the best and most feasible route for vehicle access is through the adjoining Larwin Company property, and not DR Horton's Lyons Canyon property. The feasibility of this access route was also reviewed and conceptually approved by Kantor and Speer families, DR Horton staff members, Los Angeles County Planning Staff, and Los Angeles County Fire Department staff in a roundtable meeting with Paul Novak held on May 3, 2007.

From May 2007 through October 2007, DR Horton worked diligently to obtain the necessary easement agreement from Larwin Company for the benefit of the Kantor and Speer families. This effort was supported, and more importantly actively assisted by Paul Novak, Planning Deputy to Supervisor Antonovich. Multiple drafts of the easement agreements were exchanged between Larwin and Kantor/Speer between May 2007 and October 2007. During this period DR Horton paid approximately \$6,000 of Larwin's attorney's fees incurred during preparation of multiple draft easement agreements, to facilitate an agreement from Larwin Company, for the benefit of the Kantor/Speer families. Unfortunately, Larwin Company insisted that the easement agreement contain an effective veto right, that Larwin could exercise over future development of the Kantor/Speer properties. This provision was not acceptable to the Kantor/Speer families, and therefore no easement agreement was ever consummated with Larwin.

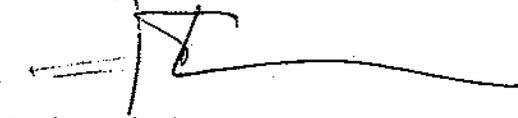
May 6, 2008

Page 2

In late October 2007, the Kantor/Speer families chose to pursue a different approach. Rather than pursue an expanded vehicle access route through the Larwin property, which would have facilitated residential development of the Kantor/Speer properties, the Kantor/Speer families chose to pursue the sale of the properties to the Santa Monica Mountains Conservancy (SMMC), to preserve their properties as natural open space. DR Horton has not been involved in these negotiations for the sale of the properties to the SMMC. However, we understand from reports received from the Kantor family that the SMMC has issued a formal purchase offer for the Kantor property (Mr. Speer has not responded to several phone calls inquiring about the status of his negotiations with the SMMC). At the same time that Kantor and Speer chose to pursue a sale of their properties to the SMMC, Kantor asked DR Horton to stop all efforts to facilitate an easement agreement with Larwin Company. Consequently, DR Horton believes that it has done everything it could reasonably be expected to do, over the past 17 months, to assist the Kantor/Speer families with the resolution of their vehicle access issue.

At this time we are requesting that the County of Los Angeles Planning Department move forward with recommending approval of the Lyons Canyon project and scheduling a final hearing with the Planning Commission and Board of Supervisors.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney Singh", written over a horizontal line.

Rodney Singh
D.R. Horton

cc: Chris Chambers, D.R. Horton
Rick Zeilenga, Esq.
Melissa Trunnell, Esq.
Richard "Dick" Wirth

Tae, Susan

From: Michael D Lyons [oakmike@juno.com]
Sent: Wednesday, May 21, 2008 11:53 AM
To: Tae, Susan
Subject: Fw: Oaks in Lyons Cyn between Calgrove and ridgecrest

May 21, 2008

Ms. Susan Tae
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Tae:

Thank you for the opportunity to give testimony in the public hearing, June 18, 2008, for consideration of zone change case no. 2008-00004-(5) and conditional use permit case no.2005-00088- (5) as amended and Oak Tree Permit Case No. 2005-00039-(5).

The Santa Clarita Oak Conservancy is adamantly against the destruction of the remaining few Significant Ecological Areas in the Santa Clarita Valley that support the native California Oak Savannas. The City of Santa Clarita has a planned greenbelt around the city and has created a Federal study group to purchase lands to create such an area. Our organization has worked with many developers here and in the Los Angeles County who have been willing to build AROUND the oaks creating unusual pleasant environments for our citizens.

It would be criminal to cut 162 native California oak trees and even worst to cut 13 HERITAGE OAK TREES. The encroachment into the protected zone of 52 additional Native California Oak trees including 6 HERITAGE must be handled within the guidelines of the current Los Angeles County Oak Tree Permit. These guidelines include: drip line plus five feet fenced at all times, no equipment under tree, Arborist on duty, permit on job, digging only with hand tools, replacement trees 10-one for HERITAGE on site replacement, like species replacement. However, we prefer moving the tree or the full ISA value of tree(s) lost to be placed in the established L.A.Co. Oak Tree Fund and planted here in Santa Clarita Valley.

We understand that the current value of a Heritage Native California Oak Tree per Los Angeles County Oak Tree Permit description (size 36 inches at 45 tall above the ground) is well over \$1,400,000. The value of the 13 Native California Heritage Oak Trees to be destroyed in this project would be \$18,200,000.00. The value of the remaining 149 oak trees ISA must also be considered and the monies placed in the Oak Tree Fund.

To prevent damage to the trees, a bond should be posted for the remaining encroachment trees so only after the development is complete and the trees deemed healthy would it be returned.

Certainly with a density bonus accommodations, creative drawings can be made to transfer the senior housing around and among the oaks so none are destroyed saving this developer millions of dollars and keeping a increasingly endangered native California Oak Savanna for Santa Clarita and Los Angeles County citizens.

Very Truly yours,
Michael Lyons
Santa Clarita Oak Conservancy
P.O. Box 800520, Santa Clarita, CA 91380-0520

Tae, Susan

From: SpeerWmR@aol.com
Sent: Friday, May 16, 2008 7:39 AM
To: Tae, Susan
Cc: pnovak@jacbos.org; JimECT@aol.com; ulibarri@taosnet.com
Subject: Hearing for Tract No. 53653 June 18,2008

Ms Tae,

I will not be in town for the hearing for Tract No. 53653 on June 18, 2008.

We have not seen anything on providing access for our property TT50242. Therefore, we have no other option than to oppose the vesting of tentative tract No. 53653.

As we pointed out in our letter of Nov. 19, 2006, the Board of Supervisors imposed a condition on the Larwin Tract in 1981 to maintain a 20 ft. roadway easement serving our parcel **until a public road serves our parcel**. As we have previously stated, it appears that now is the time for this road as it benefits all the adjacent properties.

In the event that no access is provided to our property, we will appeal this matter to the Board of Supervisors.

Sincerely,

William (Bill) R. Speer
1-661-287-9583

Wondering what's for Dinner Tonight? [Get new twists on family favorites at AOL Food.](#)

SCOPE

Santa Clarita Organization for Planning and the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



5-5-08

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone Change 2008-0004 (5) VTT# 83653,
OT Permit # 2005-0039, Agenda Item #10, May 7th

Dear Commissioners and Ms. Tae:

We did not see any indication in the agenda packet for this item as to whether the question of a second exit for this project has been resolved. We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit.

We continue to protest the lack of a Development Monitoring System Analysis for this project. The Development Monitoring System (a General Plan Amendment passed as a result of a Court Settlement) requires a fire station within 1.5 miles of new development proposals. No such fire station exists. We note that the plan for this project requires a LOT for a fire station, but does not mandate the station itself. We request that the developer be conditioned to help provide such a station. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area. We request that the station should be built and functioning before occupancy of these houses is permitted.

Additionally, the County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future.

Further, we believe that changed circumstances regarding water supply must be addressed in any new hearing. Two Federal Court decisions have occurred since this case was last reviewed. Judge Oliver Wanger's decision of Dec. 14th, 2007 that the Delta Smelt must be protected under the Endangered Species Act has resulted in substantial cutbacks to State Water Supply, on which the Santa Clarita Valley depends for 60% of its water supply. A further decision was made in April 2008 to protect the Salmon in the Delta. This decision will result in further impacts to our water supply. We have attached the notice from the Dept. of Water Resources regarding this Court decision, along with the notice of reduction in state water deliveries to Castaic Lake Water Agency.

Oaks

This project proposes the removal of 162 oaks. This is a substantial number of oaks and will come under the obligations of new State Law, which requires not only replacement of oaks,

but replacement for lost Oak Woodland Habitat as well. This project is immediately adjacent to an important wildlife corridor. Without sufficient habitat, animal movement will be impaired by lack of food and cover. It is therefore important that habitat destruction not occur here. We ask that the Planning Commission look for ways that the number of oaks can be reduced. This could occur by discouraging mass grading and requiring grading for only the footprint of the lot. Again, we believe the back portion of this project should be eliminated from the proposal.

We request that a cumulative analysis of the total amount of oaks and oak woodlands destroyed by development in the last 15 years be analyzed. We believe such cumulative analysis is necessary to evaluate the substantial impact that has occurred to oaks and oak woodlands by this destruction in the last two decades. The analysis should include the increase to air pollution and loss of carbon sequestering that will result from the removal of these trees.

Thank you for your attention to our concerns.

Sincerely,

Lynne Plambeck

Lynne Plambeck
President



News for Immediate Release

February 4, 2008

Contacts:

- Ted Thomas, Information Officer (916) 653-9712
- Don Strickland, Information Officer (916) 653-9515
- Gwen Knittweis, State Water Project Analysis Office (916) 653-9593

DWR Increases State Water Project Allocation

SACRAMENTO - The Department of Water Resources (DWR) has increased its allocation of 2008 State Water Project (SWP) water for long-term contractors from 25 percent to 35 percent of requests.

"We can credit a wetter-than-average January for an impressive increase in our water supplies and snowpack," said DWR Director Lester Snow. "However, tighter pumping restrictions in the Delta will limit how much of this water we can actually provide to many parts of Southern California, the Central Valley and the Bay Area."

Last year, a federal court curtailed Delta pumping by state and federal water projects to protect the threatened Delta smelt. DWR estimates that the 35 percent allocation would be 50 percent without the court decision actions in place.

To address the need for action to protect the Delta Governor Schwarzenegger directed a Delta Vision Blue Ribbon Task Force in 2006 to develop a "Delta Vision" to provide a sustainable management program for the Delta. The Delta Vision was recently submitted to the governor and a strategic implementation plan is expected in October 2008.

The allocation increase will boost State Water Project (SWP) water for long-term contractors from 1,038,861 acre-feet to 1,457,283 acre-feet. Based on recent precipitation and current water supply conditions, SWP supplies are projected to meet 35 percent of most SWP contractors' 2008 Table A amounts which collectively total 4,165,931 acre-feet.

The 29 long-term SWP Contractors distribute water to more than 25 million Californians and approximately 750,000 acres of irrigated agricultural land.

DWR may increase the SWP allocation as hydrologic conditions develop. The allocation notice to

SWP contractors appears on these DWR State Water Project Analysis Office Web sites:

<http://www.swpao.water.ca.gov/deliveries>

<http://www.swpao.water.ca.gov/notices>

The Department of Water Resources operates and maintains the State Water Project, provides dam safety and flood control and inspection services, assists local water districts in water management and water conservation planning, and plans for future statewide water needs.

Contact the DWR Public Affairs Office for more information about DWR's water activities.



CALIFORNIA

RESOURCES AGENCY

DEPARTMENT OF WATER RESOURCES

NOTICE TO STATE WATER PROJECT CONTRACTORS

NUMBER: 07-09

DATE: DEC 27 2007

SUBJECT: 2008 Article 21 Water Program

FROM: 
DEPUTY DIRECTOR, DEPARTMENT OF WATER/RESOURCES

The Department of Water Resources (DWR) will administer a program during 2008 in accordance with Article 21 of the long-term Water Supply Contracts. The 2008 Article 21 Water Program (Program) is available to those State Water Project contractors who have signed the Monterey Amendment, and is subject to the attached criteria.

Due to the current water conditions and storage in San Luis Reservoir, it is uncertain whether Article 21 water may become available during 2008. However, should Article 21 water become available in 2008, the 2008 Program will be administered similarly to 2007 with minor modifications to facilitate communication of Article 21 availability and any related carryover evacuation accounting. The Program participants have the responsibility to follow the intent of the Article 21 contract criteria and to not defer previously scheduled Table A deliveries for later in the year. Contractors are encouraged to regularly update their delivery schedules for DWR.

To participate in the Program and be on the notification list, a contractor must sign and date the attachment to this *Notice To State Water Project Contractors* and return it to Lincoln King, State Water Project Analysis Office, Department of Water Resources, Post Office Box 942836, Sacramento, California 94236-0001.

If you have any questions or need additional information, please contact Mark Risney at (916) 653-8127.

Attachment

ATTACHMENT

2008 ARTICLE 21 WATER PROGRAM

CRITERIA

1. Delivery of Article 21 water shall not impact allocation or delivery of approved Table A water to State Water Project (SWP) contractors in 2008.
2. Water under this Program shall be SWP water that is available to SWP contractors as determined by the Department of Water Resources (DWR). This water is limited to amounts not needed for fulfilling contractors' approved Table A deliveries, as set forth in their approved water delivery schedules furnished pursuant to Article 12, or for meeting SWP operational requirements, including reservoir storage goals for the current or following years.
3. Delivery to specific contractors may be limited by operational capacity in SWP facilities or as a result of changed operational conditions.
4. The delivery of Article 21 water is not intended in any way to adversely impact any SWP operations. If DWR determines there has been an adverse impact during the period when Article 21 water is being delivered to a contractor, Article 21 water may be reclassified as approved 2008 Table A water to keep the SWP whole.
5. Article 21 water shall be used within the service area of a requesting contractor for the same reasonable and beneficial uses as Table A water. Article 21 water may be delivered outside the service area of a participating contractor for storage so long as it is later returned for use in the service area. A separate written agreement will be required for delivery outside of a contractor's service area.
6. Article 21 water shall not be stored by DWR in SWP reservoirs for later delivery to a requesting contractor.
7. This Program is not intended to allow a contractor to shift or defer delivery of allocated scheduled 2008 Table A water and substitute delivery of Article 21 water for scheduled 2008 Table A water in a way that would adversely impact allocation or delivery of Table A water to other contractors in 2008 or in any subsequent year, or adversely affect SWP storage of water.

SCHEDULING AND CHARGES

8. DWR will notify the contractors by email when Article 21 water is available. DWR will request that contractors periodically provide updated schedules of carryover, Table A and other non-Article 21 water demands and will use such schedules to determine Article 21 water availability.

9. Participating contractors shall email a schedule indicating Article 21 water requests to the State Water Project Analysis Office to Mark Risney at mrисney@water.ca.gov and Lincoln King at lking@water.ca.gov. The schedule shall include the amount of other SWP supplies requested in addition to Article 21 water.
10. The Program participants have the responsibility to follow the intent of the Article 21 contract criteria and to not defer previously scheduled Table A deliveries for later in the year. As necessary, contractors must update their delivery schedules and submit them to DWR.
11. Daily allocations of Article 21 will be provided to contractors, preferably on a weekly basis. DWR may discontinue availability of Article 21 water upon short notice.
12. If necessary, the supply of Article 21 water will be allocated among requesting contractors in proportion to the 2008 Table A amounts of those contractors.
13. Contractors shall consider their deliveries of Table A water, carryover water, and other water supplies prior to requesting Article 21 water.
14. A contractor taking delivery of Article 21 water may stop or suspend participation in the Program by notifying Mark Risney at (916) 653-8127 or Lincoln King at (916) 653-4389.
15. Conveyance charges for Article 21 water delivered under this Program shall be the same as for Table A water and shall include transportation, variable operation, maintenance, power, and replacement (OMP&R) component charges, Off-Aqueduct power facility charges, and any incremental OMP&R costs, as determined by DWR.
16. All contractors participating in the Program are responsible for coordinating delivery points and rates through their normal contacts at the various DWR field divisions.
17. The 2008 Article 21 Water Program shall not be a precedent for future programs.

In order to participate in the 2008 Article 21 Water Program, please sign below in the space provided and return all three pages of this attachment to the State Water Project Analysis Office. A Contractor's signature indicates acceptance of the criteria, procedures, and charges established for this Program.

ACCEPTED:

Authorized Representative

Signature

Title

Agency

Date

AGENCY CONTACT:

Authorized Representative

Name

Email

Telephone

MDA E-MAIL

PN
355 - MENESES

2757 /
1 of 1

From: Sherrie Stolarik [mailto:shereo@socal.rr.com]
Sent: Saturday, December 23, 2006 9:58 AM
To: Michael D. Antonovich
Subject: Lyons Cyn Ranch Project (Tr. 53653)

Hello Honorable Michael Antonovich,

On behalf of the Santa Monica Mtns Conservancy and our issue of scaling back this project located off the The Old Road north of the Mike Antonovich Preserve and north of Sagecrest Circle, this project will impact the SEAs of Lyons Cyn Ranch.

We requested this be scaled back to 126 units, not 185.

Please help.

Sherrie Stolarik
Area 11 Director
Equestrian Trails, Inc.

RECEIVED

JAN 8 2007

JON SANABRIA
DEPARTMENT OF REGIONAL PLANNING

By order of Planning Director
REPLY REQUIRED WITHIN 5 DAYS



FedEx Kinko's
Office and Print Center

Fax Cover Sheet

FedEx Kinko's of Stevenson Ranch

Telephone: 661-255-3224 Fax: 661-255-9677

Date 1/8/06

Number of pages 9 (including cover page)

To:
Name ROSIE RUIZ
Company SECRETARY PLANNING COMMISSION
Telephone 213 9746409
Fax 213 626 0434

From:
Name BILL SPEER
Company _____
Telephone 661 2879583

Comments PLEASE PROVIDE A COPY OF ATTACHED LETTERS TO EACH COMMISSIONER, I STILL HAVE NOT HAD A RESPONSE FROM SUSAN TAE
Bill Speer

Bill and Sonja Speer
26555 Yucca Valley Road Valencia, CA 91355
661-287-9583, Cell 818-368-7420
speerwmr@aol.com, speersonja@aol.com

November 19, 2006

County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

TR 53653

Attn: Susan Tae

Reference is made to Regional Planning Commission Meeting of 11-15-2006, approval of the tract TR53653 without access for future development to our property Speer/Ewing and Kantor property. Accordingly I herewith advise that we intend to appeal the tract as currently approved because of the commission's failure to provide access to our property and the adjacent property effectively condemning our property to open space without our opportunity and the right to use and develop our property to the allowed designated zoning in this area of the county. We and Kantor provided letters and requests for access which were ignored and the three minutes allowed for our verbal request were also ignored. Copies of the staff report and packages of letters were provided to me after the hearing.

As stated in our letter of January 5, 2006, we began requesting access to our property in 1981 that resulted in an inadequate access being provided from the Sunset Point Tract in CUP 1639-5, June 10, 1981. As the commission is aware, initially, all property is land locked and historically as development and use of property progresses, access is provided to perimeter and adjacent properties. We have a deeded 1/4 interest access 25' wide to our property in conjunction with the Kantor's. Before the development of the Larwin's Sunset Point Tract, we were able to drive into our property, mostly on our access. But, because of the terrain, there were switch backs both north onto Larwin's property and south onto the Warner Property. Upon development of the Larwin Property, the fills covered the switch backs. A review of the original Topo maps of this area will show the roads (Dept. of County Engineer Survey Division, Pico-Potrero Area South Topographic Map dated 12-2-70, reference 2459-3441 or 108-166). Upon development by Larwin and provision of the new access per the CUP, we were able to access our property on a limited basis. Kantor apparently accessed their property through the Warner property. It should be noted the current traveled access to the Warner Property is currently using ours and Kantor's 25' wide property at the old road.

Why is it that after 24 years or more the County, having been given a second opportunity to provide "planning of the community" (part of the planning commissions mission), the County failed to provide access to all properties adjacent to the proposed tract TR53653? What is the county's "plan" for ours and the adjacent properties? As noted in our letter of Jan, 5, 2006, upon receiving what turned out to inadequate access to our property, we started tract TR 50542 with 7 lots on 20 acres. This was 1 less lot than we had requested and which was the basis for the access in CUP 1639-5 which was negotiated by the County through Mr. Antonovich's office after we appealed the Larwin Tract. Please note that the statement in the CUP says, "Until such time as the public Road serves said adjacent parcel". However, the county staff has since continued to deny our tract TR 50242 due to the narrow road access and steepness for the fire Department.

Accordingly, we effectively did not receive adequate access. A review of the county file for this tract will verify this situation.

Further, in discussion with county staff, we were told to wait and we would get our access from the property between our property, and the old road...this is the property now known as the subject tract 53653. During the time we have had to wait, we have seen a SEA created and imposed on our property, trails designated that didn't exist and other rule changes. Needless to say, if the original county CUP 1639-5 deeded access from the Larwin Tract (Sunset Point) had been acceptable to Public Works and the Fire Department, we would have completed our tract #50242. Now that 24 years of waiting has happened it is time for the county to provide "planning" for the area and provide for a road system to accommodate our property along with other adjacent properties...providing a "planned community" controlled by the county not by developers who have their own addenda.

Enclosed is a marked up excerpt of the tract map to TR 53653 extending street "F" to ours and Kantor's property. This extension misses any oak trees and would eliminate one building pad (apparently one was going to be deleted in the approvals). By resolving this matter now with the developer, it would not delay the approval process and therefore avoid needless costs to the county and all parties. Upon approval of this or similar access road, we will be glad to revise our tract 50242 to accommodate the Kantor property and the Aidlin Property west of our property. This would provide planning for the properties west of TR53653 resolving some of the concerns expressed in commission discussions on 11-15-2006. Access on "F" street would now also resolve the written concerns on record with the county of the residences on Sagecrest Circle on both sides of our access even though the provision and purpose of the access predates their ownership of their property. It should also be noted that our tract avoids all the oak trees on our property and the SEA #63 now on our property. I would be glad to meet with you on this matter and I presume the other adjacent property owners would also be interested. Your action and notification of the next hearing date is requested on this matter.

Thank you for your attention.

William (Bill) R. Speer, owner

Encl: Letter of 1-5-06 plus attachments,
Map (11X17) showing extended street "F"

CC: Michael D Antonovich, Supervisor, 5th District (with encl.),
Kristin (Kantor) Ulibarri, (with encl.),
Reina V. Slutske, Signal (with encl.),
D. R. Horton (with encl.),
J. Ewing (with encl.)

11F" Street

TRACT NO. 43794

TRACT

Condor
7 Developers

TRACT NO. 43792

2826-038-043

APN 2826-047-039
 APN 2826-047-039
 APN 2826-038-040
 APN 2826-038-037
 APN 2826-038-045
 APN 2826-038-043

RESIDENTIAL

VACANT

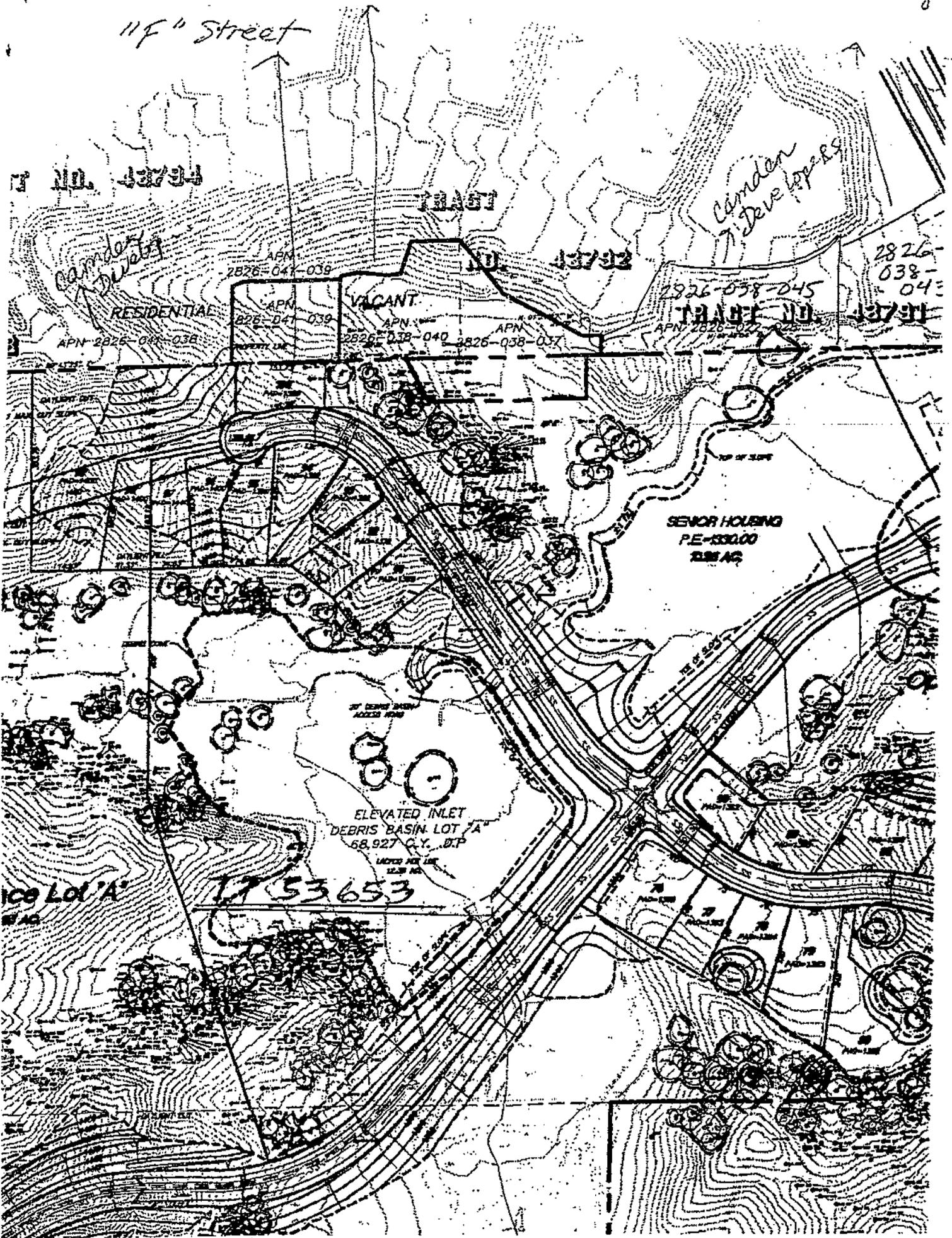
TRACT NO. 43791

SENIOR HOUSING
PE-3300
23.8 AC

ELEVATED INLET
DEBRIS BASIN LOT 7A
68,927 C.Y. D.P.
LACED PER THE
12.5 AC

17 53653

100 Lot 'A'
12.5 AC



"F" STREET EXTENSION

11/17/06

SPEED/EWING

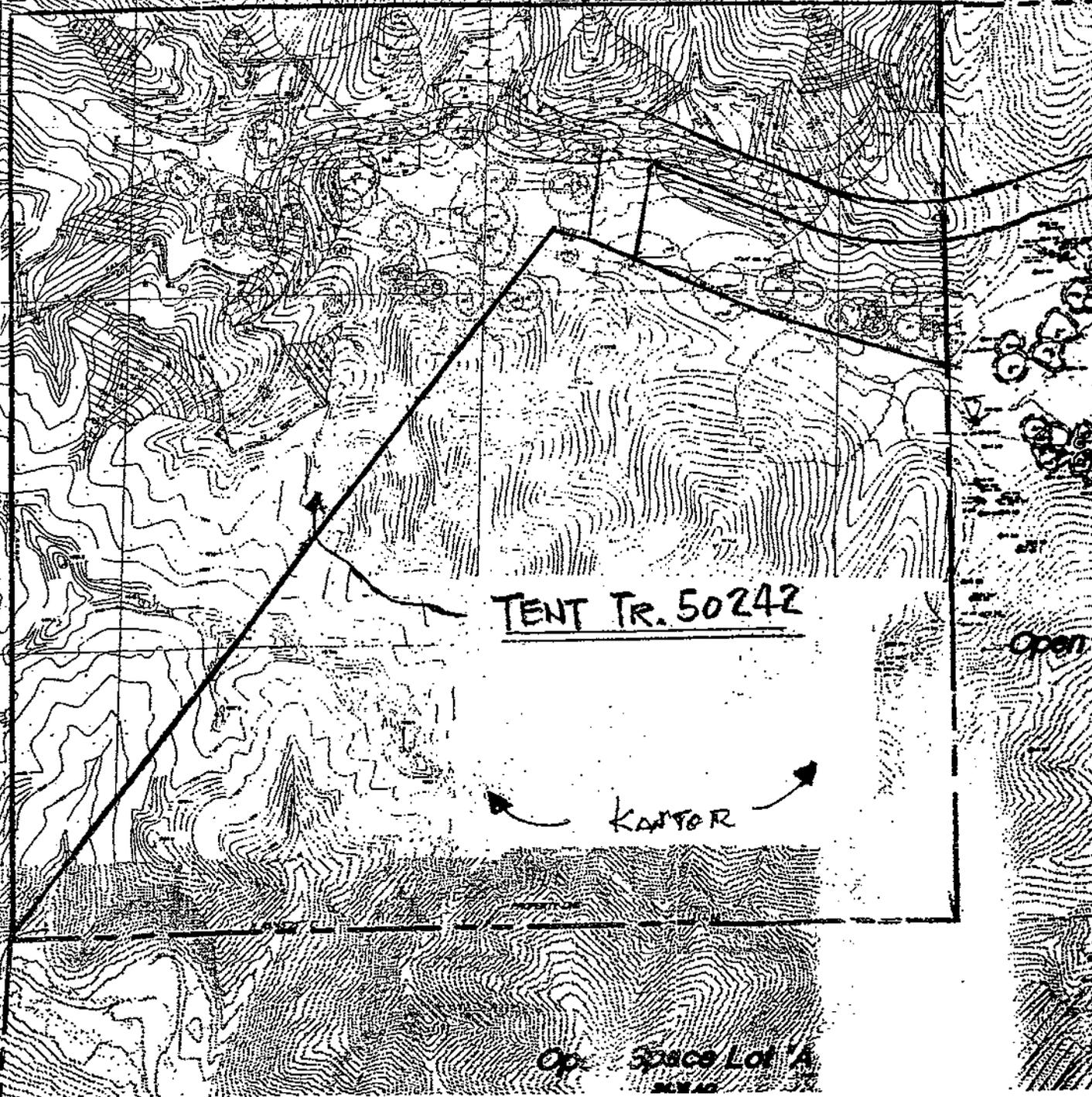
TENT TR. 50242

KAYTOR

Op. Space Lot A

Open

YCAL
10/22/06





STOWELL, ZEILENGA, RUTH,
VAUGHN & TREIGER LLP

ATTORNEYS AT LAW

2815 TOWNSGATE ROAD • SUITE 330
WESTLAKE VILLAGE, CA 91361

TEL: (805) 446-1496 • FAX: (805) 446-1490
www.szrlaw.com

499 N. CANON DRIVE
FOURTH FLOOR
BEVERLY HILLS, CA 90210
TEL: (310) 473-7775

DAVID T. STOWELL
RICHARD S. ZEILENGA
DAVID C. RUTH
JAMES D. VAUGHN
ADAM K. TREIGER
SAMUEL E. GASOWSKI

OF COUNSEL
GREGG HOMER
CARY W. SPENCER

RECEIVED
NOV 14 2006

November 13, 2006

Via Telecopier and U.S. Mail

Paul C. Anderson, Esq.
Jeffer Mangels Butler & Marmaro LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067-4308

Re: Lyons Canyon Ranch

Dear Mr. Anderson:

We represent D.R. Horton in connection with its proposed Lyons Canyon Ranch project (the "Project"). We have reviewed your letter of November 7, 2006, and we are investigating your claim for a prescriptive easement over a portion of the Project site.

As part of this investigation, I have personally walked the entire length of the dirt path over which your clients claim to have a prescriptive easement. The portions of the dirt path depicted in your photos range in width from approximately 18 feet at the widest point, to approximately 9 feet at the narrowest point, and are typically 10 to 12 feet wide at the vast majority of locations. It appears that at least a substantial portion of the length of this dirt path has been used for some combination of foot traffic and four-wheel drive and/or off-road vehicles, but not regular vehicular access.

Based upon the information you have provided it appears that, at best, your clients may have a prescriptive easement over the existing dirt path for the purpose of occasionally accessing their property by foot and/or off-road vehicle. As you know, even if your clients have established such prescriptive rights, they cannot expand on their historic use of the dirt path to create paved vehicular access to a new subdivision on their property. *See e.g., California Civil Code § 806; and Thompson v. Dypvik* (1985) 174 Cal.App.3d 329, 341 ("no statutory or case law exists justifying the expansion of a prescriptive easement beyond the portion actually used . . ."). Therefore, the apparent assumption in your letter, that your clients will be able to

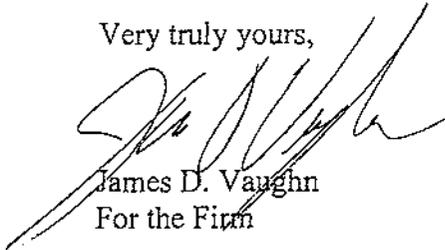
Paul C. Anderson, Esq.
Jeffer Mangels Butler & Marmaro LLP
November 13, 2006
Page 2

improve this dirt pathway to a 40-60 foot wide roadway, for access to some future residential subdivision on their property, is clearly incorrect.

Nevertheless, we are prepared to maintain the existing level of access to your clients' property, either in its current location or in an alternative location (including potentially the alternative location suggested in your letter), subject to Los Angeles County approval.

Please give me a call to further discuss the resolution of this issue.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James D. Vaughn', is written over the typed name and title.

James D. Vaughn
For the Firm

JDV:bsm

cc: Susan Tae, AICP
Rick Coop
Jasch Janowicz
Richard S. Zeilenga, Esq.

Valencia Water Company



20021 Valencia Water Company • P.O. BOX 6504 • Valencia, CA 91355-0004
(661) 294-6504 • FAX: (661) 291-3696

November 9, 2006

Mr. Mo Kajbaf
County of Los Angeles
Department of Public Works
900 South Fremont Avenue
Alhambra, California 91803

Notice of Water Availability
Tract No. 53653
Developer: Daly Owens Group

Dear Mr. Kajbaf:

The Valencia Water Company (Valencia) has determined that water is available to serve the above-referenced project. Valencia agrees to operate the water system and provide service in accordance with the company's approved Tariffs on file with the California Public Utilities Commission. The determination of water availability shall remain valid for two years from the date of this letter. Unless construction of the project has commenced within this two year time frame, Valencia is under no obligation to serve the project unless the developer receives an updated letter from Valencia confirming water availability.

Valencia has determined that the existing facilities and the additional facilities to be installed by Valencia through developer funding of this project will be adequate to serve this project and each of the individual parcels under normal operating conditions. These facilities will provide a fire flow of 1250 gallons per minute at a 20-psi residual pressure for 2 hours as required by the Fire Department.

Valencia requires that the project comply with the Company's Best Management Practices regarding water conservation. This program identifies water saving techniques, methods, landscape designs and internal water use practices that will achieve the Company's long term conservation goals described in the Santa Clarita Valley 2005 Urban Water Management Plan. Unless the project is constructed to Valencia's conservation standards, Valencia is under no obligation to serve the project.

This letter shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.

If you have any questions regarding the above please call Keith Abercrombie, Vice President/Operations at (661) 295-6504.

Sincerely,

Robert J. DiPrimio
President

cc: Keith Abercrombie, VWC



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DONALD L. WOLFE, Director

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

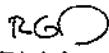
ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

April 4, 2006

IN REPLY PLEASE
REFER TO FILE: LD-0

TO: Daryl Koutnik
Department of Regional Planning

Attention: Rudy Silvas

FROM: Rossana D'Antonio 
Land Development Division

**RESPONSE TO REVIEW OF AN ADMINISTRATIVE
DRAFT ENVIRONMENTAL IMPACT REPORT
THE LYONS CANYON RANCH PROJECT
TENTATIVE TRACT NO. 53653**

We reviewed the Administrative Draft Environmental Impact Report (DEIR) for the Lyons Canyon Ranch project. According to our files, the reports requested to analyze drainage, geotechnical and soil, and traffic impacts have not been approved. In many instances, additional information has been requested to complete our analysis and is not included in the Administrative DEIR. Such is the case with the following traffic comments:

The DEIR should be revised to reflect the information contained in the latest Traffic Impact Study dated November 2005. The following changes should be incorporated in the DEIR, and all associated tables and figures shall be revised as necessary. These changes are in the latest traffic study but are specifically identified due to the magnitude of the discrepancy.

- The project description shall state that the project consists of 96 single-family detached homes, 90 senior condominium homes instead of 95 single-family detached homes, and 95 senior condominium homes.

The traffic study shall indicate that the project percent share for the mitigation measure proposed for the City intersection of Interstate 5 northbound ramps at Lyons Avenue is 100 percent and not 14.3 percent.

Daryl Koutnik
April 4, 2006
Page 2

The following general comments are also applicable:

The discussion and mitigation measures in the DEIR must reflect the most recent analysis available. The approved results of these studies must be reflected in the final EIR.

The issuance of building permits and/or certificates of occupancy is dependent upon code compliance. Therefore, mitigation measures connected to this activity must be rephrased.

Similarly, several mitigation measures in the Administrative DEIR are based on code compliance. Subdivision conditions of approval require an applicant to develop property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Since permit approval indicates that code compliance has occurred, there is no need to list these activities as mitigation measures.

If you have any questions or require additional information, please contact Clarice Nash at (626) 458-5910.

CN:jmw
P:\CEQA\CLARICE\Lyons\ADEIR

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904



(213) 387-6528 phone
(213) 387-5383 fax
www.sierraclub.org

Sierra Club Angeles Chapter Resolution on Ammonium Perchlorate

Approved by Executive Committee, July 23, 2006

The Angeles Chapter opposes additional land use approvals in Santa Clarita that rely on water from the contaminated Saugus aquifer until clean up facilities to remove the ammonium perchlorate, NDMA and other pollutants from this ground water source are functioning.

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904



(213) 387-6528 phone
(213) 387-5383 fax
www.sierraclub.org

November 14, 2006

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, VTT# 83653, OT Permit # 2005-0039

Dear Commissioners and Ms. Tae:

The Sierra Club Angeles Chapter, representing 55,000 members, wishes to express its continued concern over the approvals of projects that will require use of the polluted Saugus Aquifer to provide water either directly or under a drought scenario.

As you are aware, remediation facilities have not yet been built. We believe that this situation poses a serious health risk for the residents of the Santa Clarita Valley.

Sincerely,

Jennifer Robinson

Jennifer Robinson
Conservation Program Coordinator
Sierra Club, Angeles Chapter

Attachment: Angeles Chapter Ammonium Perchlorate Resolution

SCOPE

Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



11-14-06

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, VTT# 83653, OT Permit # 2005-0039

Dear Commissioners and Ms. Tae:

Request to provide a hard copy of the EIR

First, we would like to request that we be provided the EIR for this project and all future projects as a hard copy of the Document rather than a CD. Since, we are all volunteers and do not necessarily have the capacity to carry around a computer, it makes commenting and reading the EIR very difficult. Further, with a document that is over 600 pages, it is very time consuming to switch between different sections.

We understand that providing a CD is more economical for the developer, but we believe it will ultimately interfere with your ability to receive the accurate and timely public comments that are so necessary for ensuring that the project will be the very best that it can be. We do not have a problem with the receiving the appendices on CD, and hope that this compromise will convince you to continue requiring distribution of the hard copy of the EIR.

Protection of SEA 63

We would like to express our concern over the portion of this project that will require incursion into SEA 63 for flood control and the proposed houses in the back portion of this project. We believe the back portion (that not fronting on the Old Road) should be eliminated for public safety reasons and to protect Ed Davis Park and the Wildlife Corridor immediately adjacent to it. Impacts of both people and domestic animals such as cats and dogs will be severe and must be addressed in the EIR.

Fire

As you are aware, in the last several years we have had not just one, but MANY severe forest fires in this immediate area. Siting houses next to this wildfire area is both a public safety risk to those who may purchase them due to the difficulty in stopping huge fires under Santa Ana conditions. In addition, there is the cost to the County of fighting such fires.

We understand that the Development Monitoring System (a General Plan Amendment passed as a result of a Court Settlement) requires a fire station within 1.5 miles of new development proposals. No such fire station exists. We note that the plan for this project requires a LOT for a fire station, but does not mandate the station itself. We request that the developer be

conditioned to help provide such a station. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area. We request that the station should be built and functioning before occupancy of these houses is permitted.

Additionally, the County should require that people be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future.

Oaks

This project proposes the removal of 162 oaks. This is a substantial number of oaks and will come under the obligations of new State Law, which requires not only replacement of oaks, but replacement for lost Oak Woodland Habitat as well. This project is immediately adjacent to an important wildlife corridor. Without sufficient habitat, animal movement will be impaired by lack of food and cover. It is therefore important that habitat destruction not occur here. We ask that the Planning Commission look for ways that the number of oaks can be reduced. This could occur by discouraging mass grading and requiring grading for only the footprint of the lot. Again, we believe the back portion of this project should be eliminated from the proposal.

We request that a cumulative analysis of the total amount of oaks and oak woodlands destroyed by development in the last 15 years be analyzed. We believe such cumulative analysis is necessary to evaluate the substantial impact that has occurred to oaks and oak woodlands by this destruction in the last two decades. The analysis should include the increase to air pollution and loss of carbon sequestering that will result from the removal of these trees.

Water

The EIR implies that Valencia Water Company is the closest water utility to this project. We believe that is incorrect and that Newhall County Water District facilities are closer. However, should the project proponent decide to annex to Valencia Water Company, he should be aware that the California Public Utilities Commission will require an updated Water Management Plan as indicated by previous Commission decisions prior to allowing annexation of this project. The annexation must also go through a formal CPUC annexation process.

Since the Santa Clara River is fully utilized and the Saugus Aquifer is polluted and without remediation facilities, all new development must be based on the availability of water from Northern California. Climate change will severely reduce this availability. Therefore, we oppose approval of additional water demands until the Monterey Plus EIR has been completed. This is necessary to ensure that additional supplies can safely be allocated to Southern California. It is also required by the settlement between the Planning and Conservation League and the Dept. of Water Resources in the matter of *PCL v. DWR, 2000*.

Conclusion

We regret that we could not provide you with more detailed comments at this time. We hope that you will not approve this project in its present form and that we will have the opportunity to provide the back-up documentation for these issues. However, we do include by reference copies of the Monterey Settlement Agreement, Court Order and Decision in the *PCL v. DWR*, 2000 case which has been submitted many times in previous land use hearings and is easily available at the County Offices.

Sincerely,

Lynne Plambeck

Lynne Plambeck
President



STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Arnold Schwarzenegger
Governor

November 7, 2006

RECEIVED
NOV 13 2006

Sean Walsh
Director

Rudy Silvas
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: Lyons Canyon Ranch Project / Project TR53653 / Conditional Use Permit RCUP200500088,
Tract Map No. 53653
SCH#: 2003031086

Dear Rudy Silvas:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 6, 2006, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2003031086
Project Title Lyons Canyon Ranch Project / Project TR53653 / Conditional Use Permit RCUP200500088, Tract Map
Lead Agency No. 53653
Los Angeles County Department of Regional Planning

Type EIR , Draft EIR
Description The proposed project is a request for a tentative tract map and Conditional Use Permit and Oak Tree Permit to authorize the development of 93 single family detached residential homes, 93 senior condominium units and a 2 acre lot for a new 8,000 square feet fire station, all on a 234.8 acre project site. The CUP is needed for density-bonus development, hillside management, and the Significant Ecological Area designation. An Oak Tree Permit is requested for the removal or the encroachment of up to 226 oak trees.

Lead Agency Contact

Name Rudy Silvas
Agency Los Angeles County Department of Regional Planning
Phone (213) 974-8461 **Fax**
email
Address 320 West Temple Street
City Los Angeles **State** CA **Zip** 90012

Project Location

County Los Angeles
City
Region
Cross Streets The Old Road, Sagecrest Circle
Parcel No. 2826-022-025 to 027, 026-014
Township 3N **Range** 16W **Section** 4 **Base** SB

Proximity to:

Highways I-5
Airports
Railways
Waterways Lyon Canyon Creek, Santa Clara River
Schools Newhall School District, William S. Hart Union HSD
Land Use Vacant / A-2 (Heavy Agriculture) / Non-Urban, Significant Ecological Area

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

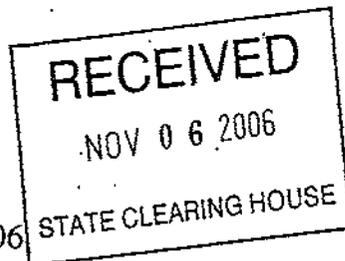
Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 4; Department of Parks and Recreation; Native American Heritage Commission; Department of Health Services; Office of Historic Preservation; Department of Forestry and Fire Protection; Department of Fish and Game, Region 5; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 7; Department of Toxic Substances Control; Santa Monica Mountains Conservancy

Date Received 09/22/2006 **Start of Review** 09/22/2006 **End of Review** 11/06/2006

DEPARTMENT OF TRANSPORTATION
 DISTRICT 7, REGIONAL PLANNING
 IGR/CEQA BRANCH
 100 MAIN STREET, MS # 16
 LOS ANGELES, CA 90012-3606
 PHONE: (213) 897-3747
 FAX: (213) 897-1337



*Flex your power!
 Be energy efficient!*



November 1, 2006

IGR/CEQA No. 060951AL, DEIR
 Referenced to IGR/CEQA No. 050825AL, TS
 Lyons Canyon Ranch
 Vic. LA-05 / PM R49.04 to R50.33
 SCH # 2003031086

Mr. Rudy Silvas
 Regional Planning Department
 County of Los Angeles
 320 W. Temple Street
 Los Angeles, CA 90012

*Clear
 11-6-06
 e*

Dear Mr. Silvas:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project includes a mix of single-family residential, senior housing, public facility, and open space uses. The 234.8-acre project site includes 93 single-family detached homes, 93 senior condominium units, and 130.26 acres of parks and undisturbed open space. The project also includes a 2.05-acre site for a new fire station, which is intended to serve the proposed development and surrounding areas.

In addition to our comment letter dated September 8, 2005, we have the following comments on pages 1-43 and 1-44 of the EIR.

1. I-5 SB Ramp/Marriott & Pico Canyon Rd. On the east approach, we would like to keep the existing separate right-turn lane to SB I-5 on-ramp and add a third westbound through lane. Converting the right-turn lane into a through/right share lane may cause traffic back up into Pico Canyon Road.
2. I-5 NB Ramps and Lyons Ave. We acknowledge the proposal to add a 2nd eastbound left-turn lane.
3. I-5 SB Ramp & Calgrove Blvd. We acknowledge the proposal to add a 2nd eastbound through lane, a 2nd westbound through lane and install traffic signal.
4. I-5 NB Ramps and Calgrove Blvd. We acknowledge the proposal to add a 2nd eastbound through lane, a 2nd westbound through lane and install traffic signal.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 060951AL.

Sincerely,



CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

**REGIONAL PLANNING COMMISSION
MAY 7, 2008
AGENDA ITEM NO. 10 a, b, c, d, e**

**ADDITIONAL
CORRESPONDENCE**

SCOPE

Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



5-5-08

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone Change 2008-0004 (5) VTT# 83653,
OT Permit # 2005-0039, Agenda Item #10, May 7th

Dear Commissioners and Ms. Tae:

We did not see any indication in the agenda packet for this item as to whether the question of a second exit for this project has been resolved. We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit.

We continue to protest the lack of a Development Monitoring System Analysis for this project. The Development Monitoring System (a General Plan Amendment passed as a result of a Court Settlement) requires a fire station within 1.5 miles of new development proposals. No such fire station exists. We note that the plan for this project requires a LOT for a fire station, but does not mandate the station itself. We request that the developer be conditioned to help provide such a station. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area. We request that the station should be built and functioning before occupancy of these houses is permitted.

Additionally, the County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future.

Further, we believe that changed circumstances regarding water supply must be addressed in any new hearing. Two Federal Court decisions have occurred since this case was last reviewed. Judge Oliver Wanger's decision of Dec. 14th, 2007 that the Delta Smelt must be protected under the Endangered Species Act has resulted in substantial cutbacks to State Water Supply, on which the Santa Clarita Valley depends for 60% of its water supply. A further decision was made in April 2008 to protect the Salmon in the Delta. This decision will result in further impacts to our water supply. We have attached the notice from the Dept. of Water Resources regarding this Court decision, along with the notice of reduction in state water deliveries to Castaic Lake Water Agency.

Oaks

This project proposes the removal of 162 oaks. This is a substantial number of oaks and will come under the obligations of new State Law, which requires not only replacement of oaks,

but replacement for lost Oak Woodland Habitat as well. This project is immediately adjacent to an important wildlife corridor. Without sufficient habitat, animal movement will be impaired by lack of food and cover. It is therefore important that habitat destruction not occur here. We ask that the Planning Commission look for ways that the number of oaks can be reduced. This could occur by discouraging mass grading and requiring grading for only the footprint of the lot. Again, we believe the back portion of this project should be eliminated from the proposal.

We request that a cumulative analysis of the total amount of oaks and oak woodlands destroyed by development in the last 15 years be analyzed. We believe such cumulative analysis is necessary to evaluate the substantial impact that has occurred to oaks and oak woodlands by this destruction in the last two decades. The analysis should include the increase to air pollution and loss of carbon sequestering that will result from the removal of these trees.

Thank you for your attention to our concerns.

Sincerely,

Lynne Plambeck

Lynne Plambeck
President



News for Immediate Release

February 4, 2008

Contacts:

- Ted Thomas, Information Officer (916) 653-9712
- Don Strickland, Information Officer (916) 653-9515
- Gwen Knittweis, State Water Project Analysis Office (916) 653-9593

DWR Increases State Water Project Allocation

SACRAMENTO - The Department of Water Resources (DWR) has increased its allocation of 2008 State Water Project (SWP) water for long-term contractors from 25 percent to 35 percent of requests.

"We can credit a wetter-than-average January for an impressive increase in our water supplies and snowpack," said DWR Director Lester Snow. "However, tighter pumping restrictions in the Delta will limit how much of this water we can actually provide to many parts of Southern California, the Central Valley and the Bay Area."

Last year, a federal court curtailed Delta pumping by state and federal water projects to protect the threatened Delta smelt. DWR estimates that the 35 percent allocation would be 50 percent without the court decision actions in place.

To address the need for action to protect the Delta Governor Schwarzenegger directed a Delta Vision Blue Ribbon Task Force in 2006 to develop a "Delta Vision" to provide a sustainable management program for the Delta. The Delta Vision was recently submitted to the governor and a strategic implementation plan is expected in October 2008.

The allocation increase will boost State Water Project (SWP) water for long-term contractors from 1,038,861 acre-feet to 1,457,283 acre-feet. Based on recent precipitation and current water supply conditions, SWP supplies are projected to meet 35 percent of most SWP contractors' 2008 Table A amounts which collectively total 4,165,931 acre-feet.

The 29 long-term SWP Contractors distribute water to more than 25 million Californians and approximately 750,000 acres of irrigated agricultural land.

DWR may increase the SWP allocation as hydrologic conditions develop. The allocation notice to

SWP contractors appears on these DWR State Water Project Analysis Office Web sites:

<http://www.swpao.water.ca.gov/deliveries>

<http://www.swpao.water.ca.gov/notices>

The Department of Water Resources operates and maintains the State Water Project, provides dam safety and flood control and inspection services, assists local water districts in water management and water conservation planning, and plans for future statewide water needs.

Contact the DWR Public Affairs Office for more information about DWR's water activities.



CALIFORNIA

RESOURCES AGENCY

DEPARTMENT OF WATER RESOURCES

NOTICE TO STATE WATER PROJECT CONTRACTORS

NUMBER: 07-09

DATE: DEC 27 2007

SUBJECT: 2008 Article 21 Water Program

FROM: 
DEPUTY DIRECTOR, DEPARTMENT OF WATER RESOURCES

The Department of Water Resources (DWR) will administer a program during 2008 in accordance with Article 21 of the long-term Water Supply Contracts. The 2008 Article 21 Water Program (Program) is available to those State Water Project contractors who have signed the Monterey Amendment, and is subject to the attached criteria.

Due to the current water conditions and storage in San Luis Reservoir, it is uncertain whether Article 21 water may become available during 2008. However, should Article 21 water become available in 2008, the 2008 Program will be administered similarly to 2007 with minor modifications to facilitate communication of Article 21 availability and any related carryover evacuation accounting. The Program participants have the responsibility to follow the intent of the Article 21 contract criteria and to not defer previously scheduled Table A deliveries for later in the year. Contractors are encouraged to regularly update their delivery schedules for DWR.

To participate in the Program and be on the notification list, a contractor must sign and date the attachment to this *Notice To State Water Project Contractors* and return it to Lincoln King, State Water Project Analysis Office, Department of Water Resources, Post Office Box 942836, Sacramento, California 94236-0001.

If you have any questions or need additional information, please contact Mark Risney at (916) 653-8127.

Attachment

ATTACHMENT

2008 ARTICLE 21 WATER PROGRAM

CRITERIA

1. Delivery of Article 21 water shall not impact allocation or delivery of approved Table A water to State Water Project (SWP) contractors in 2008.
2. Water under this Program shall be SWP water that is available to SWP contractors as determined by the Department of Water Resources (DWR). This water is limited to amounts not needed for fulfilling contractors' approved Table A deliveries, as set forth in their approved water delivery schedules furnished pursuant to Article 12, or for meeting SWP operational requirements, including reservoir storage goals for the current or following years.
3. Delivery to specific contractors may be limited by operational capacity in SWP facilities or as a result of changed operational conditions.
4. The delivery of Article 21 water is not intended in any way to adversely impact any SWP operations. If DWR determines there has been an adverse impact during the period when Article 21 water is being delivered to a contractor, Article 21 water may be reclassified as approved 2008 Table A water to keep the SWP whole.
5. Article 21 water shall be used within the service area of a requesting contractor for the same reasonable and beneficial uses as Table A water. Article 21 water may be delivered outside the service area of a participating contractor for storage so long as it is later returned for use in the service area. A separate written agreement will be required for delivery outside of a contractor's service area.
6. Article 21 water shall not be stored by DWR in SWP reservoirs for later delivery to a requesting contractor.
7. This Program is not intended to allow a contractor to shift or defer delivery of allocated scheduled 2008 Table A water and substitute delivery of Article 21 water for scheduled 2008 Table A water in a way that would adversely impact allocation or delivery of Table A water to other contractors in 2008 or in any subsequent year, or adversely affect SWP storage of water.

SCHEDULING AND CHARGES

8. DWR will notify the contractors by email when Article 21 water is available. DWR will request that contractors periodically provide updated schedules of carryover, Table A and other non-Article 21 water demands and will use such schedules to determine Article 21 water availability.

9. Participating contractors shall email a schedule indicating Article 21 water requests to the State Water Project Analysis Office to Mark Risney at mrisney@water.ca.gov and Lincoln King at lking@water.ca.gov. The schedule shall include the amount of other SWP supplies requested in addition to Article 21 water.
10. The Program participants have the responsibility to follow the intent of the Article 21 contract criteria and to not defer previously scheduled Table A deliveries for later in the year. As necessary, contractors must update their delivery schedules and submit them to DWR.
11. Daily allocations of Article 21 will be provided to contractors, preferably on a weekly basis. DWR may discontinue availability of Article 21 water upon short notice.
12. If necessary, the supply of Article 21 water will be allocated among requesting contractors in proportion to the 2008 Table A amounts of those contractors.
13. Contractors shall consider their deliveries of Table A water, carryover water, and other water supplies prior to requesting Article 21 water.
14. A contractor taking delivery of Article 21 water may stop or suspend participation in the Program by notifying Mark Risney at (916) 653-8127 or Lincoln King at (916) 653-4389.
15. Conveyance charges for Article 21 water delivered under this Program shall be the same as for Table A water and shall include transportation, variable operation, maintenance, power, and replacement (OMP&R) component charges, Off-Aqueduct power facility charges, and any incremental OMP&R costs, as determined by DWR.
16. All contractors participating in the Program are responsible for coordinating delivery points and rates through their normal contacts at the various DWR field divisions.
17. The 2008 Article 21 Water Program shall not be a precedent for future programs.

In order to participate in the 2008 Article 21 Water Program, please sign below in the space provided and return all three pages of this attachment to the State Water Project Analysis Office. A Contractor's signature indicates acceptance of the criteria, procedures, and charges established for this Program.

ACCEPTED:

Authorized Representative

Signature

Title

Agency

Date

AGENCY CONTACT:

Authorized Representative

Name

Email

Telephone



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

April 24, 2008

Bruce W. McClendon FAICP
Director of Planning

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

FROM: Susan Tae, AICP, Supervising Regional Planner 
Land Divisions Section

SUBJECT: DISCUSSION/POSSIBLE ACTION
AGENDA ITEM NO. 10 a, b, c; MAY 7, 2008
ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)

PROJECT BACKGROUND

As you may recall, your Regional Planning Commission ("Commission") held a public hearing on November 15, 2006 for Vesting Tentative Tract Map No. 53653, a residential subdivision proposal to create 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The project is located approximately 273 feet southwest of Sagrecrest Circle west of Interstate 5 (I-5) Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal also required approval of Conditional Use Permit Case No. 2005-00088-(5) to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
May 7, 2008 RPC Memo

PAGE 2

On November 15, 2006, after taking public testimony both in favor and in opposition, the public hearing was closed and staff was directed to prepare final documents for approval. The Commission also directed the applicant to resolve off-site access issues that were raised at the public hearing, before the project returns on consent.

ADDITIONAL REQUESTS FOR ZONE CHANGE AND CONDITIONAL USE PERMIT

Subsequent to the close of public hearing, a zone change has been filed on a portion of the property where the senior condominiums are proposed. The proposed zone change to C-3-DP (Unlimited Commercial – Development Program) would extend the existing C-3 zone located to the east, and require a conditional use permit for Development Program as well as a residential use in a commercial zone.

As the requests for the zone change and additional elements of the conditional use permit were not previously considered by your Commission, the public hearing will be required to be re-opened to consider these matters.

Staff will be preparing the final documents for the other entitlements as directed by your Commission as well as a brief report on resolution of outstanding issues, and anticipate returning to your Commission with all documents for the project before you at one meeting.

STAFF EVALUATION AND RECOMMENDATION

The overall project considered by your Commission on November 15, 2006, has not changed. The subdivision and building design remain the same, and these additional requests for zone change and conditional use permit for development program and residential use in a commercial zone, are required to implement the project as reviewed and considered by your Commission.

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Commission re-open the hearing, and direct staff to provide proper notice to consider associated Zone Change Case No. 2008-00004-(5), and amendment to associated Conditional Use Permit Case No. 2005-00088-(5) on June 18, 2008.

Suggested Motion: "I move that the Regional Planning Commission re-open the public hearing, and direct staff to provide proper notice to consider associated Zone Change Case No. 2008-00004-(5) and Conditional Use Permit Case No. 2005-00088-(5) on June 18, 2008."

SMT:st
04/24/08



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

January 11, 2007

Bruce W. McClendon FAICP
Director of Planning

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

FROM: Susan Tae, AICP, Section Head *SMT*
Land Divisions Section

**SUBJECT: VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)**

ADDITIONAL CORRESPONDENCE AFTER CLOSE OF PUBLIC HEARING

As you may recall, Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) were before you on November 15, 2006. The applicant, DR Horton, proposed a residential development of 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres, located approximately 273 feet southwest of Sagrecrest Circle west of Interstate 5 (I-5) Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. An Environmental Impact Report ("EIR") was also prepared for the project, which identified Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste that could not be mitigated to less than significant.

On November 15, 2006, your Commission opened the public hearing and heard testimony from staff and the applicant as well as members of the public. After considering all of the testimony and evidence before you, your Commission closed the public hearing, and indicated your intent to approve the project. Your Commission indicated that access to adjacent property owners, an issue that was raised during the public hearing, may be resolved with indication of cooperation from the applicant, after the close of public hearing and before the project's final action.

The attached letter has been received from one of the neighboring property owners, who also testified during the November 15 public hearing. Although the public hearing is now closed, this letter is being forwarded to you as public comment.

On January 25, 2007, staff will be meeting with the Board of Supervisors office and this constituent as well as the owners of the other affected property, to discuss their concerns related to access.

A consent calendar date for this project has not yet been scheduled.

SMT:st
01/11/07

Attachment



FedEx Kinko's
Office and Print Center

Fax Cover Sheet

FedEx Kinko's of Stevenson Ranch

Telephone: 661-255-3224 Fax: 661-255-9677

Date 1/8/06

Number of pages 9 (including cover page)

To:

From:

Name ROSIE RUIZ

Name BILL SPEER

Company SECRETARY PLANNING COMMISSION

Company _____

Telephone 213 9746409

Telephone 661 2879583

Fax 213 626 0434

Comments

PLEASE PROVIDE A COPY OF ATTACHED LETTERS TO EACH COMMISSIONER, I STILL HAVE NOT HAD A RESPONSE FROM SUSAN TAE

Bill Speer

Bill and Sonja Speer
26555 Yucca Valley Road Valencia, CA 91355
661-287-9583, Cell 818-368-7420
speerwmr@aol.com, speersonja@aol.com

November 19, 2006

County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

TR 53653

Attn: Susan Tae

Reference is made to Regional Planning Commission Meeting of 11-15-2006, approval of the tract TR53653 without access for future development to our property Speer/Ewing and Kantor property. Accordingly I herewith advise that we intend to appeal the tract as currently approved because of the commission's failure to provide access to our property and the adjacent property effectively condemning our property to open space without our opportunity and the right to use and develop our property to the allowed designated zoning in this area of the county. We and Kantor provided letters and requests for access which were ignored and the three minutes allowed for our verbal request were also ignored. Copies of the staff report and packages of letters were provided to me after the hearing.

As stated in our letter of January 5, 2006, we began requesting access to our property in 1981 that resulted in an inadequate access being provided from the Sunset Point Tract in CUP 1639-5, June 10, 1981. As the commission is aware, initially, all property is land locked and historically as development and use of property progresses, access is provided to perimeter and adjacent properties. We have a deeded $\frac{1}{4}$ interest access 25' wide to our property in conjunction with the Kantor's. Before the development of the Larwin's Sunset Point Tract, we were able to drive into our property, mostly on our access. But, because of the terrain, there were switch backs both north onto Larwin's property and south onto the Warner Property. Upon development of the Larwin Property, the fills covered the switch backs. A review of the original Topo maps of this area will show the roads (Dept. of County Engineer Survey Division, Pico-Potrero Area South Topographic Map dated 12-2-70. reference 2459-3441 or 108-166). Upon development by Larwin and provision of the new access per the CUP, we were able to access our property on a limited basis. Kantor apparently accessed their property through the Warner property. It should be noted the current traveled access to the Warner Property is currently using ours and Kantor's 25' wide property at the old road.

Why is it that after 24 years or more the County, having been given a second opportunity to provide "planning of the community" (part of the planning commissions mission), the County failed to provide access to all properties adjacent to the proposed tract TR53653? What is the county's "plan" for ours and the adjacent properties? As noted in our letter of Jan, 5, 2006, upon receiving what turned out to inadequate access to our property, we started tract TR 50542 with 7 lots on 20 acres. This was 1 less lot than we had requested and which was the basis for the access in CUP 1639-5 which was negotiated by the County through Mr. Antonovich's office after we appealed the Larwin Tract. Please note that the statement in the CUP says, "Until such time as the public Road serves said adjacent parcel". However, the county staff has since continued to deny our tract TR 50242 due to the narrow road access and steepness for the fire Department.

Accordingly, we effectively did not receive adequate access. A review of the county file for this tract will verify this situation.

Further, in discussion with county staff, we were told to wait and we would get our access from the property between our property, and the old road...this is the property now known as the subject tract 53653. During the time we have had to wait, we have seen a SEA created and imposed on our property, trails designated that didn't exist and other rule changes. Needless to say, if the original county CUP 1639-5 deeded access from the Larwin Tract (Sunset Point) had been acceptable to Public Works and the Fire Department, we would have completed our tract #50242. Now that 24 years of waiting has happened it is time for the county to provide "planning" for the area and provide for a road system to accommodate our property along with other adjacent properties...providing a "planned community" controlled by the county not by developers who have their own addenda.

Enclosed is a marked up excerpt of the tract map to TR 53653 extending street "F" to ours and Kantor's property. This extension misses any oak trees and would eliminate one building pad (apparently one was going to be deleted in the approvals). By resolving this matter now with the developer, it would not delay the approval process and therefore avoid needless costs to the county and all parties. Upon approval of this or similar access road, we will be glad to revise our tract 50242 to accommodate the Kantor property and the Aidlin Property west of our property. This would provide planning for the properties west of TR53653 resolving some of the concerns expressed in commission discussions on 11-15-2006. Access on "F" street would now also resolve the written concerns on record with the county of the residences on Sagecrest Circle on both sides of our access even though the provision and purpose of the access predates their ownership of their property. It should also be noted that our tract avoids all the oak trees on our property and the SEA #63 now on our property. I would be glad to meet with you on this matter and I presume the other adjacent property owners would also be interested. Your action and notification of the next hearing date is requested on this matter.

Thank you for your attention.

William (Bill) R. Speer, owner

Encl: Letter of 1-5-06 plus attachments,
Map (11X17) showing extended street "F"

CC: Michael D Antonovich, Supervisor, 5th District (with encl.),
Kristin (Kantor) Ulibarri, (with encl.),
Reina V. Slutske, Signal (with encl.),
D. R. Horton (with encl.),
J. Ewing (with encl.)

11F" Street

NO. 43734

TRACT

NO. 43732

Clenden
Developers

2826-
038-
045

RESIDENTIAL

VACANT

2826-038-045

TRACT NO. 43731

APN 2826-041-038

APN 2826-041-039

APN 2826-038-040

APN 2826-038-040

APN 2826-038-037

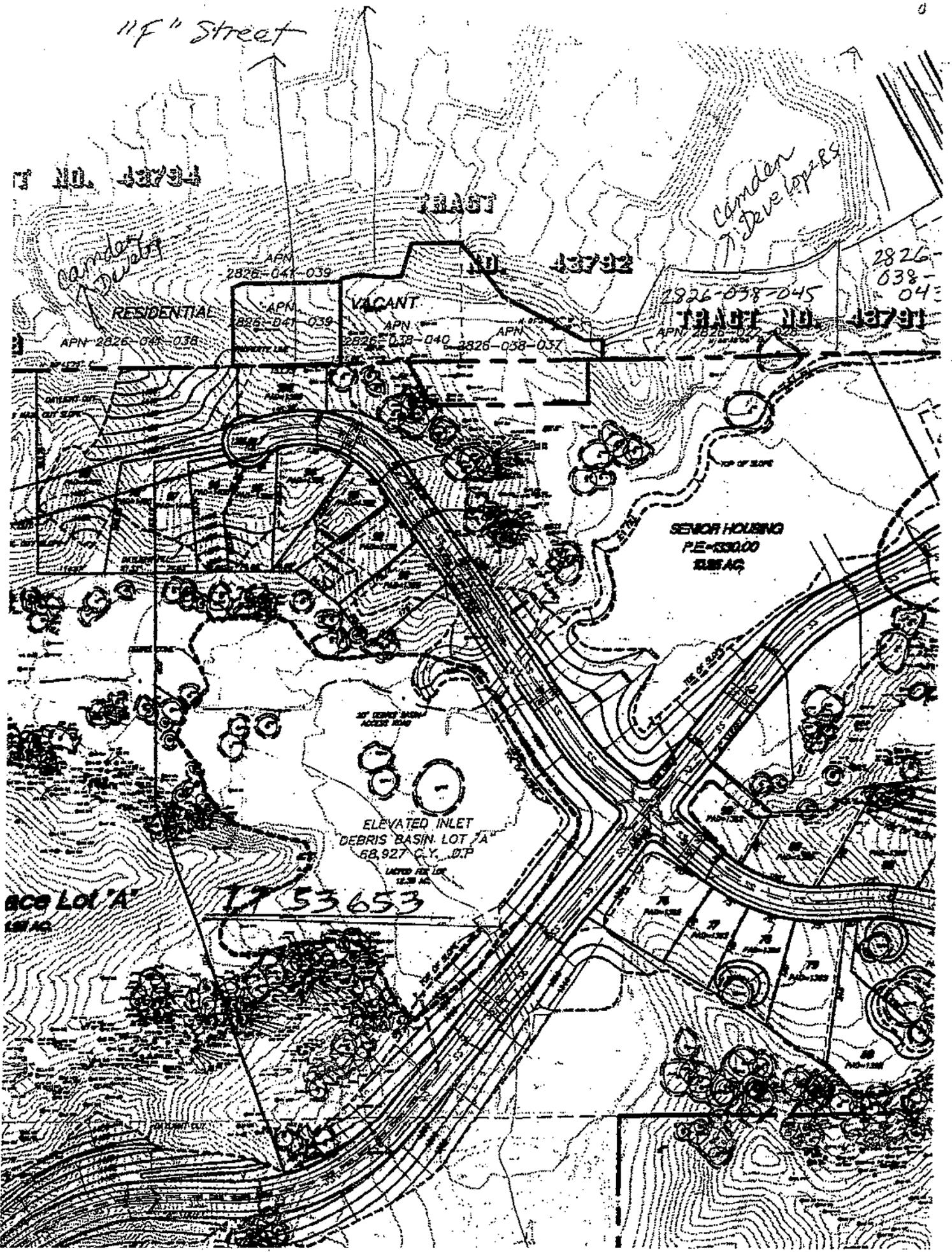
APN 2826-038-045

SENIOR HOUSING
PE-83000
23.8 AC

ELEVATED INLET
DEBRIS BASIN LOT 7A
68,927 C.Y. D.P.
LACED FOR USE
12.3 AC

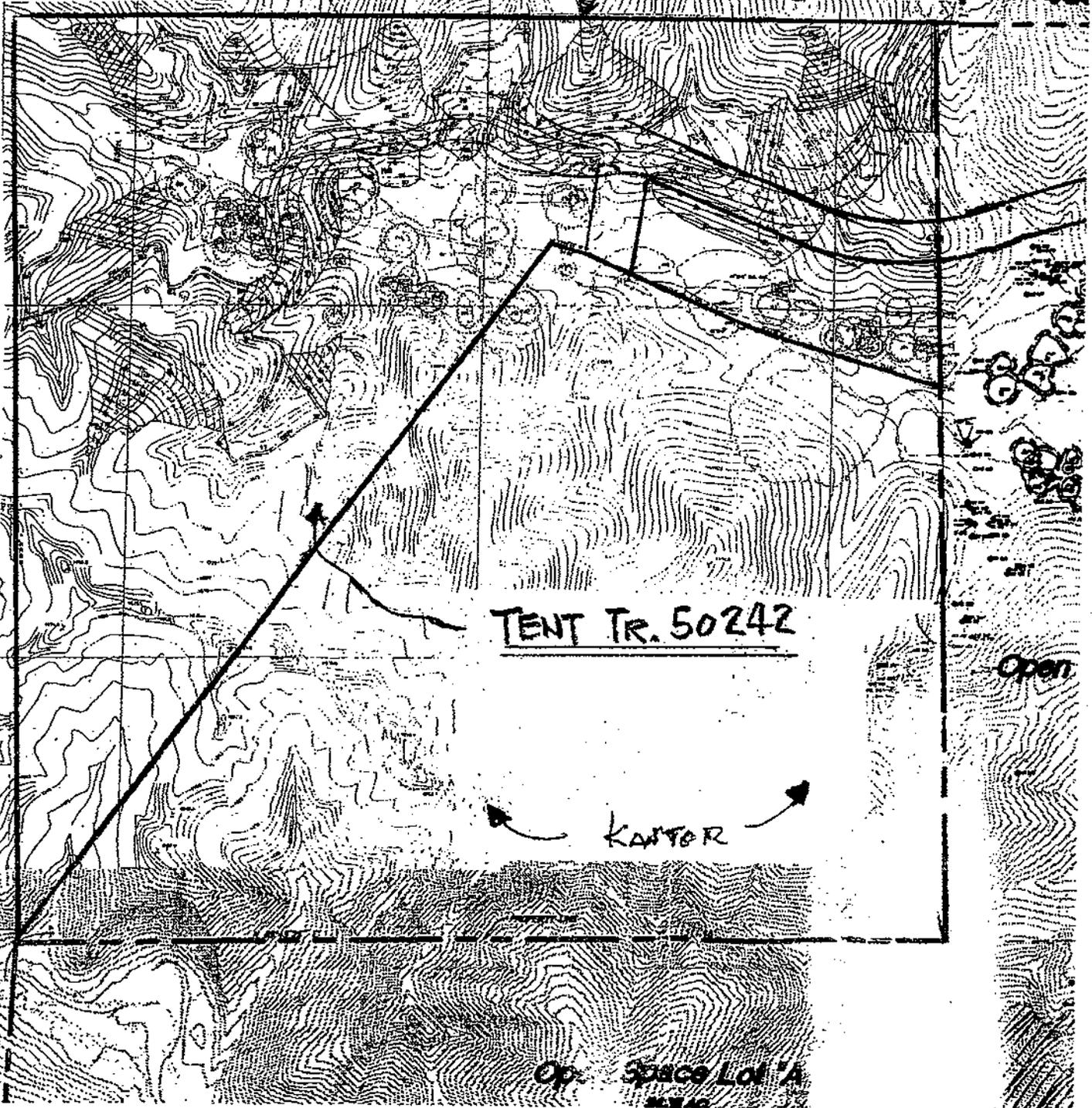
53653

ACE Lot 'A'
1.5 AC



"F" STREET EXTENSION
11/17/06

SPEED/EWING



TENT TR. 50242

KAPTOR

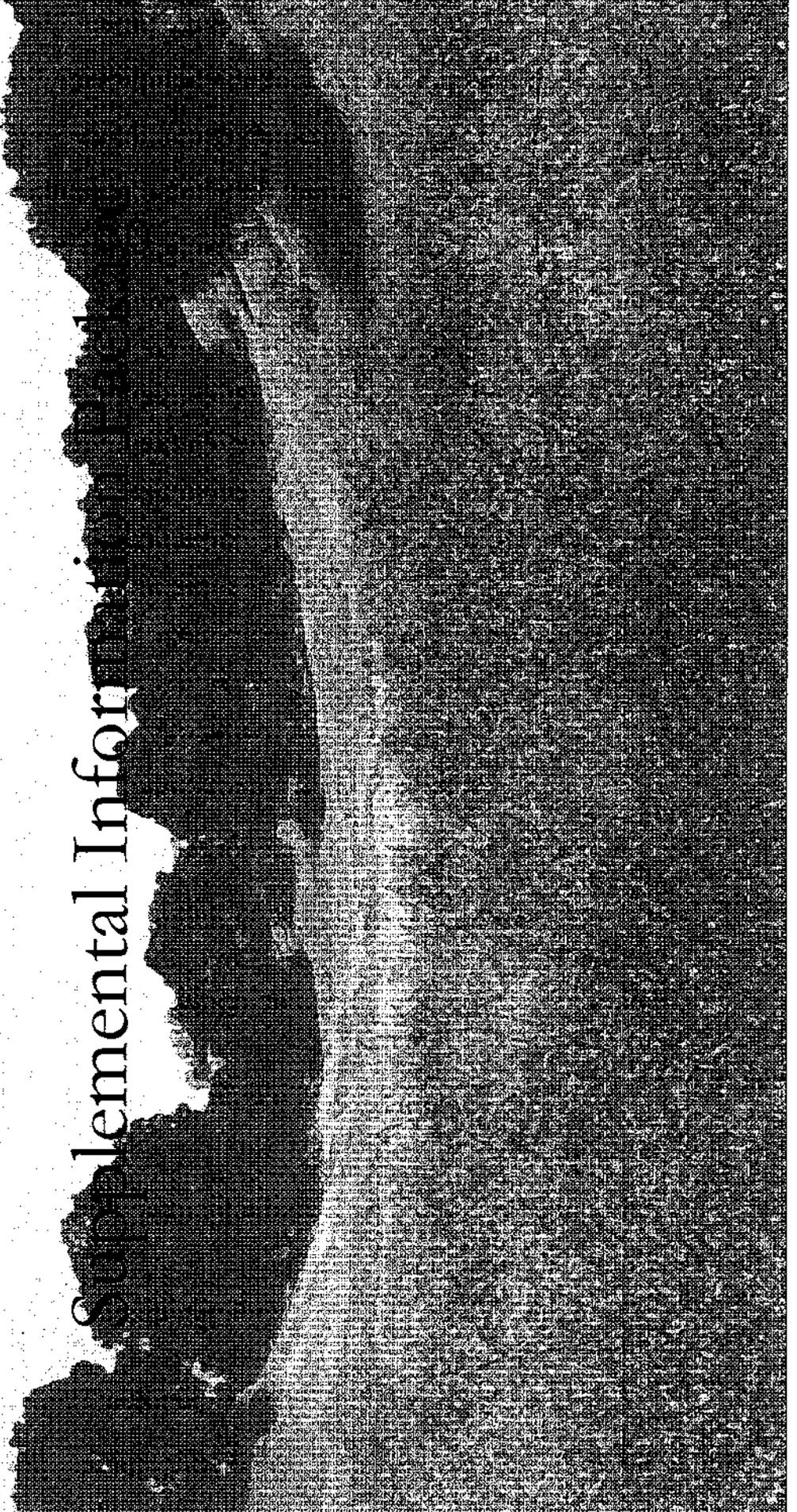
Open

Op. Space Lot 'A'

ACAL
288C

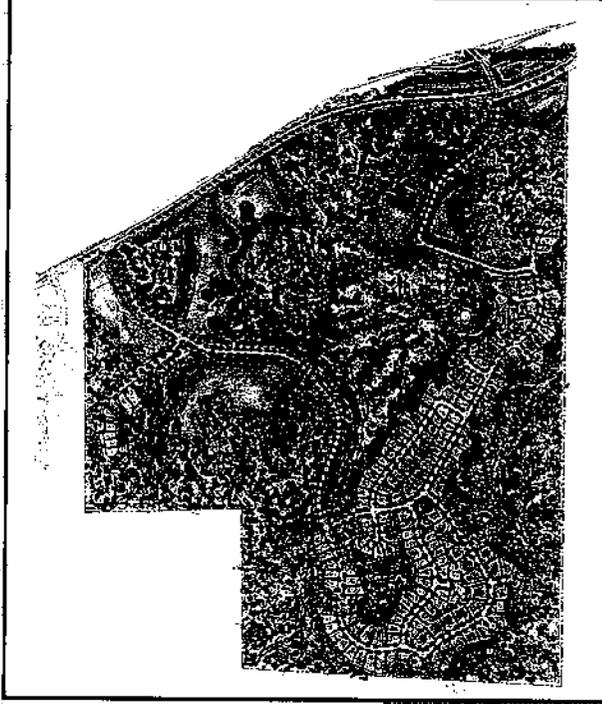
Lyons Canyon Ranch

Supplemental Information

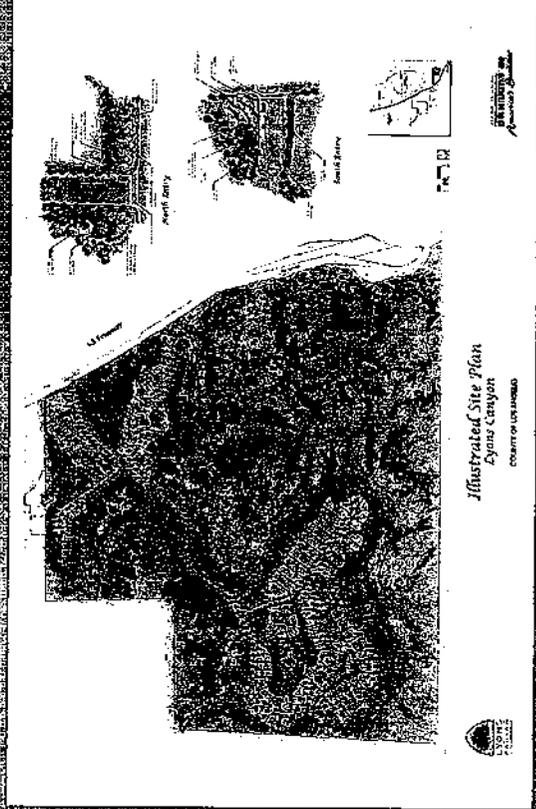


Project History

- Submitted in 2003 to City of Santa Clarita
- 357 Acres
- 835 Single and Multi-Family Units
- Over 15,000 Vehicle Trips/Day
- 54 Proposed Oak Tree Removals



- Submitted in June 2006 to County of Los Angeles
- 234.8 Acres
- 93 Single Family Dwellings
- 93 Single Multi-Family Dwellings
- 600 Single-Family Units (377 units)
- 1201 Vehicle Trips/Day
- 16 Proposed Oak Tree R



Project Planning Goals

- Create a clustered semi-rural residential community;
- Provide a range of housing types;
- Improve Public Safety – Construct LA County Fire Station Site;
- Preserve and enhance significant biological resources and open space;
- Preserve scenic vistas;

Los Angeles County
Use and

Clarita Valley

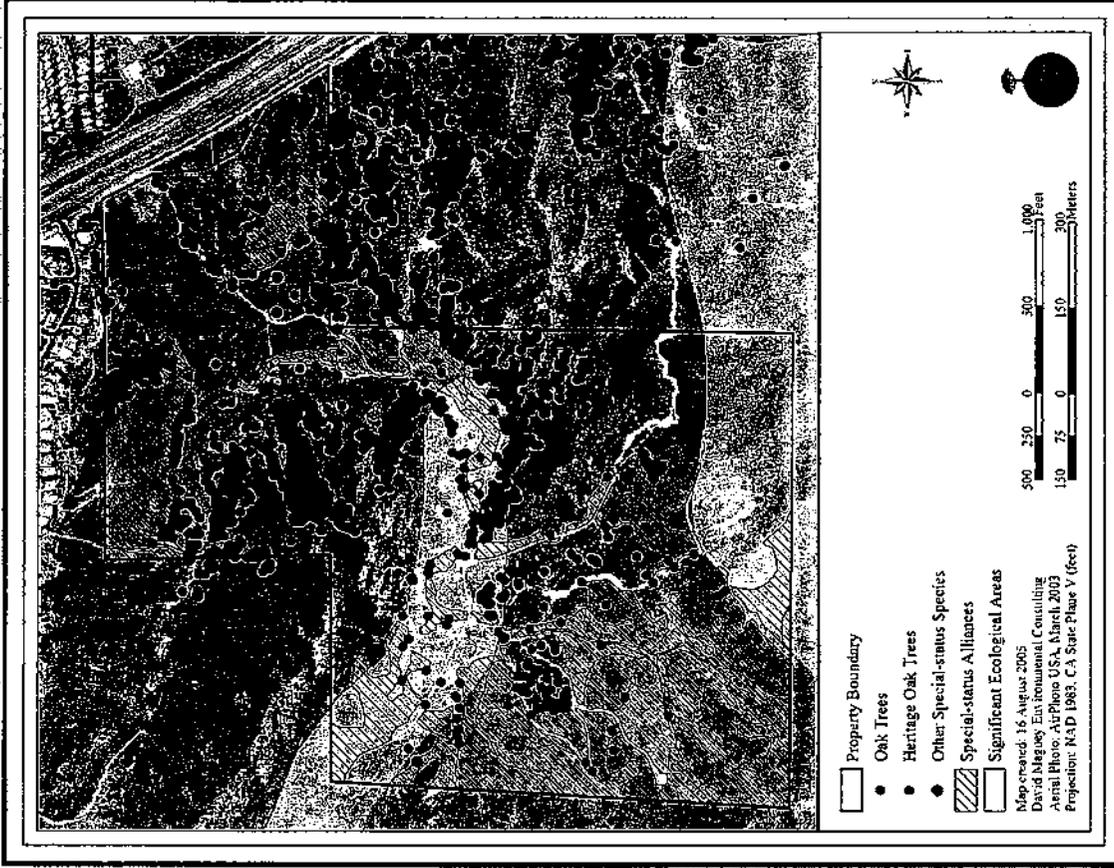
Regional Connecting Trails

Access to Lowley Canyon Open Space

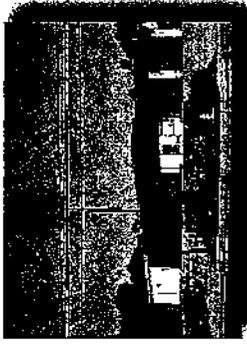
Natural Interconnected Preserved Open Space

Fully Mingan School and Project's Social Public Service Element

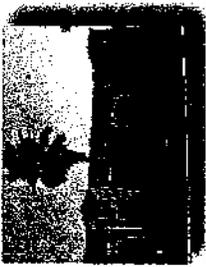
Pathways for Traffic Flow along the Old Road



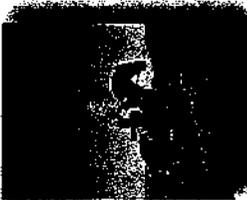
Project Components



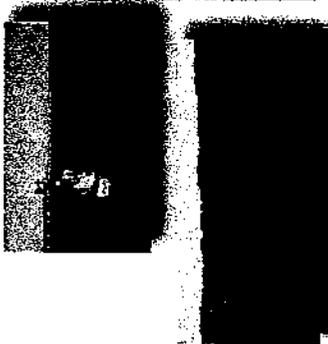
1.26 Acre Fire Station Site



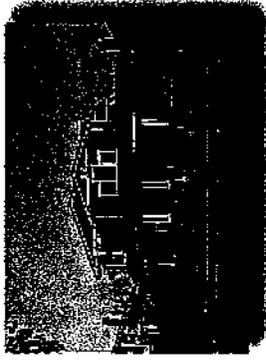
95 Condos for Seniors



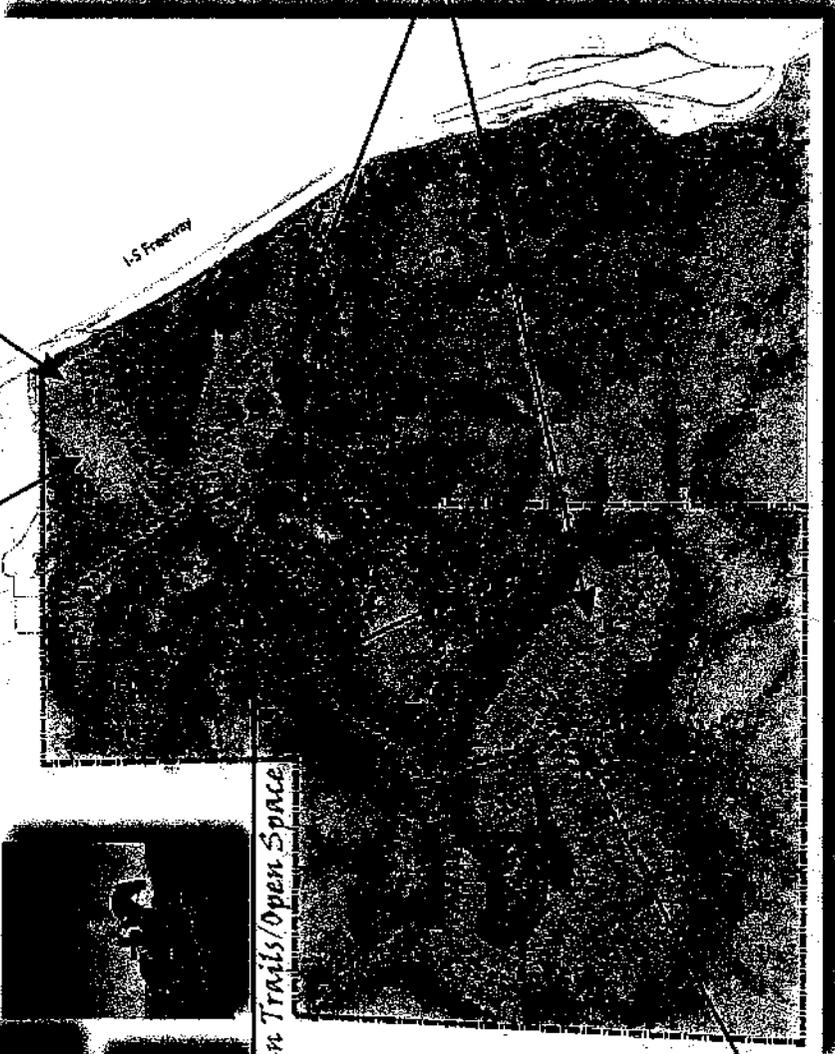
Pedestrian/Equestrian Trails/Open Space



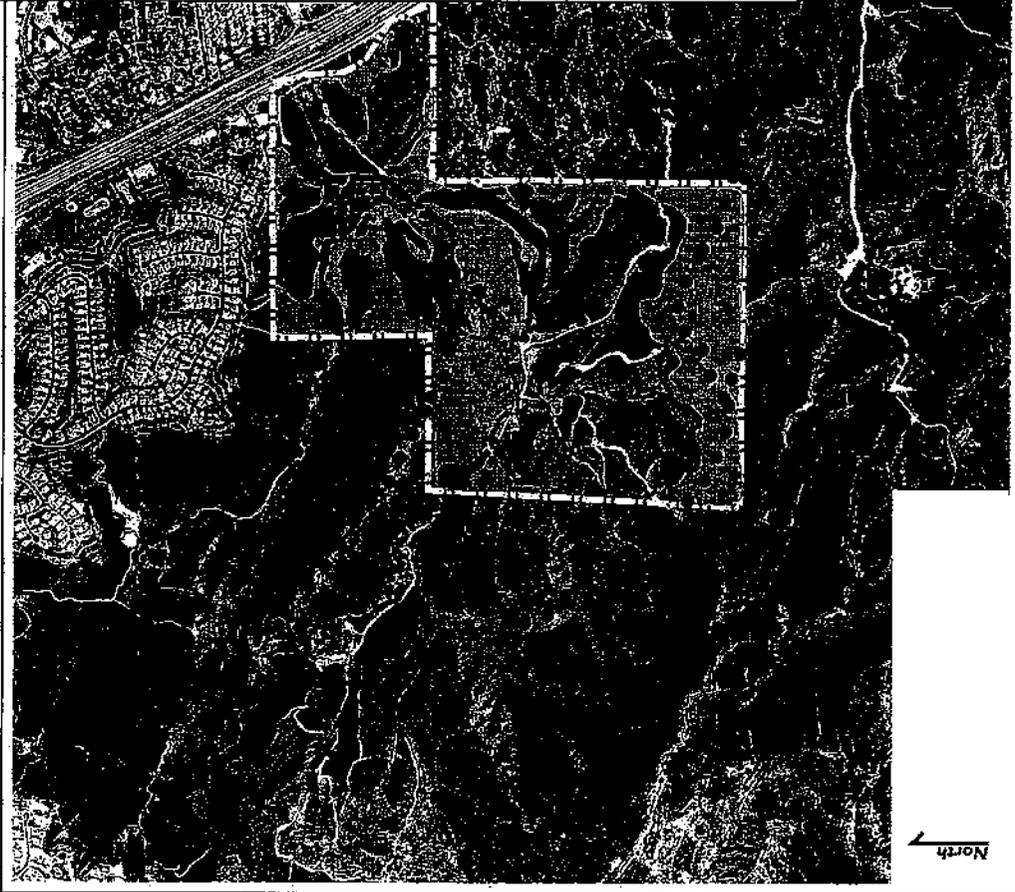
1.31 Acre Resort Style Park



95 Single Family Homes



Open Space



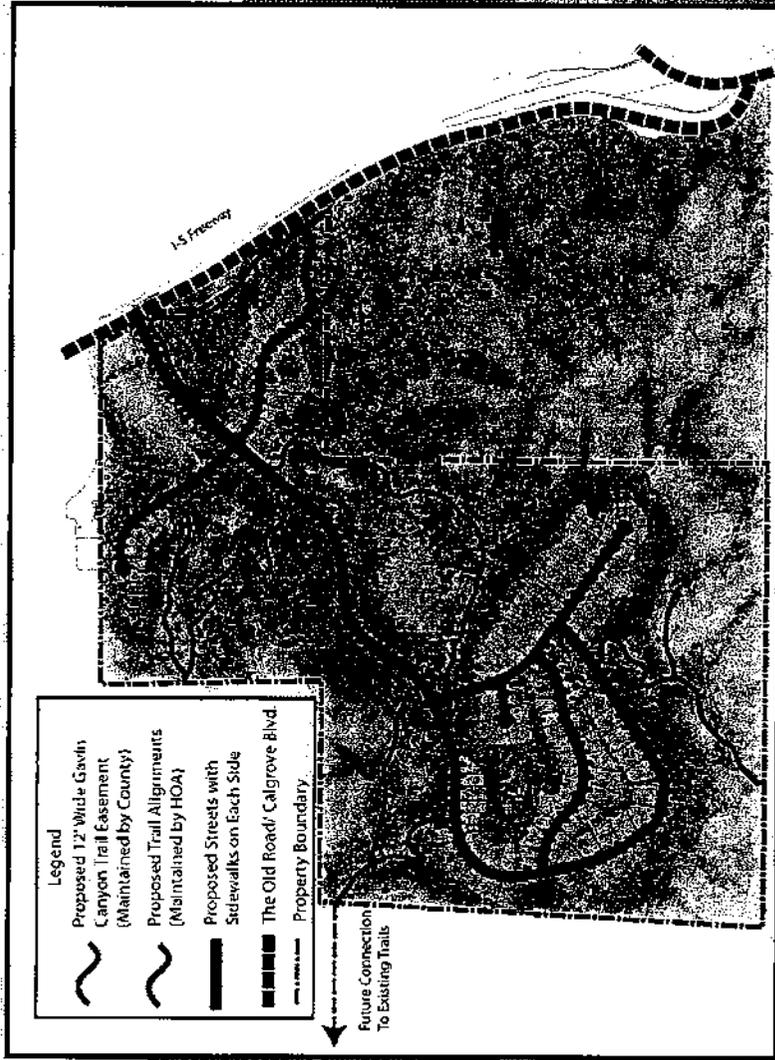
- Conserve 167 Acres (71%) of Open Space adjacent to 5000 Acre SMMC Open Space
- Preserve 82 % of On-site Wetlands
- Preserve 85% of On-site Oak Trees
- Preserve Prominent Ridgelines



Create Local/Regional Trails Network

- Dedicate approximately 74 acres of open space to LA County Parks and Rec. for Gavin Canyon Trail

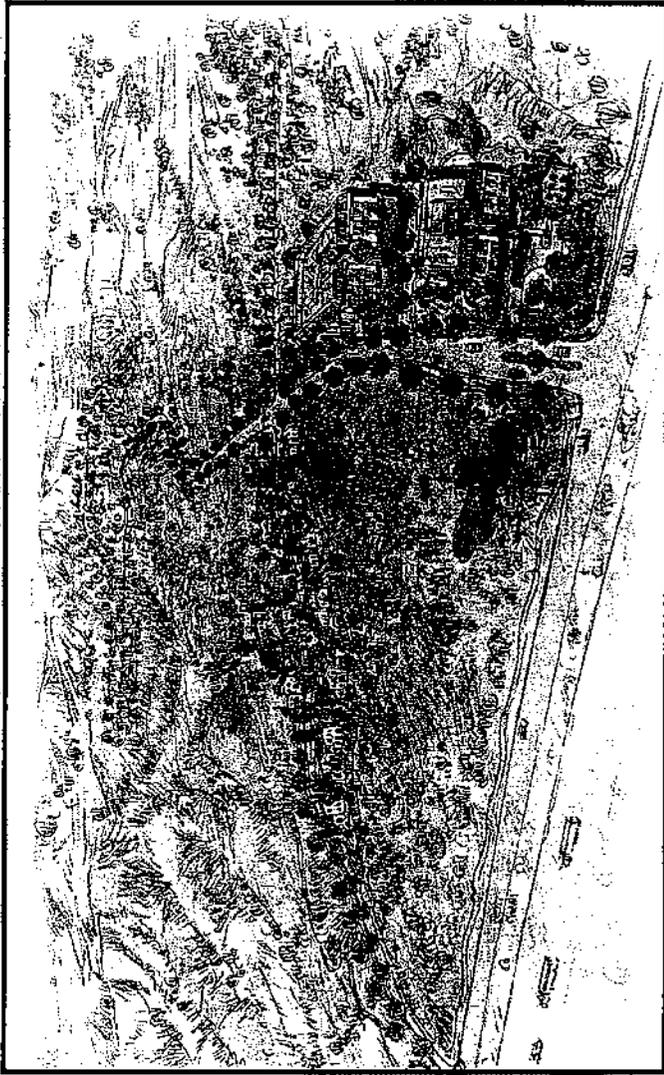
- Construct Gavin Canyon Trail



CONSTRUCT LOCAL/REGIONAL TRAILS NETWORK
 DEDICATE APPROXIMATELY 74 ACRES OF OPEN SPACE TO LA COUNTY PARKS AND REC. FOR GAVIN CANYON TRAIL

Aesthetic Character

- Concentration of development in least sensitive areas;
- Preservation of scenic viewsheds visible from I-5 Freeway;



• Large lots allowing equestrian uses;

• Quality architectural compatible with surrounding environment;

• Use of driveway to gain access to scenic viewsheds.

Natural Resource Avoidance and Mitigation

- Preserve 1,179 of the 1,395 oak trees on-site (85%), as permanent open space;
- Preserve 79% of Oak Woodland habitat on-site;
- Plant additional 428 15-gallon Oak Trees within Preserved Open Space Areas;
- Plant additional 1,080 Oak tree seedlings within Preserved Open Space Areas;

Conserving 167.6 acres of 234.8 acres (71%) of oak woodland habitat, open space and biological resources, including riparian habitat, wetlands, and other natural resources.

- Provide meaningful natural habitat buffers to surrounding oak woodlands, no "habitat islands";
- Preserve 65% of CDFG jurisdictional streambeds and 87% of Army Corps Wetlands on-site;
- Impacts to 56.5 acres of sensitive habitat require substantial mitigation, including over 100 acres of habitat creation/ enhancement;
- Promote Technically Functional Detention Basins to Public Works Department;
- Maintain Wildlife Corridor along riparian corridor, roadways and culvert crossings;

Characterization of on-site SEAs

- SEA 63 – 58.48 acres on-site
- SEA 20- 17.54 acres on-site
- Biological Constraints Report, Biota Report, and DEIR addressing SEA issues were reviewed



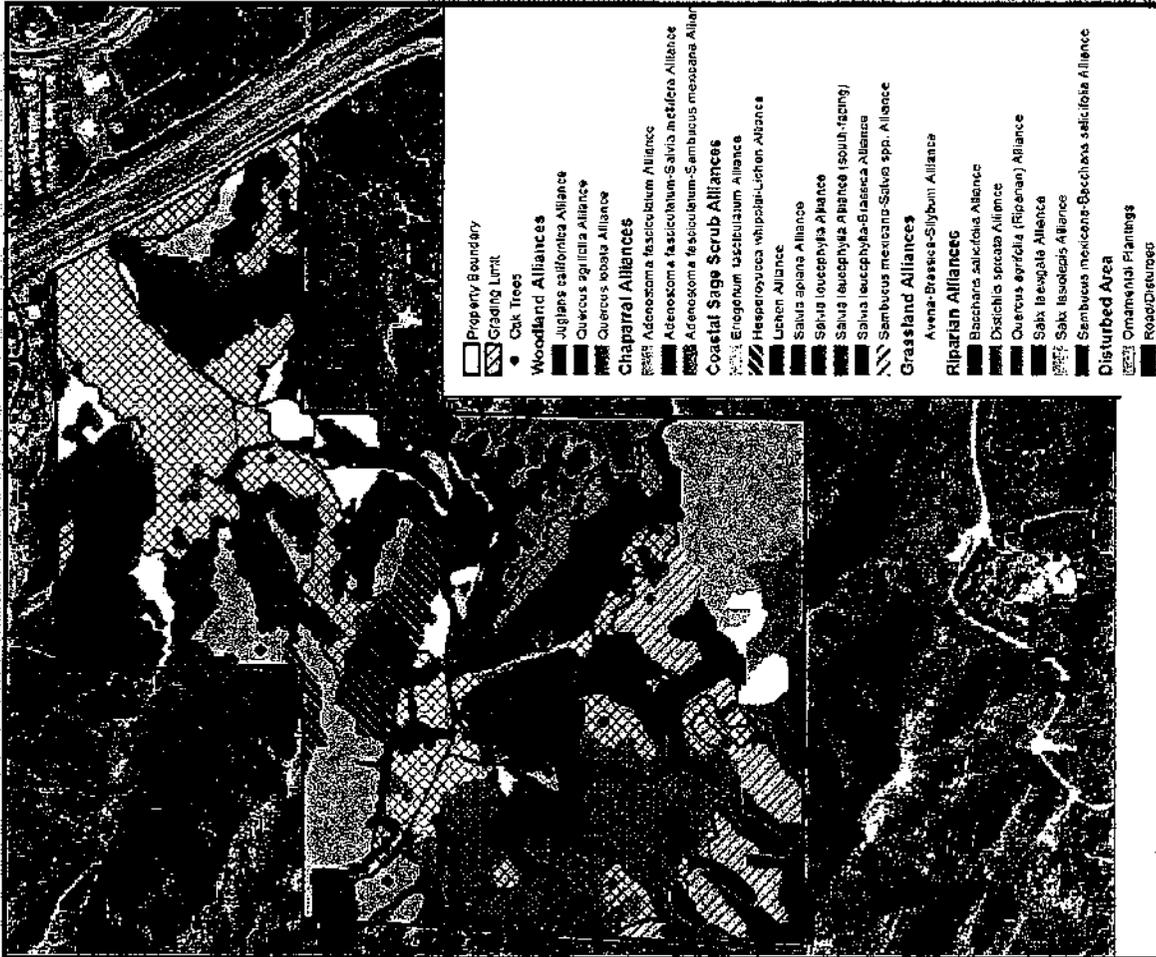
Both SEAs concern...

and low quality...

Both SEAs concern... and low quality...

SEA Impacts and Mitigation

- Insignificant Impacts to SEA #20
 - 0.06 acres (0.3%);
- Significant Impacts to SEA #63 –
 - Majority of highest value



Improve Education/Public Safety

- Executed School Mitigation Agreements with Newhall and William S. Hart School Districts to fully mitigate school impacts
- Require school impact mitigation fees above and beyond statutory mitigation requirements

Impact fee mitigation based on the actual cost of construction

• Reduction in Mitigation of a City of Los Angeles (City of Los Angeles)

Fire Department to fully mitigate impacts on Fire Station

- Requires construction of fully improved fire station site for a new Los Angeles County Fire Station
- Requires completion of construction prior to issuance of building permit
- Fire Department approved to have a contract allow it to provide adequate vehicle access to all parts of development

Public Improvements

- Construction and dedication of 2.0 acre Fire Station Site to Los Angeles County Fire Department per mitigation agreement;
- Construct first critical segment of Los Angeles County's Gavin Canyon Regional Trail System;

Construction of 26.5 acres of Debris/Retention Basin, including downstream and upstream flood control structures, and Public Works.

Construction of water service lines, including those required by Valero Water Company, Local pipe extensions only.

EIR studies confirm water availability and storage by Valero Water Company.

Construction of new or improved storm drain infrastructure and storm water treatment BMPs as reviewed and approved by L.A. County Public Works.

Provide Attainable Housing Stock

- 93 Single-Family residential lots
 - Lot sizes range from 8,648 SF to 51,765 SF
 - Average lot size 21,048 SF
 - Homes sizes range from 3,000 to 5,000 SF+

93 Senior Condominiums on 9.26 acres

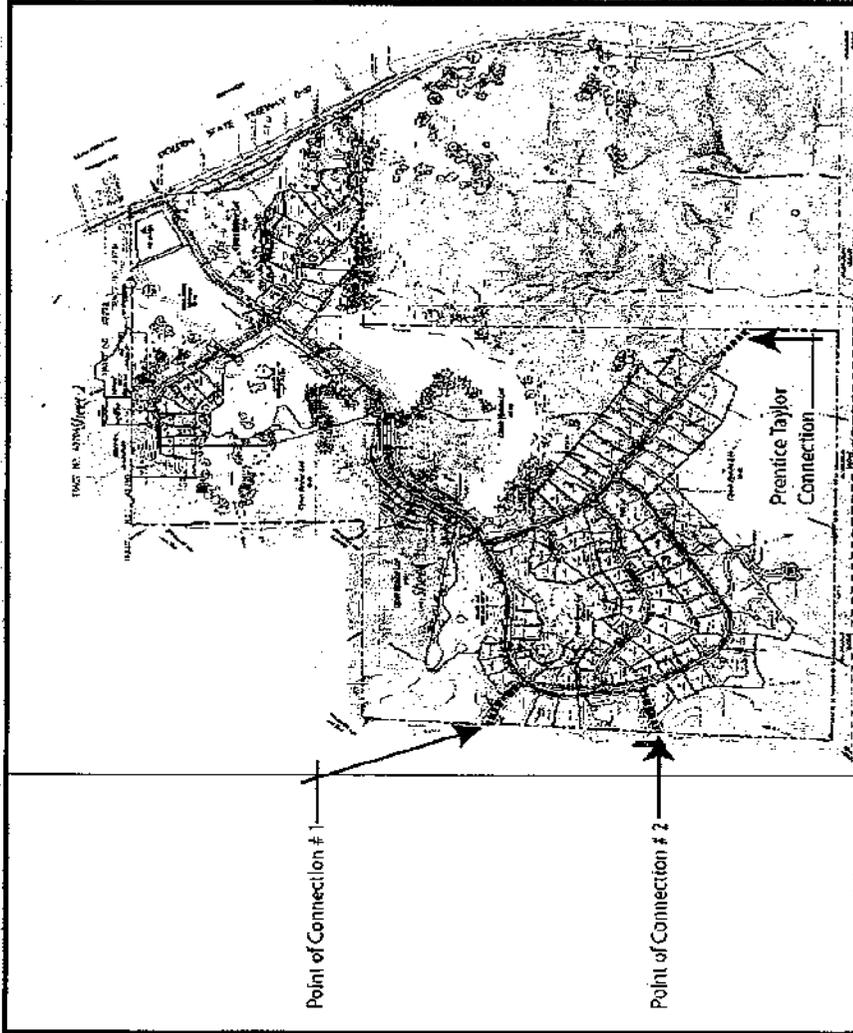
- Home sizes range from 1,350 SF to 17,000 SF

• Purchase price for

- Purchase price for senior housing ranges from mid \$150,000 to \$600,000

Preserve Adjacent Private Property Access

- Preserve easement for private vehicle access to properties located west and north of subject site;



Access from [unclear] [unclear]

REGIONAL PLANNING COMMISSION
NOVEMBER 15, 2006
AGENDA ITEM NO. 7 a, b, c, d

TR 53653

ADDITIONAL
CORRESPONDENCE



STOWELL, ZEILENGA, RUTH,
VAUGHN & TREIGER LLP

ATTORNEYS AT LAW

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DAVID C. RUTH
JAMES D. VAUGHN
ADAM K. TREIGER
SAMUEL E. GASOWSKI

OF COUNSEL
GREGG HOMER
CARY W. SPENCER

RECEIVED
NOV 14 2006

November 13, 2006

Via Telecopier and U.S. Mail

Paul C. Anderson, Esq.
Jeffer Mangels Butler & Marmaro LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067-4308

Re: Lyons Canyon Ranch

Dear Mr. Anderson:

We represent D.R. Horton in connection with its proposed Lyons Canyon Ranch project (the "Project"). We have reviewed your letter of November 7, 2006, and we are investigating your claim for a prescriptive easement over a portion of the Project site.

As part of this investigation, I have personally walked the entire length of the dirt path over which your clients claim to have a prescriptive easement. The portions of the dirt path depicted in your photos range in width from approximately 18 feet at the widest point, to approximately 9 feet at the narrowest point, and are typically 10 to 12 feet wide at the vast majority of locations. It appears that at least a substantial portion of the length of this dirt path has been used for some combination of foot traffic and four-wheel drive and/or off-road vehicles, but not regular vehicular access.

Based upon the information you have provided it appears that, at best, your clients may have a prescriptive easement over the existing dirt path for the purpose of occasionally accessing their property by foot and/or off-road vehicle. As you know, even if your clients have established such prescriptive rights, they cannot expand on their historic use of the dirt path to create paved vehicular access to a new subdivision on their property. *See e.g., California Civil Code § 806; and Thompson v. Dypvik* (1985) 174 Cal.App.3d 329, 341 ("no statutory or case law exists justifying the expansion of a prescriptive easement beyond the portion actually used . . ."). Therefore, the apparent assumption in your letter, that your clients will be able to

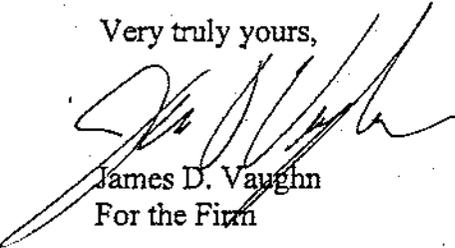
Paul C. Anderson, Esq.
Jeffer Mangels Butler & Marmaro LLP
November 13, 2006
Page 2

improve this dirt pathway to a 40-60 foot wide roadway, for access to some future residential subdivision on their property, is clearly incorrect.

Nevertheless, we are prepared to maintain the existing level of access to your clients' property, either in its current location or in an alternative location (including potentially the alternative location suggested in your letter), subject to Los Angeles County approval.

Please give me a call to further discuss the resolution of this issue.

Very truly yours,

A handwritten signature in black ink, appearing to read "James D. Vaughn", written over a printed name and title.

James D. Vaughn
For the Firm

JDV:bsm

cc: Susan Tae, AICP
Rick Coop
Jasch Janowicz
Richard S. Zeilenga, Esq.

Valencia Water Company



24651 Avenida Bacterfeller • P.O. BOX 5004 • Valencia, CA 91385-9904
(661) 294-0226 • Fax (661) 294-3806

November 9, 2006

Mr. Mo Kajbaf
County of Los Angeles
Department of Public Works
900 South Fremont Avenue
Alhambra, California 91803

Notice of Water Availability
Tract No. 53653
Developer: Daly Owens Group

Dear Mr. Kajbaf:

The Valencia Water Company (Valencia) has determined that water is available to serve the above-referenced project. Valencia agrees to operate the water system and provide service in accordance with the company's approved Tariffs on file with the California Public Utilities Commission. The determination of water availability shall remain valid for two years from the date of this letter. Unless construction of the project has commenced within this two year time frame, Valencia is under no obligation to serve the project unless the developer receives an updated letter from Valencia confirming water availability.

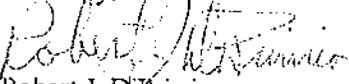
Valencia has determined that the existing facilities and the additional facilities to be installed by Valencia through developer funding of this project will be adequate to serve this project and each of the individual parcels under normal operating conditions. These facilities will provide a fire flow of 1250 gallons per minute at a 20-psi residual pressure for 2 hours as required by the Fire Department.

Valencia requires that the project comply with the Company's Best Management Practices regarding water conservation. This program identifies water saving techniques, methods, landscape designs and internal water use practices that will achieve the Company's long term conservation goals described in the Santa Clarita Valley 2005 Urban Water Management Plan. Unless the project is constructed to Valencia's conservation standards, Valencia is under no obligation to serve the project.

This letter shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.

If you have any questions regarding the above please call Keith Abercrombie, Vice President/Operations at (661) 295-6504.

Sincerely,


Robert J. DiPrimio
President

cc: Keith Abercrombie, VWC

F:\Administration\Will Serve Water Avail letters\53653.doc



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

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

April 4, 2006

IN REPLY PLEASE
REFER TO FILE: LD-0

TO: Daryl Koutnik
Department of Regional Planning

Attention: Rudy Silvas

FROM: Rossana D'Antonio *RG*
Land Development Division

**RESPONSE TO REVIEW OF AN ADMINISTRATIVE
DRAFT ENVIRONMENTAL IMPACT REPORT
THE LYONS CANYON RANCH PROJECT
TENTATIVE TRACT NO. 53653**

We reviewed the Administrative Draft Environmental Impact Report (DEIR) for the Lyons Canyon Ranch project. According to our files, the reports requested to analyze drainage, geotechnical and soil, and traffic impacts have not been approved. In many instances, additional information has been requested to complete our analysis and is not included in the Administrative DEIR. Such is the case with the following traffic comments:

The DEIR should be revised to reflect the information contained in the latest Traffic Impact Study dated November 2005. The following changes should be incorporated in the DEIR, and all associated tables and figures shall be revised as necessary. These changes are in the latest traffic study but are specifically identified due to the magnitude of the discrepancy.

- The project description shall state that the project consists of 96 single-family detached homes, 90 senior condominium homes instead of 95 single-family detached homes, and 95 senior condominium homes.

The traffic study shall indicate that the project percent share for the mitigation measure proposed for the City intersection of Interstate 5 northbound ramps at Lyons Avenue is 100 percent and not 14.3 percent.

Daryl Koutnik
April 4, 2006
Page 2

The following general comments are also applicable:

The discussion and mitigation measures in the DEIR must reflect the most recent analysis available. The approved results of these studies must be reflected in the final EIR.

The issuance of building permits and/or certificates of occupancy is dependent upon code compliance. Therefore, mitigation measures connected to this activity must be rephrased.

Similarly, several mitigation measures in the Administrative DEIR are based on code compliance. Subdivision conditions of approval require an applicant to develop property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Since permit approval indicates that code compliance has occurred, there is no need to list these activities as mitigation measures.

If you have any questions or require additional information, please contact Clarice Nash at (626) 458-5910.

CN:jmw
P:\CEQA\CLARICE\Lyons\ADEIR

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904



(213) 387-6528 phone
(213) 387-5383 fax
www.sierraclub.org

November 14, 2006

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, VTT# 83653, OT Permit # 2005-0039

Dear Commissioners and Ms. Tae:

The Sierra Club Angeles Chapter, representing 55,000 members, wishes to express its continued concern over the approvals of projects that will require use of the polluted Saugus Aquifer to provide water either directly or under a drought scenario.

As you are aware, remediation facilities have not yet been built. We believe that this situation poses a serious health risk for the residents of the Santa Clarita Valley.

Sincerely,

Jennifer Robinson

Jennifer Robinson
Conservation Program Coordinator
Sierra Club, Angeles Chapter

Attachment: Angeles Chapter Ammonium Perchlorate Resolution

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904



(213) 387-6528 phone
(213) 387-5383 fax
www.sierraclub.org

Sierra Club Angeles Chapter
Resolution on Ammonium Perchlorate
Approved by Executive Committee, July 23, 2006

The Angeles Chapter opposes additional land use approvals in Santa Clarita that rely on water from the contaminated Saugus aquifer until clean up facilities to remove the ammonium perchlorate, NDMA and other pollutants from this ground water source are functioning.

SCOPE

Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



11-14-06

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, VTT# 83653, OT Permit # 2005-0039.

Dear Commissioners and Ms. Tae:

Request to provide a hard copy of the EIR

First, we would like to request that we be provided the EIR for this project and all future projects as a hard copy of the Document rather than a CD. Since, we are all volunteers and do not necessarily have the capacity to carry around a computer, it makes commenting and reading the EIR very difficult. Further, with a document that is over 600 pages, it is very time consuming to switch between different sections.

We understand that providing a CD is more economical for the developer, but we believe it will ultimately interfere with your ability to receive the accurate and timely public comments that are so necessary for ensuring that the project will be the very best that it can be. We do not have a problem with the receiving the appendices on CD, and hope that this compromise will convince you to continue requiring distribution of the hard copy of the EIR.

Protection of SEA 63

We would like to express our concern over the portion of this project that will require incursion into SEA 63 for flood control and the proposed houses in the back portion of this project. We believe the back portion (that not fronting on the Old Road) should be eliminated for public safety reasons and to protect Ed Davis Park and the Wildlife Corridor immediately adjacent to it. Impacts of both people and domestic animals such as cats and dogs will be severe and must be addressed in the EIR.

Fire

As you are aware, in the last several years we have had not just one, but MANY severe forest fires in this immediate area. Siting houses next to this wildfire area is both a public safety risk to those who may purchase them due to the difficulty in stopping huge fires under Santa Ana conditions. In addition, there is the cost to the County of fighting such fires.

We understand that the Development Monitoring System (a General Plan Amendment passed as a result of a Court Settlement) requires a fire station within 1.5 miles of new development proposals. No such fire station exists. We note that the plan for this project requires a LOT for a fire station, but does not mandate the station itself. We request that the developer be

conditioned to help provide such a station. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area. We request that the station should be built and functioning before occupancy of these houses is permitted.

Additionally, the County should require that people be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future.

Oaks

This project proposes the removal of 162 oaks. This is a substantial number of oaks and will come under the obligations of new State Law, which requires not only replacement of oaks, but replacement for lost Oak Woodland Habitat as well. This project is immediately adjacent to an important wildlife corridor. Without sufficient habitat, animal movement will be impaired by lack of food and cover. It is therefore important that habitat destruction not occur here. We ask that the Planning Commission look for ways that the number of oaks can be reduced. This could occur by discouraging mass grading and requiring grading for only the footprint of the lot. Again, we believe the back portion of this project should be eliminated from the proposal.

We request that a cumulative analysis of the total amount of oaks and oak woodlands destroyed by development in the last 15 years be analyzed. We believe such cumulative analysis is necessary to evaluate the substantial impact that has occurred to oaks and oak woodlands by this destruction in the last two decades. The analysis should include the increase to air pollution and loss of carbon sequestering that will result from the removal of these trees.

Water

The EIR implies that Valencia Water Company is the closest water utility to this project. We believe that is incorrect and that Newhall County Water District facilities are closer. However, should the project proponent decide to annex to Valencia Water Company, he should be aware that the California Public Utilities Commission will require an updated Water Management Plan as indicated by previous Commission decisions prior to allowing annexation of this project. The annexation must also go through a formal CPUC annexation process.

Since the Santa Clara River is fully utilized and the Saugus Aquifer is polluted and without remediation facilities, all new development must be based on the availability of water from Northern California. Climate change will severely reduce this availability. Therefore, we oppose approval of additional water demands until the Monterey Plus EIR has been completed. This is necessary to ensure that additional supplies can safely be allocated to Southern California. It is also required by the settlement between the Planning and Conservation League and the Dept. of Water Resources in the matter of *PCL v. DWR*, 2000.

Conclusion

We regret that we could not provide you with more detailed comments at this time. We hope that you will not approve this project in its present form and that we will have the opportunity to provide the back-up documentation for these issues. However, we do include by reference copies of the Monterey Settlement Agreement, Court Order and Decision in the *PCL v. DWR*, 2000 case which has been submitted many times in previous land use hearings and is easily available at the County Offices.

Sincerely,

Lynne Plambeck

Lynne Plambeck
President



STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Arnold Schwarzenegger
Governor

Sean Walsh
Director

November 7, 2006

RECEIVED
NOV 13 2006

Rudy Silvas
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: Lyons Canyon Ranch Project / Project TR53653 / Conditional Use Permit RCUP200500088,
Tract Map No. 53653
SCH#: 2003031086

Dear Rudy Silvas:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 6, 2006, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2003031086
Project Title Lyons Canyon Ranch Project / Project TR53653 / Conditional Use Permit RCUP200500088; Tract Map
Lead Agency No. 53653
Los Angeles County Department of Regional Planning

Type EIR, Draft EIR

Description The proposed project is a request for a tentative tract map and Conditional Use Permit and Oak Tree Permit to authorize the development of 93 single family detached residential homes, 93 senior condominium units and a 2 acre lot for a new 8,000 square feet fire station, all on a 234.8 acre project site. The CUP is needed for density-bonus development, hillside management, and the Significant Ecological Area designation. An Oak Tree Permit is requested for the removal or the encroachment of up to 226 oak trees.

Lead Agency Contact

Name Rudy Silvas
Agency Los Angeles County Department of Regional Planning
Phone (213) 974-6461 **Fax**
email
Address 320 West Temple Street
City Los Angeles **State** CA **Zip** 90012

Project Location

County Los Angeles
City
Region
Cross Streets The Old Road, Sagecrest Circle
Parcel No. 2826-022-025 to 027, 026-014
Township 3N **Range** 16W **Section** 4 **Base** SB

Proximity to:

Highways I-5
Airports
Railways
Waterways Lyon Canyon Creek, Santa Clara River
Schools Newhall School District, William S. Hart Union HSD
Land Use Vacant / A-2 (Heavy Agriculture) / Non-Urban, Significant Ecological Area

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 4; Department of Parks and Recreation; Native American Heritage Commission; Department of Health Services; Office of Historic Preservation; Department of Forestry and Fire Protection; Department of Fish and Game, Region 5; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 7; Department of Toxic Substances Control; Santa Monica Mountains Conservancy

Date Received 09/22/2006 **Start of Review** 09/22/2006 **End of Review** 11/06/2006

DEPARTMENT OF TRANSPORTATION
 DISTRICT 7, REGIONAL PLANNING
 IGR/CEQA BRANCH
 100 MAIN STREET, MS # 16
 LOS ANGELES, CA 90012-3606
 PHONE: (213) 897-3747
 FAX: (213) 897-1337



Flex your power!
 Be energy efficient!

RECEIVED

NOV 06 2006

STATE CLEARING HOUSE

November 1, 2006

IGR/CEQA No. 060951AL, DEIR
 Referenced to IGR/CEQA No. 050825AL, TS
 Lyons Canyon Ranch
 Vic. LA-05 / PM R49.04 to R50.33
 SCH # 2003031086

Mr. Rudy Silvas
 Regional Planning Department
 County of Los Angeles
 320 W. Temple Street
 Los Angeles, CA 90012

Clear
 11-6-06
 e

Dear Mr. Silvas:

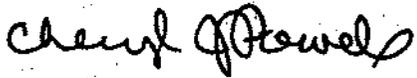
Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project includes a mix of single-family residential, senior housing, public facility, and open space uses. The 234.8-acre project site includes 93 single-family detached homes, 93 senior condominium units, and 130.26 acres of parks and undisturbed open space. The project also includes a 2.05-acre site for a new fire station, which is intended to serve the proposed development and surrounding areas.

In addition to our comment letter dated September 8, 2005, we have the following comments on pages 1-43 and 1-44 of the EIR.

1. I-5 SB Ramp/Marriott & Pico Canyon Rd. On the east approach, we would like to keep the existing separate right-turn lane to SB I-5 on-ramp and add a third westbound through lane. Converting the right-turn lane into a through/right share lane may cause traffic back up into Pico Canyon Road.
2. I-5 NB Ramps and Lyons Ave. We acknowledge the proposal to add a 2nd eastbound left-turn lane.
3. I-5 SB Ramp & Calgrove Blvd. We acknowledge the proposal to add a 2nd eastbound through lane, a 2nd westbound through lane and install traffic signal.
4. I-5 NB Ramps and Calgrove Blvd. We acknowledge the proposal to add a 2nd eastbound through lane, a 2nd westbound through lane and install traffic signal.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 060951AL.

Sincerely,



CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

RPC MEETING DATE
November 15, 2006

AGENDA ITEM NO.
7 a, b, c, d

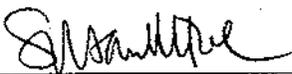
REGIONAL PLANNING COMMISSION TRANSMITTAL CHECKLIST

PROJECT NO: TR 53653-(5)

CASE NO. Vesting Tentative Tract Map No. 53653
Conditional Use Permit Case No. 2005-00088-(5)
Oak Tree Permit Case No. 2005-00039-(5)
Housing Permit Case No. 2006-00001-(5)

CONTACT PERSON: Susan Tae

- STAFF REPORT
- DRAFT CONDITIONS
- DRAFT FINDINGS FOR DENIAL (If Land Division Case Recommended For Denial)
- BURDEN OF PROOF STATEMENT (Zoning or Plan Amendment Requests)
- ENVIRONMENTAL DOCUMENTATION - Previously submitted
- THOMAS BROTHERS MAP (Identifying Subject Property)
- LAND USE RADIUS MAP
- TENTATIVE TRACT MAP
- EXHIBIT "A" MAP
- PHOTOGRAPHS
- CORRESPONDENCE
- GIS-NET MAP
- _____
- _____

Reviewed By: 



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

PROJECT No. TRACT MAP NO. 53653
CUP 2005-00088-(5)
OTP 2005-00039-(5)
HSG 2006-00001-(5)

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM #7 a,b,c,d	
PUBLIC HEARING DATE November 15, 2006	

APPLICANT Warner Bros. Entertainment, Inc.	OWNER Lyons Canyon Partners	REPRESENTATIVE Daly Owens Group
--	---------------------------------------	---

REQUEST
Vesting Tentative Tract Map: 93 single-family, 1 multifamily with 93 condos, 5 open space, 6 public facility, 1 park and 1 fire station lots
Conditional Use Permit: To ensure compliance with the requirements of hillside management, density-controlled development, development within a Significant Ecological Area, and onsite project grading
Oak Tree Permit: To authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks)
Housing Permit: To authorize a density bonus associated with a senior citizen housing development

LOCATION/ADDRESS Approximately 273 feet southwest of Sagecrest Circle, west of I-5 Freeway and The Old Road between Calgrove Blvd and Sagecrest		ZONED DISTRICT Newhall	
ACCESS The Old Road		COMMUNITY Santa Clarita Valley	
SIZE 234.8 Gross Acres		EXISTING LAND USE Vacant	EXISTING ZONING A-2-1(Light Agricultural-One Acre Minimum Lot Area), A-2-2 (Light Agricultural-Two Acre Minimum Lot Area), C-3 (Unlimited Commercial)
SHAPE Irregular		TOPOGRAPHY Slight to steeply sloping	

SURROUNDING LAND USES & ZONING			
North: Single-family residences/RPD-1-1.4U (Residential Planned Development-One Acre Min Req Area-1.4 DUs per Net Ac)		East: I-5 Freeway, single-family residences/City of Santa Clarita	
South: Park, vacant property/City of Santa Clarita, A-2-2, R-R (Resort and Recreation)		West: Vacant property/A-2-2	

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Santa Clarita Valley Area Plan	Hillside Management, NonUrban 2	123 Dwelling Units	Yes with density bonus and reduction

ENVIRONMENTAL STATUS
 Draft Environmental Impact Report: Potentially significant impacts include Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

DESCRIPTION OF SITE PLAN
 The tentative map and exhibit "A" depict a residential development with 93 attached senior condos in two buildings, and 93 single-family lots. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, private park and a 12-foot hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space.

- KEY ISSUES**
- Project must be reduced by one unit to 185 dwelling units to be at maximum density with senior citizen housing density bonus
 - Seven environmental factors cannot be mitigated to less than significant
 - Project site provides access through two tap streets to property to the west, and one tap street to property to the east
(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)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

* (O) = Opponents (F) = In Favor

TR No. 53653-(5)

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 ___ X Paving ___ X Curbs and Gutters ___ X Street Lights
- ___ X Street Trees ___ X Inverted Shoulder ___ X 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 Draft EIR: Significant environmental impacts to seven factors cannot be mitigated to less than significant

ISSUES AND ANALYSIS

A Conditional Use Permit is required for hillside management, density-controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. A minimum of 70 percent of the net project site is required as open space; the project provides approximately 167.6 acres (71.4 percent of the gross area). Additional information would be required to ensure compliance with net area of the property. The project is clustered to create lots smaller than the minimum one acre or two acres, depending on zoning.

An Oak Tree Permit is also required to remove 162 oak trees (including 13 heritage oaks), and encroach within the protected zone of 52 oak trees (including six heritage oaks). Typical mitigation is 2:1 for oaks, with 10:1 for heritage trees, totaling a replacement planting of 428 oak trees.

A Housing Permit is required pursuant the new density bonus ordinance, adopted by the Los Angeles County Board of Supervisors on August 8, 2006, and effective September 7, 2006. A discretionary housing permit has been filed to authorize a senior housing development, with up to 50 percent density bonus with 50 percent senior housing set asides. The Housing Permit was advertised by separate notice within the legal requirements. Modifications requested with the housing permit include a maximum building height of 50 feet above the 35-foot maximum.

The project is proposed at the maximum density range with 50 percent senior density bonus for the nonurban hillside project. Project benefits include provision of a fire station location as well as a senior housing component of 93 dwelling units.

The Draft EIR analyzes potentially significant impacts of the project, and concluded that all can be mitigated to less than significant, except: Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

Prepared by: Susan Tae

**PROJECT NO. TR 53653-(5)
VESTING TENTATIVE TRACT MAP NO. 53653
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)**

STAFF ANALYSIS

November 15, 2006 REGIONAL PLANNING COMMISSION PUBLIC HEARING

PROJECT OVERVIEW

The applicant, Warner Bros. Entertainment, Inc., proposes a residential development of 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres, located approximately 273 feet southwest of Sagrecrest Circle west of Interstate 5 (I-5) Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal requires approval of Vesting Tentative Tract Map No. 53653 for the subdivision, and Conditional Use Permit Case No. 2005-00088-(5) to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

Access to the subject property is provided by The Old Road, a 80-foot wide secondary highway. Within the development, main access is provided by "A" Street, a 64-foot-wide public street with full street improvements. "E" Street also connects to The Old Road, approximately 1,100 feet to the south of "A" Street. Major engineering features include debris and desilting basins as well as retaining walls. Approximately 2,090,350 cubic yards of cut and fill are proposed to be balanced onsite.

As a nonurban hillside development the project is required to provide 70 percent open space; the development provides 71.4 percent (167.6 acres) that includes both natural and disturbed open space as well as a recreation area. As a density controlled development, the project is required to set aside all undeveloped land as permanent open space. The subject property is within the Lyon Canyon SEA (SEA No. 63) and Santa Susana Mountains SEA (SEA No. 20), and proposes development within both SEA designations. As grading for the project exceeds 100,000 cubic yards, a conditional use permit for an onsite grading project is required.

The project proposes a multi-family lot with 93 attached condominium units as a senior housing development. A discretionary Housing Permit is requested as the project requests a density bonus of up to 50 percent, in accordance with the newly adopted density bonus ordinance, adopted by the Los Angeles County Board of Supervisors ("Board of Supervisors") on August 8, 2006, and effective September 7, 2006. A modification is also requested for the multi-family lot to exceed the maximum building height of 35 feet to a proposed maximum of 50 feet, and modify parking requirements to allow less than required parking of 209 parking spaces (186 covered for residents, 23 guest parking spaces).

The Draft Environmental Impact Report ("EIR") analyzes potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater;

Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

The project proposes 183 dwelling units, which exceeds the maximum permitted with the density bonus of 182 dwelling units, and one single-family lot must be eliminated

DESCRIPTION OF PROJECT PROPERTY

Location: The project site is located approximately 273 feet southwest of Sagrecrest Circle west of Interstate 5 (I-5) Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley within the Newhall Zoned District. The proposed site is south of the community known as Stevenson Ranch and north of Towsley Park in the City of Santa Clarita.

Physical Features: The subject property is approximately 234.8 gross acres in size and comprised of four lots. The property is irregular in shape with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has areas 25 to 50 percent slopes, and one-third of the subject property has slopes greater than 50 percent.

Sensitive habitat, including oak woodland, coastal scrub and chaparral with riparian woodland and related wetland habitats, exist on the subject property in a relatively undisturbed and natural state. Of the 235 acres on the subject property, approximately 226.79 acres contain native vegetation, and 8.71 acres has been disturbed. One thousand three hundred ninety-five (1,395) oak trees are present on the subject property as well as Lyon Creek and numerous tributaries. The property contains portions of both the Lyon Canyon and Santa Susana Mountains SEA. Primary and secondary ridgelines also exist on the subject property.

Access: The Old Road will serve as primary access to the site with 64-foot wide "A" Street as the main road serving the development. Within the development, 64-foot collector streets, and 60-foot wide and 58-foot wide local public streets provide internal access. Three tap streets are also depicted as future streets; two 64-foot wide streets to the west and one 60-foot wide street to the east. The Old Road is an 80-foot wide secondary highway. Additional regional access is provided by the Interstate 5 (I-5) Freeway, located immediately to the east of the project site.

Services: Domestic water service will be provided by the Valencia Water Company. Domestic sewer service will be provided by Los Angeles County Sanitation District No. 32. Gas utilities will be provided by Southern California Gas Company, and electricity by Southern California Edison Company. The project is also within the boundaries of Newhall Elementary and William S. Hart Union School District. Shopping and employment exist north of the subject property. Nearby recreation areas include the Towsley Canyon Park to the south within the City of Santa Clarita.

ENTITLEMENTS REQUESTED

Vesting Tentative Tract Map: The applicant requests approval of Vesting Tentative Tract Map No. 53653 to create 107 lots including 93 single-family lots, one multi-family lot with 93 attached senior

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condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot. The applicant has indicated the project will be developed in one phase.

Conditional Use Permit: The applicant requests approval of a Conditional Use Permit ("CUP") to ensure compliance with the requirements of hillside management, density controlled development, development within an SEA, and onsite project grading.

Oak Tree Permit: The applicant requests approval of an Oak Tree Permit to remove 162 oak trees (including 13 heritage oaks) and encroach into the protected zone of 52 oak trees (including six heritage oaks).

Housing Permit: The applicant requests approval of a discretionary Housing Permit to authorize up to a 50 percent density bonus for a senior citizen housing development. A modification is also requested as part of the permit to allow buildings up to 50 feet in height, which exceeds the maximum 35 feet height in the A-2 zone. Parking is also requested to be modified so that less than required parking spaces can be provided than the required 209 parking spaces (186 covered spaces for residents, 23 guest parking spaces).

EXISTING ZONING

Subject Property: The subject property contains three zones: A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), and C-3 (Unlimited Commercial) along a portion of The Old Road.

Surrounding Properties: Surrounding zoning is as follows:

North: RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre);
East: City of Santa Clarita;
South: A-2-2 and R-R (Resort and Recreation); and
West: A-2-2.

EXISTING LAND USES

Subject Property: The subject property consists of four vacant lots.

Surrounding Properties: Surrounding uses are as follows:

North: Single-family residences;
East: I-5 Freeway and single-family residences (City of Santa Clarita);
South: Park and vacant property; and
West: Vacant property.

PREVIOUS CASE/ZONING HISTORY

The current A-2-1, A-2-2 and C-3 zoning on the subject property became established on July 5, 1957, following the adoption of Ordinance No. 7168 which established the Newhall Zoned District.

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Other cases previously filed on the subject property include a Conditional Certificate of Compliance which recorded on October 18, 1989. Other cases filed on the property include Zone Change Case No. 6466, Plot Plan No. 12113 and Plot Plan No. 17955, for which additional information could not be found at time of writing.

PROJECT DESCRIPTION

Vesting Tentative Tract Map No. 53653 and Conditional Use Permit No. 2005-00039-(5) Exhibit "A", dated July 11, 2006, depict a residential subdivision of 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The residential lots range in size from 9,350 square feet to 3.2 acres in size, with an overall average lot size of 21,048 square feet. Five open space lots and one recreation lot as well as the natural portions of six public facility lots and graded and landscaped slopes within single-family lots, comprise the project's 167.6 acres (71.4 percent) of open space. Fire station Lot No. 95 is approximately two acres in size.

Proposed street improvements include construction of curbs, gutters and sidewalks on The Old Road (eight feet along subject property, four feet wide on the east side of The Old Road). Improvements required by Los Angeles County Department of Public Works ("DPW") for internal Streets "A," "B," "C," "D," "E," "F," "G," "H," and "I" include full curb, gutter and sidewalks; the applicant is requesting permission to construct the alternate cross section which places the sidewalk adjacent to the roadway. Street lights as well as street trees are required for the development. "H" and "I" Streets are shown as 64-foot wide future streets for property to the west, which provides continued access for properties to the west that currently hold legal access easements over the subject property. A 60-foot wide tap street is also depicted from cul-de-sac "D" Street as a future street for property to the east.

Grading consists of 2,090,350 cubic yards of cut and fill to be balanced onsite. Flood hazards and natural drainage courses exist on the property. Other improvements include inlet and debris basins as well as retaining walls. The Gavin Canyon Trail is depicted through the subject property as a 12-foot wide trail with portions to be improved by the developer. Open space Lot Nos. 102 and 103 are proposed to be maintained by the homeowners' association; the remaining open space lots are proposed to be voluntarily dedicated by the applicant to a public agency.

The project design has been reviewed by the Los Angeles County Subdivision Committee for technical feasibility and recommended project conditions are attached.

SANTA CLARITA VALLEY AREA PLAN CONSISTENCY

The subject property is depicted within the Non-urban 2 ("N2"), Hillside Management ("HM") and Hillside Management/SEA ("HM/S") land use categories of the Santa Clarita Valley Area Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Approximately 66 acres lie within the N2 category, 96.2 acres lie within the HM category, and 72.7 acres within the HM/S category. The categories and hillside management policy together with the Plan's "¼ mile rule," which permits up to one dwelling unit within quarter-mile of urban designations, determine a maximum density for a property as 123 dwelling units. While the project exceeds the maximum permitted by the land use categories, a density bonus of up to 50 percent is requested for the senior development to yield a maximum of 185 dwelling units, which is consistent with paragraph c on page 33 of the Plan:

- c. For the provision of affordable housing as defined by County ordinance, density bonuses of up to 50 percent may be awarded in excess of density maximums specified in this plan.

The Plan contains many goals and policies that support its goals for orderly development in underutilized urban areas where services and infrastructure exist as well as wide ranging housing options at varying price ranges is being provided. While the proposed project depicts development within the SEAs, the project has been designed to avoid direct impacts to large oak groves and other significant sensitive species habitat. These undisturbed areas, which are the areas of the property best suited for native habitat restoration including riparian habitat restoration, will be retained within the open spaces lots proposed by the developer to be dedicated to a public agency and remain open space in perpetuity. Senior citizen housing is located close to The Old Road where public transportation options would be most available, and is proposed within an already existing graded location. The fire station location is also being provided to regionally serve as emergency service.

Applicable Plan Provisions

The following are excerpts of selected applicable Plan goals and policies:

LAND USE ELEMENT

"Consider residential densities as averages to allow for the clustering of development and/or transfer of unit credit as provided for in the Plan" (Policy 2.4, Page 13).

"Allow for density transfer (the rearrangement of allowed residential units among various land use classifications on a project site) as a means to attain plan goals such as preservation of hillsides, and to promote superior design and allow flexibility to respond to changing housing needs" (Policy 2.5, Page 13).

"Minimize disruption and degradation of the environment as development occurs, working with nature in the design of land uses so that they are compatible with natural environmental systems" (Policy 5.2, Page 14).

"Permit appropriate land uses that are compatible with the resource values present in identified Significant Ecological Areas" (Policy 5.4, Page 15).

HOUSING ELEMENT

"Encourage the development of socially and economically diverse communities" (Policy 2.6, Page 19).

ENVIRONMENTAL RESOURCES MANAGEMENT ELEMENT

"Encourage the clustering of residential uses in hilly and mountainous areas to minimize grading and to preserve the natural terrain where consistent with existing community character" (Policy 1.5, Page 25).

"Protect identified resources in Significant Ecological Areas (shown on the Land Use Policy Map) by appropriate measures including preservation, mitigation and enhancement" (Policy 2.1, Page 25).

"Require site level analysis of proposed development projects within Significant Ecological Areas to insure that adverse impacts upon resources within identified Significant Ecological Areas are minimized" (Policy 2.3, Page 25).

"Encourage developers to accommodate trail needs within and between equestrian developments, including the construction of private feeder routes into the main trails system. The provision of local trails is particularly compatible with the hillside management and open space provisions of this plan" (Policy 6.2, Page 27).

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The Plan also provides guidelines for appropriate development in SEAs (Page 50):

- a. The development should be designed to be highly compatible with biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas.
- b. The development should be designed to maintain waterbodies, watercourses, and their tributaries in a natural state.
- c. The development should be designed so that wildlife movement corridors (migratory routes) are left in a natural and undisturbed state.
- d. The development should retain sufficient natural vegetative cover and/or open space to buffer critical resource areas from the proposed use.
- e. Where necessary, fences or walls should be provided to buffer important habitat areas from development. However, solid wall fences may be prohibited, in favor of open-rail fencing, where wildlife migration is important.
- f. Roads and utilities serving the proposed development should be located and designed so as not to conflict with critical resources, habitat areas or migratory paths.

CONDITIONAL USE PERMIT

Pursuant to Sections 22.56.010, 22.56.205, and 22.56.215 of the Los Angeles County Code ("County Code"), the applicant has requested a CUP, and submitted an Exhibit "A," to demonstrate compliance with requirements of hillside management, density controlled development, development within a SEA, and onsite project grading. Photos have been attached that depict a similar design that is anticipated for the senior citizen housing.

Approximately 154.5 acres of the subject property contain slopes steeper than 25 percent, and by exceeding the low density threshold of 24 dwelling units, a hillside management CUP is required to protect hillside resources. As the subject property is located within a non-urban area, a minimum of 70 percent open space is required. A total of approximately 167.6 acres or 71 percent of the subject property is proposed as open space within the following: open space Lot Nos. 103 through 107 (approximately 128.9 acres); recreation Lot No. 102 (1.39 acres); unpaved portions of public facility Lot Nos. 96 through 101 (22.7 acres); and both natural and graded slope areas within single family Lot Nos. 1 through 93 (14.8 acres).

The applicant also proposes a density controlled development design, where the lots are clustered rather than spread throughout the project site. The residential lots are smaller than the one-acre and two-acre minimum lot size required by the zoning. The proposed lot sizes are compatible and larger than those of surrounding properties, and the portions of the subject property that are not developed are to remain in permanent open space.

A CUP has been filed to ensure protection of resources in SEAs from incompatible development, and to provide a process for reconciliation of potential conflict within appropriate areas. Development is not precluded within SEAs, but rather the CUP is required to ensure to the extent feasible that remaining biotic resources are maintained, and enhanced where possible. The project site contains

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58.48 acres within the Lyon Canyon SEA, of which 26.35 acres (45 percent) is proposed to be developed. The project also contains 17.54 acres within the Santa Susana Mountains SEA, of which 0.06 acres will be impacted by project grading (0.3 percent). Under the proposed SEA update as part of the County's General Plan update effort, the entire subject property would be located within an SEA.

The project also proposes 2,090,350 cubic yard of cut and fill to be balanced onsite. A CUP is required for onsite project grading that exceeds 100,000 cubic yards.

In addition to the standard burden of proof required for a CUP, the applicant must also meet the following burdens of proof required for:

Hillside Management:

- A. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard; and
- B. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area; and
- C. That the proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan; and
- D. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents.

Development within an SEA:

- A. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas; and
- B. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state; and
- C. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state; and
- D. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development; and
- E. That where necessary, fences or walls are provided to buffer important habitat areas from development; and
- F. That roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.

The applicant's Burden of Proof responses are attached.

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OAK TREE PERMIT

Pursuant to Section 22.56.2050 of the County Code, an oak tree report was most recently updated in September of 2006, and was submitted by Interface Management Services (arborist: Doug Nickles) and Trees, etc, a division of RDI and Associates, Inc. Of the 1,395 oak trees (including 81 heritage oaks) located on the property subject to the Oak Tree ordinance as identified in the September 2006 report, 216 (including 19 heritage oaks) are included in the associated Oak Tree Permit.

One hundred sixty-two (162) oak trees, including 13 heritage oaks on the applicant's site plan and Oak Tree Report, are proposed to be removed. Fifty-four (54) oak trees, including six heritage oaks, are proposed to be encroached within its protected zone due to potential impacts from construction.

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 428 mitigation trees. A rate of 2:1 is also required for any tree that dies as a result of a permitted encroachment.

Pursuant to Section 22.56.2100 of the County Code, the applicant must meet the following burden of proof:

- A. That the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property; and
- B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
- C. That in addition to the above facts, at least one of the following findings apply:
 1. That the removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
 - a. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
 - b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized; or
 2. That the oak tree(s) proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s); or
 3. That the condition of the oak tree(s) proposed for removal with reference to seriously debilitating disease or danger of falling is such that it cannot be remedied through reasonable preservation procedures and practices; and
- D. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

The applicant's Burden of Proof responses are attached.

HOUSING PERMIT

The project was initially filed on June 2, 2005, and requested a CUP for a senior citizen housing density bonus in accordance with Section 22.56.202 of the County Code. The density bonus ordinance, which was adopted by the Board of Supervisors on August 8, 2006, became effective on

September 7, 2006. As the project was deemed a complete application on September 20, 2006, the density bonus ordinance applies to the proposed project and a discretionary housing permit is required. The Housing Permit was advertised by separate notice within the legal requirements.

Pursuant to Sections 22.52.1870, 22.56.2610 and 22.56.2800 of the County Code, the applicant has requested approval of a discretionary Housing Permit, and submitted supplemental information, for a density bonus of up to 50 percent for senior citizen housing.

The project's maximum density based on a slope density analysis, is calculated to be 123 dwelling units. With a senior citizen housing set-aside of 50 percent (62 dwelling units), the project is eligible to request up to 50 percent density bonus (62 units) for a project total maximum of 185 dwelling units.

A modification is also requested as part of the housing permit, to permit a maximum building height of 50 feet, which exceeds the maximum 35 feet permitted in the A-2-1 zone. Modification is also requested to provide less than required parking of 209 parking spaces (186 covered for residents, 23 for guest parking). Additional information has also been provided to substantiate that the modifications allows the housing to be economically feasible.

The applicant must meet the following burden of proof required for a discretionary housing permit:

- A. That the requested use at the location will not:
 - 1. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
 - 2. Be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or
 - 3. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- B. 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 this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; and
 - 2. By other public or private service facilities as are required.
- D. That the proposed project at the location proposed has been designed to be complementary to the surrounding area in terms of land use patterns and design.
- E. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs.

The applicant's Burden of Proof responses are attached.

ENVIRONMENTAL DOCUMENTATION

In accordance with State and County California Environmental Quality Act ("CEQA") guidelines, a Draft EIR was prepared for the project. The Draft EIR concludes that certain potentially significant impacts are less than significant with implementation of the proposed mitigation measures in the

Mitigation Monitoring Program ("MMP"). However, the Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste which cannot be mitigated. Copies of the Draft EIR were distributed to the Commission, and a copy of the Technical Appendices was available for the Commission to review.

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

- Geotechnical
- Water Quality
- Hazards
- Noise
- Cultural Resources
- Traffic
- Utilities
- Fire Services
- Library Service
- Schools
- Parks and Recreation

Mitigation measures have been incorporated into a Mitigation Monitoring Program ("MMP") to be implemented during the development of the property. Detailed information of the mitigation measures is included in the Executive Summary section as well as within the various sections of the Draft EIR, but include extensive mitigation measures include habitat restoration, removal of invasives, etc.

Identified potentially significant impacts that cannot be mitigated to less than significant, include:

- Aesthetics
- Air Quality
- Biological Impacts
- Geology
- Noise
- Sheriff Services (cumulative)
- Solid Waste (cumulative)

Four alternatives to the project are also discussed in the Draft EIR as required by CEQA guidelines. These include: (1) No Project; (2) No Density Bonus; (3) Reduced Density; and (4) SEA/Oak Tree Avoidance. Each alternative is evaluated for potential impacts, and the environmentally superior alternative is identified.

Within this Draft EIR, Alternative No. 4 (Draft EIR dated September 2006, Page 6-22) is identified as the environmentally superior alternative. This alternative reduces the number of residences from 193 to 126 dwelling units; with 45 single-family lots depicted with 81 condominium units to the rear of the development footprint. The project eliminates direct impacts to both the Lyon Canyon and Santa Susana Mountains SEAs, minimizes development in hillside areas and reduces oak tree removals from 162 oak trees to 68 oaks (58 percent reduction). The grading footprint would also be reduced from 106.3 acres to 39 acres (63 percent reduction). Natural open space would also be increased from 127.8 to 193 acres (34 percent increase). This alternative eliminates the fire station lot as well as tap streets to adjacent properties to the east and west.

The technical appendices include geotechnical reports, an air quality impact analysis, biota report, traffic report, drainage concept, a noise impact analysis, water quality reports, cultural resources assessment, water supply study, sewer area study, wetland delineation, and agreements for school mitigation and fire station site.

The formal public review period for the Draft EIR was for a period of 45 days, from September 25, 2006 to November 8, 2006. All written comments received prior to the close of the public hearing will be considered in the Final EIR. Copies of written correspondence on the Draft EIR are attached.

As the project contains impacts that cannot be mitigated to less than significant, a Statement of Overriding Considerations would be required to be adopted with approval of the project.

COUNTY DEPARTMENT AND AGENCY COMMENTS AND RECOMMENDATIONS

The Los Angeles County Subdivision Committee consists of the Departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Public Health. The Subdivision Committee has reviewed the Tentative Tract and Exhibit "A" maps dated July 11, 2006, and recommends the attached conditions.

As the project is located with the Lyon Canyon and Santa Susana Mountains SEAs, the SEA Technical Advisory Committee ("SEATAC") reviewed the project for a total of five times: October 3, 2005; December 5, 2005; January 9, 2006; March 27, 2006; and November 6, 2006. Comments as documented in the attached SEATAC Minutes (except November 6, 2006, which are draft) include recommendations for larger suite of mitigation methods for impacts to sensitive species as well as stronger proposed mitigation through a homeowners' association and Covenants, Conditions and Restrictions (CC&Rs). Comments from SEATAC also included further review of wildlife movement, and that the proposed project as currently designed, does not meet the SEA Compatibility Criteria. The preferred project design from SEATAC is Alternative No. 4, as discussed above, as it addresses SEATAC's concerns by reducing direct impacts to various site constraints, and reducing many of the project's contributions to cumulative impacts on native species and animal movement.

Other comments and recommendations from County Departments and other agencies consulted during the environmental review process include Department of California Highway Patrol, California Department of Transportation (Caltrans), State of California Public Utilities Commission, Southern California Association of Governments (SCAG), and Los Angeles County Sanitation Districts. Comments include concern with increased traffic congestion on The Old Road and nearby on and off-ramps of the I-5 Freeway and resulting potential increase in emergency response times as well as acknowledgement of proposed turn lanes at the intersections of streets with freeway on- and off-ramps. Comments also included recommendations for rail safety near Metrolink's Antelope Valley right-of-way, comment that the project does not warrant comments from SCAG at this time, and additional comments and clarifications to text under the Sewer Service heading. Comments were also received from the Santa Monica Mountains Conservancy ("Conservancy") regarding the loss of habitat with the development of the project site as proposed. Alternative No. 4 is cited by the Conservancy as being able to achieve all of the project's objectives while significantly avoiding oak tree and SEA impacts. A fire station may still be incorporated with a design similar to Alternative No. 4, and all open space (minus areas requiring landscaped slopes or fuel modification) be dedicated in fee to a public agency concurrent or prior to subdivision recordation.

All written comments received prior to the close of the public hearing will be considered in the Final EIR. Copies of written correspondence regarding the Draft EIR are attached.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

On September 21, 2006 approximately 254 notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property. The public hearing notice was published in The Signal and La Opinion on September 25, 2006. The Housing Permit was separately advertised with notices mailed, and advertised in the same newspapers on October 15, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon Country Jo Anne Darcy Library beginning September 25, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions, were received at the Newhall Library on October 16, 2006. The public hearing notice was posted on the subject property fronting The Old Road on September 25, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

The applicant presented the project proposal before the West Ranch Town Council on April 5, 2005; September 7, 2005; February 8, 2006; April 6, 2006; and November 1, 2006. A letter has been provided from the West Ranch Town Council indicating their support of the project, and is attached. The applicant also presented the project before the Santa Clarita Valley Trails Advisory Committee (SCVTAC) on July 27, 2006. The applicant presented the project including a presentation on trails and trailhead.

CORRESPONDENCE RECEIVED BEFORE PUBLIC HEARING

Correspondence has been received from adjacent property owners regarding the project. Concerns expressed in the correspondence include lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Additional correspondence include information from the applicant regarding communications with an adjacent property owner regarding access. All correspondence received at time of writing has been attached.

STAFF EVALUATION

The Plan contains many goals and policies that require development be appropriately designed and implemented based on the resources and constraints of the property. The Plan also encourages clustered development to retain hillsides and minimize grading, and provision of housing and particularly senior and affordable housing. Required minor changes to the project include a reduction of one single-family unit to be consistent with the maximum permitted, including the the density bonus.

There are several key factors in consideration of this project:

Density Bonus – Senior Citizen Housing

The project's maximum density based on a slope analysis of existing land use categories, including higher density for areas within ¼-mile of urban designations, is 123 dwelling units. A density bonus for senior citizen housing is requested up to 50 percent, or an additional 62 dwelling units, to yield a total maximum of 185 dwelling units. The project as proposed would require at minimum, a reduction of one unit to be consistent with the maximum.

The recently adopted density bonus ordinance was intended as the County's implementation tool for state-mandated affordable housing and senior citizen housing density bonus provisions countywide.

The ordinance was intended to enhance local incentives for production of affordable housing and senior citizen housing, and is consistent with the General Plan's goals for a wide range of housing types in sufficient quantity for persons or households with special needs, including senior citizens. The density bonus ordinance was prepared in coordination with the County's Housing Advisory Committee and Community Development Commission, and adopted by the Board of Supervisors on August 8, 2006.

A senior citizen density bonus of 20 percent, or an additional 25 dwelling units, would have been permitted by an administrative housing permit for a qualified senior citizen housing development. As proposed, the project requires a discretionary housing permit to allow up to a 50 percent bonus as well as modifications to development standards of the existing A-2 zone. Parking reductions that are requested have also been included within this housing permit as a modification.

Significant Ecological Areas

SEAs were designated as part of the General Plan policy with intent to preserve the County's significant ecological resources and habitat areas in viable and natural conditions. This includes resources necessary to support preservation, restoration and enhancements efforts; and competing priorities between resource preservation and other critical public needs. Therefore, the General Plan "(sought) to provide a process for reconciling specific conflicts between proposed land use and the preservation of identified (SEAs)" (General Plan, Page LU-A12). Therefore, while the CUP is not intended to preclude development within an SEA, it is to ensure to the maximum extent possible that those resources that exist on the subject property are protected and even enhanced.

The proposed project contains portions of both the Lyon Canyon and Santa Susana Mountains SEAs, and proposes varying impacts to both SEAs from grading and potential fuel modification. These SEAs were designated for its oak woodland and chaparral communities as well as coastal sage scrub. The proposed project as designed, has avoided large oak groves and retains 88 percent or 1,233 oak trees onsite as well as 78 percent or 31.9 acres of the onsite oak woodland. The project will also set aside 123.6 acres of natural open space that can also serve as habitat restoration as dictated by the California Department of Fish and Game and Army Corps of Engineers (please see Exhibit 5.6-22 of the Draft EIR, Page 5.6-133). Ephemeral (i.e. seasonally flowing) tributaries that exist on the subject property would be affected by the development although impacts to drainage can be mitigated to less than significant with culverts, debris and desilting basins to reduce flooding potential. The project will also impact wildlife paths as stated in the Draft EIR, and the project proposes mitigation that includes mitigation measures associated with restoring native vegetation, reducing noise, and conditions of approval for preservation and/or maintenance. Fences may be incorporated within the project design to buffer important habitat areas from development (balanced with the need to allow small animals ingress and egress as necessary). As proposed, "A" Street traverses Lyon Creek as Lyon Creek bisects the property.

The preferred project design from SEATAC is Alternative No. 4, as discussed above, as it addresses SEATAC's concerns by reducing direct impacts to various site constraints, and reducing many of the project's contributions to cumulative impacts on native species and animal movement. The development footprint is limited to the northern portions of the site, and reduced impacts to SEA would enhance the project design. This may include reduction in the impacts within the Lyon Canyon SEA by more closely clustering development to create a smaller footprint.

Access

The subject property contains easements for ingress and egress to the adjacent property to the west. These easements have been relocated, and provided through public "A" street from The Old Road as well as 64 foot-wide tap streets "H" Street and "I" Street. Slope easements have also been provided for the future construction of these streets.

A 60-foot wide future street has also been depicted as a tap street to the east from cul-de-sac "D" Street. This was added at the request of the Los Angeles County Fire Department to provide additional circulation. The project currently has two points of access from The Old Road, "A" Street and "E" Street, and from the intersection of "A" Street and "E" Street depicts a maximum of 71 single-family units would be served by a single means of access. Second units would not be permitted within this development as the second unit ordinance, Section 22.52.1720, prohibits second units within an SEA or on land with a natural slope of 25 percent or more of which all proposed lots contain.

Based on information provided by the applicant, the subdivision design will not create parcels without legal access, or land-locked parcels. The development will remain ungated and all streets within the development are proposed as full public streets. Correspondence has been received that indicate that existing access through the subject property would be eliminated with the development; it appears that legal access to that subject property exists to the north but additional information would be required and for the applicant to respond.

Significant Environmental Impacts

The project as analyzed in the Draft EIR will result in significant impacts that cannot be mitigated to:

- Aesthetics
- Air Quality
- Biological Impacts
- Geology
- Noise
- Sheriff Services (cumulative)
- Solid Waste (cumulative)

A Statement of Overriding Considerations is required to be adopted if the project is approved. Additional information from the applicant, beyond what has been provided within the burdens of proof, may be requested for your Commission in consideration of the project.

FEES/DEPOSITS

If approved as recommended by staff, the following shall apply:

California Department of Fish and Game:

1. Processing fee of \$875.00 associated with the filing and posting of a Notice of Determination with the County Clerk, to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game.

Fire Department:

2. Cost recovery deposit of \$600.00 to cover the cost of six recommended inspections to determine compliance with the Oak Tree Permit.

Department of Regional Planning, Impact Analysis:

3. Deposit of \$3,000.00 to defray the costs of reviewing the subdivider's reports and verifying compliance with the information required by the Mitigation Monitoring Program.

Department of Regional Planning, Zoning Enforcement:

4. Cost recovery deposit of \$750.00 to cover the cost of five recommended zoning enforcement inspections. Additional funds would be required if violations are found on the subject property.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

If your Commission feels the project is consistent with the Plan, meets all requirements of the zoning ordinance and meets the necessary findings for approval, staff recommends that the Commission close the public hearing with minor changes (minimum reduction of one unit), indicate their intent to approve the project and direct staff to prepare the final documents.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, and with minor changes as indicated during the public hearing, indicate our intent to certify the EIR and adopt Statement of Overriding Considerations and approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit No. 2005-00088, Oak Tree Permit No. 2005-00039 and Housing Permit No. 2006-00001; and direct staff to prepare the findings and conditions, and Final EIR."

OR

"I move that the Regional Planning Commission close the public hearing, and approve the project as depicted an alternative in the Draft EIR, indicate our intent to certify the EIR and adopt Statement of Overriding Considerations and approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit No. 2005-00088, Oak Tree Permit No. 2005-00039 and Housing Permit No. 2006-00001; and direct staff to prepare the findings and conditions, and Final EIR."

Attachments:

- Draft Conditions
- Conditional Use Permit Burdens of Proof
- Oak Tree Permit Burden of Proof
- Housing Permit Burden of Proof
- Vesting Tentative Tract Map No. 53653
- Conditional Use Permit Case No. 2005-00088 Exhibit "A"
- Land Use Map
- Correspondence
- SEATAC Minutes
- Applicant's Supplemental Information

**Lyons Canyon Ranch
Conditional Use Permit Burden of Proof**

A. That the requested use at the location proposed will not:

- 1) Adversely affected the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
- 2) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
- 3) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed project would be located within the immediate vicinity of a variety of land uses including: large single-family estate housing, agricultural activities, parkland (Towsley Canyon park), open space (Towsley Canyon Park), commercial office uses, and smaller lot detached single-family dwellings. Although there is not a singular land use type in the immediate vicinity, there is a noticeable suburban and semi-rural character throughout the different array of nearby land uses. A feeling of openness, natural beauty, and rural design themes create this character.

In order to remain consistent with the surrounding area and ensure that the project: (1) will not adversely affect the health peace, comfort or welfare of community members, (2) negatively affect the value and/or enjoyment of nearby property, (3) or jeopardize the public health, safety or general welfare, the proposed project incorporates a mix of uses that are consistent the surrounding commercial, residential, and open space uses. Larger lot estate housing is proposed in the southern portion of the development. This housing component will be semi-rural in character consistent with the adjacent open space lands managed by the Santa Monica Mountains Conservancy. The northern portion of the subject site will include smaller lot detached homes, attached condominiums, and active/passive recreational opportunities. These will be consistent with the suburban character of the surrounding communities of Stevenson Ranch, will include recreational amenities such as active parks and trails, and thus will serve to perpetuate the use, enjoyment and value of other persons located in the vicinity of the site. The proposed project will also include a fire station site located in the northeast corner of the site, which will ensure the preservation of public health and safety.

B. The propose site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The subject site is approximately 234 acres in size. The subject site can adequately accommodate proposed development of 96 detached single-family residences, and 90 multi-family condominiums consistent with Title 21 and Title 22 of the Los Angeles County Code. The proposed project will be consistent with the site's General Plan Land Use and Zoning Designations and will therefore include the permitted yard areas, wall heights, boundary fences, landscaping requirements, and parking and loading facilities.

C. The propose site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service as are required.

Future residents of the proposed project will utilize the Old Road and the I-5 Freeway as the primary access routes to the subject property. Both the Calgrove and Lyons Avenue freeway interchanges provide direct access to the subject site via the Old Road. The I-5 Freeway and the Old Road are designed with sufficient capacity to convey the project's anticipated traffic without creating a significant impact. Interior roadways are designed consistent with County of Los Angeles roadway design criteria. Right-of-way widths for interior streets are proposed at 64 feet, and 60 feet. Both a primary ("A" Street) and secondary means ("E" Street) of access to the Old Road is proposed. These two roadways meet the vehicle circulation requirements established by the Los Angeles County Fire Department.

Other public services, such as law enforcement, fire prevention, water, sewer, library services, education, and solid waste would either provided by the appropriate County of Los Angeles Agency (i.e. County of Los Angeles Sheriff, County of Los Angeles Fire Dept., LA County Sanitation District, and Los Angeles County Public Library), appropriate private company (i.e. Valencia Water Company), or state agency (i.e. Newhall School District, and William S. Hart Union School District). An analysis of public services impacts was completed as part of the Environmental Impact Report. This report concluded that all public services could be provided to the proposed project without significantly impacted the servicing agency.

Lyons Canyon Ranch
Density Controlled Development Conditional Use Permit Burden of Proof

A. That the requested use at the location proposed will not:

- 1) Adversely affected the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
- 2) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
- 3) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed project would be located within the immediate vicinity of a variety of land uses including: large single-family estate housing, agricultural activities, parkland (Towsley Canyon park), open space (Towsley Canyon Park), commercial office uses, and smaller lot detached single-family dwellings. Although there is not a singular land use type in the immediate vicinity, there is a noticeable suburban and semi-rural character throughout the different array of nearby land uses. A feeling of openness, natural beauty, and rural design themes create this character.

In order to remain consistent with the surrounding area and ensure that the project: (1) will not adversely affect the health peace, comfort or welfare of community members, (2) negatively affect the value and/or enjoyment of nearby property, (3) or jeopardize the public health, safety or general welfare, the proposed project incorporates a mix of uses that are consistent the surrounding commercial, residential, and open space uses. Larger lot estate housing is proposed in the southern portion of the development. This housing component will be semi-rural in character consistent with the adjacent open space lands managed by the Santa Monica Mountains Conservancy. The northern portion of the subject site will include smaller lot detached homes, attached condominiums, and active/passive recreational opportunities. These will be consistent with the suburban character of the surrounding communities of Stevenson Ranch, will include recreational amenities such as active parks and trails, and thus will serve to perpetuate the use, enjoyment and value of other persons located in the vicinity of the site. The proposed project will also include a fire station site located in the northeast corner of the site, which will ensure the preservation of public health and safety.

B. The propose site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The subject site is approximately 234 acres in size. The subject site can adequately accommodate proposed development of 96 detached single-family residences, and 90 multi-family condominiums consistent with Title 21 and Title 22 of the Los Angeles County Code. The proposed project will be consistent with the site's General Plan Land Use and Zoning Designations and will therefore include the permitted yard areas, wall heights, boundary fences, landscaping requirements, and parking and loading facilities.

C. The propose site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service as are required.

Future residents of the proposed project will utilize the Old Road and the I-5 Freeway as the primary access routes to the subject property. Both the Calgrove and Lyons Avenue freeway interchanges provide direct access to the subject site via the Old Road. The I-5 Freeway and the Old Road are designed with sufficient capacity to convey the project's anticipated traffic without creating a significant impact. Interior roadways are designed consistent with County of Los Angeles roadway design criteria. Right-of-way widths for interior streets are proposed at 64 feet, and 60 feet. Both a primary ("A" Street) and secondary means ("E" Street) of access to the Old Road is proposed. These two roadways meet the vehicle circulation requirements established by the Los Angeles County Fire Department.

Other public services, such as law enforcement, fire prevention, water, sewer, library services, education, and solid waste would either provided by the appropriate County of Los Angeles Agency (i.e. County of Los Angeles Sheriff, County of Los Angeles Fire Dept., LA County Sanitation District, and Los Angeles County Public Library), appropriate private company (i.e. Valencia Water Company), or state agency (i.e. Newhall School District, and William S. Hart Union School District). An analysis of public services impacts was completed as part of the Environmental Impact Report. This report concluded that all public services could be provided to the proposed project without significantly impacted the servicing agency.

**Lyons Canyon Ranch
Hillside Management and Significant Ecological Area Burden of Proof**

A. Hillside Management Areas (Section 22.56.215 F.1)

1. The proposed project is located and designed so as to protect the safety of current and future residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow or erosion hazard.

The proposed project would be located within the immediate vicinity of a variety of land uses including: large single-family housing, agricultural activities, parkland (Towsley Canyon park), open space (Towsley Canyon Park), commercial office uses, and smaller detached single-family dwellings. Although there is not a singular land use type in the immediate vicinity, there is a noticeable suburban and semi-rural character throughout the different array of nearby land uses. A feeling of openness, natural beauty, and predominantly residential design themes create this character.

The development envelope proposed for the Lyons Canyon site was designed with the intent of preserving the safety of future residents. All proposed development areas will be constructed on competent building pads created with the compacted cut and fill. The Geotechnical Investigation completed for the proposed project has confirmed that the project can be feasibly constructed without creating unacceptable geologic hazards, seismic hazards, and/or slope instability. Therefore, the project will protect the safety of current and future residents.

The proposed project includes the construction of a fire station building site. This site would be developed pursuant to County of Los Angeles Fire Department specifications and thus would improve response times in and around the project area.

The project's drainage plan includes the construction of debris basins, catch basins, storm drains, other drainage facilities (such as adequately sized culvert crossings), construction related BMPs and structural BMPs which will improve the quality of water entering downstream areas. These drainage improvements will also reduce the potential for on and off-site flooding, mud-flows and soil erosion. The proposed project landscaping will include native vegetation will also reduce the potential for on and off-site erosion, mudflows, and flooding through its direct influence on soil water retention, surface soil stability, and erosion control.

2. The project is compatible with the natural, biotic, cultural, scenic, and open space resources of the area;

The project has been designed to be highly compatible with the biotic, cultural, scenic, and open space resources of the area. The majority of on-site natural areas have been set aside as either permanent open space and/or passive recreational areas, including the most pristine on-site waterbodies/wetlands in the central portion of the property, significant ridgeline and viewshed areas within the southern and eastern portions of the property, oak woodlands throughout the site, and other sensitive habitat areas. The project's proposal to preserve approximately 167 acres of undisturbed and disturbed open space (approximately 71 percent of the site) confirms the development's commitment to natural resource conservation.

3. The project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;

The areas of development located approximately 0.6 miles north of the project site include a variety of both neighborhood shopping and regional shopping and commercial facilities. Recreational opportunities are also located within ¼ mile of the subject site. State (Schools), County (police, fire, wastewater, and solid waste), and private agencies (water) would provide services to the proposed project. As described in the Environmental Impact Report prepared for the project, the project can be adequately served by all of the applicable service agencies.

The project design, including the provision of much needed senior housing, active/passive recreation areas, additional single-family housing, development of a fire station site to improve health and safety, and the construction of regional public improvements are all consistent with the goals and policies of the Los Angeles County General Plan.

4. The proposed project development demonstrates creative and imaginative design resulting in a visual quality that will complement community character and benefit current and future residents.

The proposed project avoids substantial intrusion into areas identified as significant ridgelines and scenic viewshed areas. These areas are primarily located along the south eastern and central portions of the property. Views into the site from surrounding areas will be maintained, while the interior development design provides for aesthetically pleasing residential neighborhoods, complimented by existing oak woodlands, mountainous terrain, and streams/wetlands. A complex network of on-site trails is also proposed, which will link not only new members of the community to the on-site amenities, but will provide a connection point to adjacent open space areas and nearby commercial services.

B. Significant Ecological Areas (Section 22.56.215 F.2)

1. The requested development is design to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

The majority of on-site natural areas have been set aside as either permanent open space and/or passive recreational areas, including on-site waterbodies/wetlands, significant ridgeline and viewshed areas, oak woodlands, and other sensitive habitat areas. Overall, the project proposes to preserve approximately 167 acres of undisturbed and disturbed open space (approximately 71 percent of the site). Located within this open space area are the majority of on-site oak woodlands (30.56 acres or 79 percent), on-site streams and waterbodies (16.26 acres or 66 percent), and other significant biological habitats comprised of coastal sage scrub, chaparral, and native grasslands (70.64 acres or 54 percent). On-site landscaping is also proposed, which will include native and/or non-invasive plant specimens designed to create aesthetically pleasing communities while being compatible with the surrounding native habitat.

Two SEA's (No.'s 63 and 20) traverse the subject property. Approximately 80 total acres within the subject property have been designated as SEAs 63 and 20. The proposed project will preserve 69.2 acres (86 %) of these sensitive habitat areas. These sensitive habitat areas will be preserved in perpetuity through inclusion into the proposed open space lots. These areas will be restricted from future development via an appropriate recordable legal instrument. The most high-value biological habitat present within these two SEAs will not be disturbed at all by the proposed project, as these areas are outside of the development envelope.

The requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;

The majority of on-site waterbodies, watercourses, and their tributaries have been set aside as either permanent open space and/or passive recreational areas. The project proposes to preserve approximately 167 acres of undisturbed and disturbed open space (approximately 71 percent of the site). A detailed breakdown of impacts to riparian habitat under Army Corps of Engineer (ACE) and Department of Fish and Game (DFG) jurisdiction is provided below.

Approximately 4.75 acres of wetland habitat under the jurisdiction of the ACE exists on the subject property. The proposed project will preserve 3.9 acres (82 %) of this habitat and thus substantially maintain wetland functions on-site. A total of 15.51 acres of riparian habitat under the jurisdiction of the DFG is present on the subject site. The proposed project will preserve 9.77 acres (63%) of on-site riparian habitat. In addition, the project proposes to implement a habitat enhancement program to improve wetland functions within already disturbed areas and re-create wetlands on-site to ensure the project will comply with the "no net loss" wetlands policies adopted by DFG and the ACE.

2. The requested development is designed to that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;

The project site presently provides high quality wildlife habitat that supports numerous travel routes for wildlife movement. In particular, drainages on the project site are natural conduits of wildlife movement whether in a natural setting or surrounded by development. Lyon Canyon Creek and the unnamed drainage in the southeastern corner of the site are tributaries of the South Fork of the Santa Clara River, and both flow beneath I-5 toward the Santa Clara River. These watercourses are concrete channels as they pass underneath I-5. They provide connections between the east and west sides of I-5. However, these connections do not likely serve as viable wildlife crossings for many mammals or reptiles and amphibians because of the extended distances beneath I-5 lead to existing developments and cover is very limited in this reach. Established wildlife corridors occur in the region of the project site; however, neither the east-west or north-south wildlife corridors cross the project site.

The proposed dedication of on-site open space will be nearby known migratory paths (including the Lyons Canyon SEA # 63 and Santa Susana Mountains SEA # 20). The proposed project proposes to preserve the natural habitat areas directly adjacent to these two SEAs, thereby preserving the linkage between known wildlife movement corridors. In addition, appropriately sized drainage structures are proposed in development areas that could potentially limit wildlife movement into and out of the subject site.

3. The requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development;

The majority of on-site waterbodies, watercourses, and their tributaries have been set aside as either permanent open space and/or passive recreational areas. The project proposes to preserve approximately 167 acres of natural open space (approximately 71 percent of the site). In addition, low level lighting will be utilized within development areas to ensure that on-site wildlife is not significantly impacted by the proposed development during nighttime hours.

4. Where necessary, fences or walls are provided to buffer important habitat areas from development;

All proposed development areas adjacent to important on-site habitat areas will be fenced off from human and domestic animal intrusion. Designated trail head, and staging areas will be provided within the proposed development to reduce the potential for unnecessary intrusion into the preserved natural habitat areas.

5. Roads and utilities serving the proposed development are located and designed to not conflict with critical resources, habitat areas or migratory paths.

Project access will be provided by a roadway system designed to LA County Standards. The proposed circulation system is located outside of the critical on-site waterbodies and streams and on-site oak woodlands. Therefore, critical natural resources, and wildlife movement corridors will be maintained in their natural state. Implementation of an intensive habitat enhancement program combined with a non-invasive landscaping program will also help to ensure the suppression of many on-site invasive species and ultimately improve wildlife movement, critical resource values, and migratory paths when compared to existing conditions.

**Lyons Canyon Ranch
Oak Tree Permit Burden of Proof**

- A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property;

Construction of the proposed project will not endanger the health of remaining on or off-site oak trees. The proposed project has been designed to minimize environmental impacts to the project site, while designing a reasonable project in compliance with the County's General Plan, Land Use and Development Code, and the Santa Clarita Valley Area Plan. Moreover, the project site has been designed with the utmost sensitivity towards existing oak woodlands. The majority of on-site oak woodlands will be maintained as part of the project. All work performed in the protected zones and/or driplines of the remaining trees will be done using hand implements only; the use of mechanized equipment is prohibited except where absolutely necessary. This work will be completed under the supervision of a certified arborist approved by the County of Los Angeles. Any canopy pruning for structural or clearance purposes, including deadwood removal, will be performed by or under the direction of a certified arborist. Appropriate fencing, as required by the County of Los Angeles, will be placed around all trees proposed for preservation.

- B. The removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which can not be satisfactorily mitigated;

Natural drainage courses and natural grades around oak trees proposed for preservation shall not be altered. Surface runoff from adjacent areas shall be directed away from preservation areas and shall not increase runoff to those areas. Water shall not be allowed to pond or accumulate within the drip line of any oak tree. The proposed project's drainage plan and stormwater pollution prevention plan contains the appropriate erosion control and drainage devices on-site to ensure that on and off-site runoff will not result in substantial soil erosion, diversion, and/or increased flow of surface waters.

- C. In addition to the above facts at least one of the following findings apply:

- 1) That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:

- a) Alternative Development plans cannot achieve the same permitted density or that the costs of such alternative would be prohibitive.

The proposed project has been designed to minimize environmental impacts to the project site, while designing a reasonable project in compliance with the County's General Plan, Land Use and Development Code, and the Santa Clarita Valley Area Plan. The subject site's topographical and other physical limitations such as on-site wetlands, significant ridgelines, scenic viewsheds, unstable soils, etc. should be considered when determining reasonable use and conforming use the property. In order to minimize impact, the project was designed to preserve a significant amount of open space within central, southern, western and eastern portions of the site. These areas contain the majority of on-site wetlands, significant ridgelines, Coast Live Oak woodlands, and contain the steepest on-site topography. In addition the project is designed to minimize the visual impact to the Old Road and the I-5 Freeway corridor by limiting the amount of development along the eastern portion of the site adjacent to the Highway.

After providing the open space to the south, west, and east and locating development to ensure preservation of significant ridgelines, oak woodlands, and on-site wetlands a limited amount of land is remaining to develop the project site. Within this limited development (approximately 90 of 234 acres) envelope, the Fire Department requires (for proper emergency response and access) two means of access at specified widths and grades. In order to design two means of ingress/egress meeting grade requirements, development of the valley's in the north and the hillside area in the south is required to limit the proposed oak tree removals. In addition, the geotechnical report prepared for the project requires significant soil remediation, including removal and recompaction, which also requires the removal of a number of oak trees.

Thus, alternative designs would ultimately result in greater oak tree impacts, greater impacts to on-site wetlands, greater soil remediation, greater ridgeline impacts, and ultimately unsustainable construction costs.

Lyons Canyon Ranch
Burden of Proof for Discretionary Review of Housing Permit
Section 22.56.2820 (A)

The Lyons Canyon project proposes construction of 93 single-family dwelling units and 93 condominiums for seniors 55 and older on a 234.8 acre site. Pursuant to the County's recently updated development code, the 93 condominiums for seniors requires documentation of consistency with the statements below.

(A). In addition to providing the information required in the application by Section 22.56.2800 and meeting the requirements for qualified projects, an applicant for a discretionary housing permit shall substantiate to the satisfaction of the commission the following facts:

1. That the requested use at the location proposed will not:

- a) Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
- b) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
- c) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed 93 condominiums for seniors would be located within the immediate vicinity of a variety of land uses including: large single-family estate housing, agricultural activities, parkland/open space (Towsley Canyon Park), commercial office uses, and single-family dwellings. Although there is not a singular land use type in the immediate vicinity, there is a noticeable suburban and semi-rural land use character throughout the surrounding area.

The senior housing land use is proposed in the northeastern portion of the subject site, adjacent to the proposed fire station site and adjacent to existing commercial office and existing residential uses. The development of the condominiums for senior housing is compatible with these adjacent land uses. Aesthetically pleasing architecture/urban design, ample landscaping, and significant building setbacks will ensure that persons residing or working in the surrounding areas will not be adversely affected by the proposed development. Moreover, to address the potential nuisance of temporary fire station operation in relatively close proximity to the senior housing units and the existing residential uses along Sagecrest Circle, a number of noise mitigation measures are required as part of the Draft Environmental Impact Report (such as required installation of exterior windows with sound reducing glass, prohibition of 2nd and 3rd floor balconies or other open exterior areas along buildings wall adjacent to fire station, closed air conditioning systems, and substantial building setbacks to allow for adequate attenuation of noise). These measures, combined with the fact that fire truck siren noise is almost always temporary in nature, will further ensure the continued health, peace, comfort, or welfare of persons residing in the proposed senior housing units and the existing residential/commercial uses located north of the proposed project.

The proposed condominium dwellings will be for sale at market rates and therefore will not negatively affect the value of the surrounding single-family residences. Private and public recreational facilities, as well as undisturbed open space will be provided as part of the development, and thus will serve to perpetuate the use, enjoyment and value of other persons located in the vicinity of the site.

The developer will be required to obtain all required development permits prior to initiation of site construction and pass all inspections during site construction, thus ensuring the proper development of building pads, graded slopes, required drainage facilities, domestic water and sewer facilities, vehicle parking and circulation, landscaping, lighting, and all residential structures. Moreover, the Environmental Impact Report prepared for the proposed project requires the implementation of mitigation measures designed to reduce project-related impacts both during and after construction. All of these factors help ensure that the project does not jeopardize, endanger or constitute a menace to the public health or safety. These factors also help ensure that the project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

2. 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.

The subject site is approximately 9.3 acres in size. The 93 age-restricted condominiums will be provided in two multi-story buildings. The subject site is of appropriate size and can accommodate the County's setback, landscaping, and vehicle circulation requirements consistent with Title 21 and Title 22 of the Los Angeles County Code. The proposed project will be consistent with the site's General Plan Land Use and Zoning Designations and will therefore include the permitted yard areas, wall heights, boundary fences, appropriate level of architectural quality, landscaping requirements, and loading facilities to insure integration with the surrounding area.

3. The proposed site is adequately served:
 - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - b. By other public or private services as are required.

Future residents of the proposed project will utilize the Old Road and the I-5 Freeway as the primary access routes in and out of the subject property. Both the Calgrove and Lyons Avenue freeway interchanges provide direct access to the subject site via the Old Road. According to the project's Environmental Impact Report, the I-5 Freeway and the Old Road were designed with sufficient capacity to convey the project's anticipated traffic without creating a significant impact. The project does include further improvements to The Old Road and other area intersections to help handle both project-related traffic and future traffic associated with impending growth. Interior roadways are designed consistent with County of Los Angeles roadway design criteria. Right-of-way widths for interior streets are proposed at 64 feet, and 60 feet. Both primary and secondary means of access to the Old Road are provided via "A Street" and "E Street". These two roadways meet the vehicle circulation requirements established by the Los Angeles County Fire Department.

Other public services, such as law enforcement, fire prevention, water, sewer, library services, education and solid waste will either be provided by the appropriate County of Los Angeles Agency (i.e. County of Los Angeles Sheriff, County of Los Angeles Fire Dept., LA County Sanitation District, and Los Angeles County Public Library), appropriate private company (i.e. Valencia Water Company), or state agency (i.e. Newhall School District, and William S. Hart Union School District). An analysis of public services impacts was completed as part of the Environmental Impact Report.

4. That the proposed project, at the proposed location, has been designed to compliment the surrounding area in terms of land use patterns and design.

Approximately 10.25 acres of the 234.8 acre Lyons Canyon project site have been designated for the construction of 93 age-restricted condominiums. The site is, or is proposed to be, surrounded by single-family residences and commercial offices to the north, a Los Angeles County Fire Station site, The Old Road, and the I-5 Freeway to the east and single-family residences and open space to the west and south. Aesthetically pleasing architecture, landscaping and recreational amenities are proposed as part of the project design to ensure a level of design quality consistent with (i) the remaining 93 single-family residences proposed by the project; and (ii) the existing commercial and residential uses within the Sunset Pointe community of Stevenson Ranch. The buildings will be setback over 700 feet from the nearest existing single-family residence within Sunset Pointe. Moreover, approximately 4.5 acres of undisturbed open space will be preserved within the 10.25 acre development area. This area will provide a significant open space buffer between existing and proposed uses.

5. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs.

According to the County's 1998-2005 Housing Element, the housing construction needs for the unincorporated area of Los Angeles County totaled 52,232 dwelling units. Of that 52,232 units, 25,835 are needed in the above-moderate income range. During that short-term planning period, it was estimated that Los Angeles County issued buildings permits for construction of only 21,682 of the 52,232 housing units needed. The continued increase in the County's population, combined with limited availability of land suitable for new housing will exacerbate the current housing shortage. In addition, it is estimated that within the next 25 years, approximately 70 million people within the United States will be 65 years old or older. A large portion of this demographic will be seeking different types of housing, including housing that offers more of a "maintenance free" lifestyle, such as condominiums or townhouses. The 93 condominiums for seniors 55 and over proposed as part of the Lyons Canyon project will help meet the housing needs of this market segment, by providing low maintenance condominium living with private recreational amenities and convenient access to neighborhood services.

RECORDING REQUESTED
BY:

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TO GOVERNMENT CODE SECTION
27383

WHEN RECORDED MAIL TO:

(Space Above for Recorder's Use Only)

**AGREEMENT TO RESTRICT RESIDENCY IN ACCORDANCE
WITH CALIFORNIA CIVIL CODE SECTION 51.3**

BETWEEN

**THE COUNTY OF LOS ANGELES,
a political subdivision of the State of California**

AND

**WESTERN PACIFIC HOUSING, INC. – LYONS CANYON PARTNERS, LLC
a Delaware limited liability company**

**AGREEMENT TO RESTRICT RESIDENCY IN ACCORDANCE
WITH CALIFORNIA CIVIL CODE SECTION 51.3**

This Agreement to Restrict Residency in Accordance with California Civil Code Section 51.3 ("Agreement") is made effective as of _____, _____ ("Effective Date"), by and between the County of Los Angeles, a political subdivision of the State of California ("County"), and Western Pacific Housing – Lyons Canyon Partners, LLC, a Delaware limited liability company ("Developer"). County and Developer may hereinafter be referred to individually as "Party" and collectively as "Parties."

RECITALS

A. Developer is the owner of that certain real property situated in the County of Los Angeles, the legal description of which is attached hereto as Exhibit "A" ("Property"). The Developer has applied to the County for approvals to develop the Property for residential purposes ("Project"), including, without limitation, approval of Vesting Tentative Tract Map No. 53653 for the Property ("Tract 53653"), containing a total of 186 dwelling units.

B. Developer has proposed to construct an age-restricted, "senior citizen housing development" on 93 of the proposed Tract 53653 units, as more particularly depicted on Exhibit "B" attached hereto (the "SCHD Units"), and the County has agreed to process Developer's entitlement applications, including for an allowable density bonus, on the basis that the Project will include the SCHD Units.

C. County has requested that Developer enter into this Agreement so that, if the Project is approved by the County, Developer will be required to restrict the residency of the SCHD Units in accordance with the provisions of California *Civil Code* section 51.3.

NOW, THEREFORE, the Parties agree as follows:

ARTICLE I.

RESIDENCY RESTRICTION FOR SCHD UNITS.

1.1 Age-Restriction on SCHD Units. Upon approval of the proposed Project by County, the Developer agrees to restrict the residency of the SCHD Units in accordance with the provisions of California *Civil Code* section 51.3, the federal Fair Housing Act amendments of 1988 and the Housing for Older Person Act of 1995, as the same now exist or may hereafter be amended.

1.2 Declaration of Covenants, Conditions and Restrictions. Prior to transferring title to any SCHD Units to a third party homebuyer, Developer agrees to record a Declaration of Covenants, Conditions and Restrictions, consistent with this Agreement, that requires the persons

commencing any occupancy of a SCHD Unit to include at least one senior citizen (55 years of age or older) who intends to reside in the unit as his or her primary residence on a permanent basis. The Declaration of Covenants, Conditions and Restrictions recorded by Developer shall be in accordance with the provisions of California *Civil Code* section 51.3, the federal Fair Housing Act amendments of 1988 and the Housing for Older Person Act of 1995, as the same now exist or may hereafter be amended.

ARTICLE II.

EFFECTIVE DATE AND RECORDATION.

2.1 Effective Date. This Agreement shall be effective and binding upon its recordation in the Official Records of the County of Los Angeles, which shall occur upon the occurrence of both of the following two conditions precedent: (1) the Project is approved by the County and the statute of limitations for any CEQA or other legal challenge to that approval has expired without the filing of any legal challenge; and (2) Developer has acquired fee title to the Property.

2.2 Covenants Running With the Land. Upon recordation, this Agreement, and all of the rights, duties, powers, covenants, conditions, restrictions and obligations contained in this Agreement, shall burden that portion of the Property containing the SCHD Units as identified in Exhibit "B" (the "Age-Restricted Properties"), and shall be binding upon, and inure to the benefit of, all current and future owners of any portion of the Age-Restricted Properties, enforceable as equitable servitudes and constituting covenants running with the land pursuant to applicable law.

ARTICLE III.

RIGHTS UPON DEFAULT.

3.1 Events of Default. Any failure by either party to observe or perform any of the covenants, conditions or obligations of this Agreement, which failure continues uncured for a period of thirty (30) days following written notice of such failure from the other party, shall constitute a default under this Agreement. Any notice given pursuant to the preceding sentence ("Default Notice") shall specify the nature of the alleged failure and, where appropriate, the manner in which said failure may be cured. If the nature of the alleged failure is such that it cannot reasonably be cured within the 30-day period, then the commencement of the cure within such time period, and the diligent prosecution to completion of the cure thereafter, shall be deemed a cure within such 30-day period. If the alleged default is timely cured pursuant to the terms of this Section 3.1, then no default shall exist and the party issuing the Default Notice shall take no further action.

3.2 Cure. With respect to any default under Section 3.1 above, each non-defaulting party shall have the right, but not the obligation, to cure such default by the payment of money or the performance of some other action for the account of and at the expense of the defaulting party.

3.3 Waivers. No waiver by any party of any default under this Agreement shall be effective or binding on such party unless made in writing by such party and no such waiver shall be implied from any omission by a party to take action in respect to such default. No express written waiver of any default shall affect any other default or cover any other period of time other than any default and/or period of time specified in such express waiver. One or more written waivers of any default under any provision of this Agreement shall not be deemed to be a waiver of any subsequent default in the performance of the same provision or any other term or provision contained in this Agreement.

3.4 Remedies. Subject to the provisions of this Agreement, each non-defaulting party shall have the right to prosecute any proceedings at law or in equity against any defaulting party hereto, or any other person, violating or attempting to violate or defaulting upon any of the provisions contained in this Agreement, and to recover damages for any such violation or default. Such proceeding shall include the right to restrain by injunction any violation or threatened violation by another of any of the terms, covenants, or conditions of this Agreement, or to obtain a decree to compel performance of any such terms, covenants, or conditions, it being agreed that the remedy at law for a breach of any such term, covenant, or condition (except those, if any, requiring the payment of a liquidated sum) is not adequate. All of the remedies permitted or available to a party under this Agreement or at law or in equity shall be cumulative and not alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right or remedy.

ARTICLE IV.

MISCELLANEOUS PROVISIONS.

4.1 Transfer and Encumbrance. In its sole discretion, Developer may sell or encumber the Property or a portion thereof, in an improved or unimproved condition, through any means, including, but not limited to, deed, mortgage, deed of trust, or other security device. Neither this Agreement nor any breach of this Agreement shall defeat, invalidate, diminish, or impact the lien or priority of any deed, mortgage, deed of trust, or other security device.

4.2 Negation of Partnership. None of the terms or provisions of this Agreement create a partnership between or among the Parties in their respective businesses or otherwise, or constitute the Parties as joint venturers or members of any joint enterprise.

4.3 No Third Party Beneficiary. The provisions of this Agreement are for the exclusive benefit of the Parties, and their successors and assigns, and not for the benefit of any third person, and this Agreement does not confer any rights, express or implied, upon any such third person.

4.4 Amendment. Except as otherwise specified in this Agreement, this Agreement may be canceled, modified or amended in whole or in part only by a written instrument, executed by all Parties.

4.5 Force Majeure. If completion of performance of any act is delayed by reason of acts of God, war, civil commotion, acts of government (other than arising out of a failure or breach of an obligation, representation or warranty by the applicable party), riots, strikes, picketing, or other labor disputes, damage to work in progress by casualty, or by other cause beyond the reasonable control of a party (financial inability, imprudent management and negligence excepted), then the specified time for performance shall be extended by the amount of the delay actually so caused.

4.6 Severability. Invalidation of any provision contained in this Agreement, or of the application thereof to any person, by judgment or court order, shall not affect any other provisions hereof, or the application thereof to any other person or circumstance, and the same shall remain in full force and effect, unless enforcement of this Agreement as so invalidated would be unreasonable or grossly inequitable under all the circumstances, or would frustrate the purposes of this Agreement.

4.7 Further Assurances. The Parties agree to provide reasonable assistance to the other and cooperate to carry out the intent and fulfill the provisions of this Agreement. Each of the Parties shall promptly execute and deliver all documents and perform all acts as necessary to carry out the matters contemplated by this Agreement.

4.8 Exhibits. The Exhibits to which reference is made herein are deemed incorporated into this Agreement in their entirety whether or not they are actually attached.

4.9 Notices. Any notice to a party shall be in writing and given by delivering the same in person, or by sending the same by registered, certified or "Express" mail, return receipt requested, with postage prepaid, or overnight delivery service or by facsimile with confirmation delivered by U.S. mail or overnight delivery, as follows:

Developer: Western Pacific Housing, Inc., a Delaware corporation, formerly known as Schuler Homes, Inc, successor by merger to Western Pacific Housing Development Limited, a California limited partnership.
21300 Victory Blvd., Suite 700
Woodland Hills, CA 91367
Fax No. (818) 251-5719
Attention: Rick Coop

With a copy to: Stowell, Zeilenga, Ruth, Vaughn & Treiger LLP
2815 Townsgate Road, Suite 330
Westlake Village, CA 91361
Fax No. (805) 446-1490
Attention: Richard S. Zeilenga, Esq.

County: Department of Regional Planning
County of Los Angeles
Hall of Records (13th Floor)
320 West Temple Street
Los Angeles, CA 90012
Fax No. (213) 626-0434
Attention: James E. Hartl, AICP
Director of Planning

With a copy to: Office of the County Counsel
Los Angeles County
648 Kenneth Hahn Hall of Admin.
500 West Temple Street
Los Angeles, California 90012
Fax No. (213) 617-7182
Attention:

A party may change its mailing address at any time by giving written notice of such change to the other party in the manner provided herein at least ten (10) days prior to the date such change is effected. All notices under this Agreement shall be deemed given, received, made or communicated on the date personal delivery is effected or, if mailed or sent by courier, on the delivery date or attempted delivery date shown on the return receipt.

4.10 Entire Agreement. This Agreement and the Exhibits hereto contain all the representations and the entire agreement between the Parties with respect to the subject matter hereof. Any prior negotiations, correspondence and memoranda are superseded in total by this Agreement and Exhibits hereto.

4.11 Construction and Interpretation. The captions preceding the text of each article, section, subsection, paragraphs and exhibits of this Agreement are included only for convenience of reference and shall be disregarded in the construction and interpretation of this Agreement. This Agreement has been fully negotiated at arms length between the signatories hereto, and after advice by counsel and other representatives chosen by such signatories, and such signatories are fully informed with respect thereto; no such signatory shall be deemed the scrivener of this Agreement; and, based on the foregoing, the provisions of this Agreement and the Exhibits hereto shall be construed as a whole according to their common meaning and not strictly for or against any party.

4.12 Attorneys' Fees. If a party brings an action or proceeding (including a cross complaint, counterclaim or third party claim) against another party to enforce or interpret, or due to the breach or violation of, any provision of this Agreement, or otherwise arising out of this Agreement, the prevailing party in such action or proceeding shall be entitled to its costs and expenses in such action or proceeding, including reasonable attorneys' fees, which shall be payable whether or not such action or proceeding is prosecuted to judgment. "Prevailing party"

within the meaning of this Section 4.11 includes a party who dismisses an action or proceeding in exchange for payment of the sums allegedly due, performance of the covenants allegedly breached, or consideration substantially equal to the relief sought in the action or proceeding.

4.13 Signature Pages. For convenience, the signatures of each of the signatories may be executed on separate pages which, when attached to this Agreement, shall constitute this as one complete Agreement. Signature pages transmitted by facsimile shall be binding and effective, and considered original signatures for all purposes.

4.14 Time. Time is of the essence of this Agreement and each and every provision hereof.

4.15 Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of California.

IN WITNESS WHEREOF, Developer and County have executed this Agreement as of the day and year first above written.

Western Pacific Housing, Inc., a Delaware corporation,
formerly known as Schuler Homes, Inc, successor by
merger to Western Pacific Housing Development Limited,
a California limited partnership.

By: _____
Rick Coop, Vice President

COUNTY OF LOS ANGELES,
a political subdivision of the State of California

By: _____

Lyons Canyon Ranch
Conditional Use Permit Burden of Proof
22.56.040 (A-C)

A. That the requested use at the location proposed will not:

- 1) Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
- 2) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
- 3) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed project would be located within the immediate vicinity of a variety of land uses including: large single-family estate housing, agricultural activities, parkland (Towsley Canyon park), open space (Towsley Canyon Park), commercial office uses, and smaller lot detached single-family dwellings. Although there is not a singular land use type in the immediate vicinity, there is a noticeable suburban and semi-rural character throughout the different array of nearby land uses. A feeling of openness, natural beauty, and rural design themes create this character.

In order to remain consistent with the surrounding area and to ensure that the project will not: (1) adversely affect the health, peace, comfort or welfare of community members; (2) negatively affect the use, enjoyment or value of nearby property; or (3) jeopardize the public health, safety or general welfare, the proposed project incorporates a mix of uses that are consistent with the surrounding commercial, residential, and open space uses. Larger lot estate housing is proposed in the southern portion of the development. This housing component will provide a semi-rural character consistent with the adjacent open space lands managed by the Santa Monica Mountains Conservancy. The northern portion of the subject site will include smaller lot detached homes, attached condominiums, and active/passive recreational areas. These will be consistent with the suburban character of the surrounding community of Stevenson Ranch and will include recreational amenities such as active parks and trails. As a result, the project will serve to perpetuate the use, enjoyment and value of other property located in the vicinity of the site. The proposed project will also include a fire station site, located in the northeast corner of the project area, which will ensure the preservation of public health and safety.

B. 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.

The subject site is approximately 234 acres. It can adequately accommodate the proposed development of 93 detached single-family residences and 93 multi-family condominiums in a manner consistent with Title 21 and Title 22 of the Los Angeles County Code. The proposed project will be consistent with the site's General Plan Land Use and Zoning Designations and will therefore include the permitted yard areas, wall heights, boundary fences, landscaping requirements, and parking and loading facilities.

C. The proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service as are required.

Future residents of the proposed project will utilize The Old Road and the I-5 Freeway as the primary access routes to the subject property. Both the Calgrove and Lyons Avenue freeway interchanges provide direct access to the subject site via The Old Road. The I-5 Freeway and The Old Road are designed with sufficient capacity to convey the project's anticipated traffic without creating a significant impact. Interior roadways are designed consistent with County of Los Angeles roadway design criteria. Right-of-way widths for interior streets are proposed at 64 feet and 60 feet. Both a primary ("A" Street) and a secondary ("E" Street) means of access to The Old Road are proposed. These two roadways meet the vehicle circulation requirements established by the Los Angeles County Fire Department.

Other public services, such as law enforcement, fire services, water, sewer and library services, education and solid waste services will either be provided by the appropriate County of Los Angeles agencies (i.e. County of Los Angeles Sheriff, County of Los Angeles Fire Department, Los Angeles County Sanitation District or Los Angeles County Public Library), appropriate private companies (i.e. Valencia Water Company) or state agencies (i.e. Newhall School District and William S. Hart Union School District). An analysis of public services impacts was completed as part of the Environmental Impact Report. That report concluded that all public services could be provided to the proposed project without significantly impacting the servicing agencies.

Lyons Canyon Ranch
Density Controlled Development Conditional Use Permit Burden of Proof
22.56.040 (A-C)

A. That the requested use at the location proposed will not:

- 1) Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
- 2) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
- 3) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed project would be located within the immediate vicinity of a variety of land uses including: large single-family estate housing, agricultural activities, parkland (Towsley Canyon park), open space (Towsley Canyon Park), commercial office uses, and smaller lot detached single-family dwellings. Although there is not a singular land use type in the immediate vicinity, there is a noticeable suburban and semi-rural character throughout the different array of nearby land uses. A feeling of openness, natural beauty, and rural design themes create this character.

In order to remain consistent with the surrounding area and to ensure that the project will not: (1) adversely affect the health, peace, comfort or welfare of community members; (2) negatively affect the use, enjoyment or value of nearby property; or (3) jeopardize the public health, safety or general welfare, the proposed project incorporates a mix of uses that are consistent with the surrounding commercial, residential, and open space uses. Larger lot estate housing is proposed in the southern portion of the development. This housing component will provide a semi-rural character consistent with the adjacent open space lands managed by the Santa Monica Mountains Conservancy. The northern portion of the subject site will include smaller lot detached homes, attached condominiums, and active/passive recreational areas. These will be consistent with the suburban character of the surrounding community of Stevenson Ranch and will include recreational amenities such as active parks and trails. As a result, the project will serve to perpetuate the use, enjoyment and value of other property located in the vicinity of the site. The proposed project will also include a fire station site, located in the northeast corner of the project area, which will ensure the preservation of public health and safety.

B. 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.

The subject site is approximately 234 acres. It can adequately accommodate the proposed development of 93 detached single-family residences and 93 multi-family condominiums in a manner consistent with Title 21 and Title 22 of the Los Angeles County Code. The proposed project will be consistent with the site's General Plan Land Use and Zoning Designations and will therefore include the permitted yard areas, wall heights, boundary fences, landscaping requirements, and parking and loading facilities.

C. The proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service as are required.

Future residents of the proposed project will utilize The Old Road and the I-5 Freeway as the primary access routes to the subject property. Both the Calgrove and Lyons Avenue freeway interchanges provide direct access to the subject site via The Old Road. The I-5 Freeway and The Old Road are designed with sufficient capacity to convey the project's anticipated traffic without creating a significant impact. Interior roadways are designed consistent with County of Los Angeles roadway design criteria. Right-of-way widths for interior streets are proposed at 64 feet and 60 feet. Both a primary ("A" Street) and a secondary ("E" Street) means of access to The Old Road are proposed. These two roadways meet the vehicle circulation requirements established by the Los Angeles County Fire Department.

Other public services, such as law enforcement, fire services, water, sewer and library services, education and solid waste services will either be provided by the appropriate County of Los Angeles agencies (i.e. County of Los Angeles Sheriff, County of Los Angeles Fire Department, Los Angeles County Sanitation District or Los Angeles County Public Library), appropriate private companies (i.e. Valencia Water Company) or state agencies (i.e. Newhall School District and William S. Hart Union School District). An analysis of public services impacts was completed as part of the Environmental Impact Report. That report concluded that all public services could be provided to the proposed project without significantly impacting the servicing agencies.

**Lyons Canyon Ranch
Hillside Management and Significant Ecological Area Burden of Proof**

A. Hillside Management Areas (Section 22.56.215 F.1)

1. The proposed project is located and designed so as to protect the safety of current and future residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow or erosion hazard.

The proposed project would be located within the immediate vicinity of a variety of land uses including: large single-family housing, agricultural activities, parkland (Towsley Canyon park), open space (Towsley Canyon Park), commercial office uses, and smaller detached single-family dwellings. Although there is not a singular land use type in the immediate vicinity, there is a noticeable suburban and semi-rural character throughout the different array of nearby land uses. A feeling of openness, natural beauty, and predominantly residential design themes create this character.

The development envelope proposed for the Lyons Canyon site was designed with the intent of preserving the safety of future residents. All proposed development areas will be constructed on competent building pads created with the compacted cut and fill. The Geotechnical Investigation completed for the proposed project has confirmed that the project can be feasibly constructed without creating unacceptable geologic hazards, seismic hazards, and/or slope instability. Moreover, the Los Angeles County Department of Public Works reviewed and approved the conclusions and mitigation measures described in the Geotechnical Investigation. Therefore, the project will protect the safety of current and future residents.

The proposed project includes the construction of a fire station building site. This site would be developed pursuant to County of Los Angeles Fire Department specifications and thus would improve response times in and around the project area, thereby helping avoid the creation of significant threats to life and/or property due to fire hazards.

The project's drainage plan includes the construction of debris basins, catch basins, storm drains, other drainage facilities (such as adequately sized culvert crossings), construction related BMPs and structural BMPs which will improve the quality of water entering downstream areas. These drainage improvements will also reduce the potential for on and off-site flooding, mud-flows and soil erosion. The Los Angeles County Department of Public works has reviewed and approved the conclusions and mitigation measures described in the project's drainage plan. The proposed project landscaping will also include native vegetation that will reduce the potential for on and off-site erosion, mudflows, and flooding through its direct influence on soil-water retention, surface soil stability, and erosion control. As a result of the foregoing project characteristics, the project will help avoid the creation of significant threats to life and/or property due to hazards associated with flooding, mud-flows or erosion.

2. The project is compatible with the natural, biotic, cultural, scenic, and open space resources of the area;

The project has been designed to be highly compatible with the biotic, cultural, scenic, and open space resources of the area. The majority of on-site natural areas have been set aside as either permanent open space and/or passive recreational areas, including the most pristine on-site waterbodies/wetlands in the central portion of the property, significant ridgeline and viewshed areas within the southern and eastern portions of the property, oak woodlands throughout the site, and other sensitive habitat areas. The project's proposal to preserve approximately 167 acres of undisturbed and disturbed

open space (approximately 71 percent of the site) confirms the development's commitment to natural resource conservation.

Moreover, the Draft EIR reviewed the project's potential impacts to cultural resources in the area and concluded that such impacts will either be less than significant or mitigated to a level of less than significant.

3. The project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;

The areas of development located approximately 0.6 miles north of the project site include a variety of both neighborhood shopping and regional shopping and commercial facilities. Recreational opportunities are also located within ¼ mile of the subject site. State (Schools), County (police, fire, wastewater, and solid waste), and private agencies (water) would provide services to the proposed project. As described in the Environmental Impact Report prepared for the project, the project can be adequately served by all of the applicable service agencies without imposing undue costs.

The project design, including the provision of much needed senior housing, active/passive recreation areas, additional single-family housing, development of a fire station site to improve health and safety, and the construction of regional public improvements are all consistent with the objectives and policies of the Los Angeles County General Plan.

4. The proposed project development demonstrates creative and imaginative design resulting in a visual quality that will complement community character and benefit current and future residents.

The proposed project's creative and imaginative design avoids substantial intrusion into areas identified as significant ridgelines and scenic viewshed areas. These areas are primarily located along the south eastern and central portions of the property. Views of the natural environment into the site from surrounding areas will be maintained, while the interior development design provides for aesthetically pleasing residential neighborhoods, complimented by existing oak woodlands, mountainous terrain, and preserved streams/wetlands, thereby resulting in a visual quality that compliments community character. A network of on-site and regional trails is also proposed, which will link not only new members of the community to the on-site amenities, but will provide a connection point to adjacent public open space areas and nearby commercial services.

B. Significant Ecological Areas (Section 22.56.215 F.2)

1. The requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

The majority of on-site natural areas have been set aside as either permanent open space and/or passive recreational areas, including on-site waterbodies/wetlands, significant ridgeline and viewshed areas, oak woodlands, and other sensitive habitat areas. Overall, the project proposes to preserve approximately 167 acres of undisturbed and disturbed open space (approximately 71 percent of the site). Located within this open space area are the majority of on-site oak woodlands (30.56 acres or 79 percent), on-site streams and waterbodies (16.26 acres or 66 percent), and other significant biological habitats comprised of coastal sage scrub, chaparral, and native grasslands (70.64 acres or 54 percent). On-site landscaping is also proposed, which will include

native and/or non-invasive plant specimens designed to create aesthetically pleasing communities while being compatible with the surrounding native habitat.

Two SEA's (No.'s 63 and 20) traverse the subject property. Approximately 80 total acres within the subject property have been designated as SEAs 63 and 20. The proposed project will preserve 69.2 acres (86 %) of these sensitive habitat areas. These sensitive habitat areas will be preserved in perpetuity through inclusion in the proposed open space lots. These areas will be restricted from future development via an appropriate recordable legal instrument. The most high-value biological habitat present within these two SEAs will not be disturbed at all by the proposed project, as these areas are outside of the development envelope.

As a result, the project is compatible with the on-site biotic resources.

2. The requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;

The majority of on-site waterbodies, watercourses, and their tributaries have been set aside as either permanent open space and/or passive recreational areas. The project proposes to preserve approximately 167 acres of undisturbed and disturbed open space (approximately 71% of the site). A detailed breakdown of impacts to riparian habitat under Army Corps of Engineer (ACE) and Department of Fish and Game (DFG) jurisdiction is provided below.

Approximately 4.75 acres of wetland habitat under the jurisdiction of the ACE exists on the subject property. The proposed project will preserve 3.9 acres (82 %) of this habitat and thus substantially maintain wetland functions on-site. A total of 15.51 acres of riparian habitat under the jurisdiction of the DFG is present on the subject site. The proposed project will preserve 9.77 acres (63%) of on-site riparian habitat. In addition, the project proposes to implement a habitat enhancement program to improve wetland functions within already disturbed areas and re-create wetlands on-site to ensure the project will comply with the "no net loss" wetlands policies adopted by DFG and the ACE.

3. The requested development is designed to that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;

The project site presently provides high quality wildlife habitat that supports numerous travel routes for wildlife movement. In particular, drainages on the project site are natural conduits of wildlife movement whether in a natural setting or surrounded by development. Lyon Canyon Creek and the unnamed drainage in the southeastern corner of the site are tributaries of the South Fork of the Santa Clara River, and both flow beneath I-5 toward the Santa Clara River. These watercourses are concrete channels as they pass underneath I-5. They provide connections between the east and west sides of I-5. However, these connections do not likely serve as viable wildlife crossings for many mammals or reptiles and amphibians because of the extended distances beneath I-5 lead to existing developments and cover is very limited in this reach. Established wildlife corridors occur in the region of the project site; however, neither the east-west or north-south wildlife corridors cross the project site.

The proposed dedication of on-site open space will be near known migratory paths (including the Lyons Canyon SEA # 63 and Santa Susana Mountains SEA # 20). The proposed project proposes to preserve the natural habitat areas directly adjacent to these two SEAs, thereby preserving the linkage between known wildlife movement corridors. In addition, the project's drainage structures are designed and sized so that they reduce potential limits to wildlife movement into and out of the subject site.

4. The requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development;

The majority of on-site waterbodies, watercourses, and their tributaries have been set aside as either permanent open space and/or passive recreational areas which also act as buffers. The project proposes to preserve approximately 167 acres of natural open space (approximately 71% of the site). In addition, low level lighting will be utilized within development areas to ensure that on-site wildlife is not significantly impacted by the proposed development during nighttime hours.

5. Where necessary, fences or walls are provided to buffer important habitat areas from development;

All proposed development areas adjacent to important on-site habitat areas will be fenced off from human and domestic animal intrusion so as to provide a buffer. Designated trail head, and staging areas will be provided within the proposed development to reduce the potential for unnecessary intrusion into the preserved natural habitat areas.

6. Roads and utilities serving the proposed development are located and designed to not conflict with critical resources, habitat areas or migratory paths.

Project access will be provided by a roadway system designed to Los Angeles County Standards. The proposed circulation system is located outside of the critical on-site waterbodies and streams and on-site oak woodlands. Therefore, critical natural resources, wildlife habitat areas and movement corridors will be maintained in their natural state. Implementation of an intensive habitat enhancement program combined with a non-invasive landscaping program will also help to ensure the suppression of many on-site invasive species and ultimately improve wildlife movement, critical resource values, and migratory paths when compared to existing conditions.

Lyons Canyon Ranch
Additional Burden of Proof for Density Bonus Conditional Use Permit
Section 22.56.202 (C)

- C. The applicant shall substantiate the burden of proof for a conditional use permit as specified by Section 22.56.040 of the Los Angeles County and with the following:

1. That the proposed project at the location proposed has been designed to be compatible with the surrounding area in terms of land use patterns, designs, and established community character;

The proposed project has been designed consistent with the community character and with the existing Land Use Designations established for the surrounding areas. Pursuant to the Santa Clarita Valley Area Plan, the subject site has been designated Non-Urban 2 (N-2), Hillside Management (HM) and Hillside Management-Significant Ecological Area (HM-SEA). These designations permit low-density residential housing and small-scale neighborhood commercial uses. The project proposes 93 single-family residences with lot sizes ranging from 8,009 SF to 77,875 SF and 1 multi-family housing lot 10.25 acres in size. The proposed development proposes to incorporate semi-rural design elements, such as large lots surrounded by undeveloped open space (approximately 71% of the project site), contour grading to preserve views, numerous trails with centrally located recreational staging areas for both equestrian and pedestrian uses, use of native landscaping and preserved habitat restoration areas. These development concepts are consistent with the surrounding residential development and will help preserve the semi-rural character of the area.

2. That the proposed project will assist in satisfying affordable housing needs, and is viable in terms of continuing availability to meet such housing needs;

The proposed project will include 93 multi-family residential units designated as more affordable senior housing. This number of units represents 100% of the total density bonus requested and 50% of the project's total number of units. The County's adopted Housing Element provides that senior housing is in need of special consideration, especially as a growing number of citizens reach retirement age and no longer desire to reside in their current households. The proposed project will provide age restricted housing for seniors as defined by Section 51.3 of the California Civil Code.

3. That the proposed project shall be reasonably proximate to public transit, shopping, and except for senior citizen housing, employment centers;

The nearest fixed route-transit stops are Routes 5 and 6, which pass through the intersection of The Old Road and Pico Canyon Road. This intersection is approximately one-half mile north of the proposed senior housing area. These routes are serviced by Santa Clarita Transit. These transit stops provide direct access to the Stevenson Ranch Area, Hart High School, the Valencia Town Center and Canyon Country. Dial-a-Ride service is also available for residents of the project. This service is provided by the City of Santa Clarita and includes both ambulatory and non-ambulatory transportation services. Therefore, the proposed project should be considered reasonably proximate to public transit, shopping, and employment centers. As required by the County of Los Angeles, the Lyons Canyon project will contribute its fair-share towards the construction of new transit stops, and intersection improvements throughout the unincorporated portions of Los Angeles County.

4. That the requested incentives or concessions are required to make affordable housing units economically feasible.

The requested density bonus for senior housing, which allows for a total of 186 units on the proposed project site, is necessary to provide approximately equal numbers of market rate single-family housing and senior housing. This density bonus will give the applicant the opportunity to provide a quality housing product for seniors, that is substantially more affordable than the non-age restricted units in the project site.

Lyons Canyon Ranch
Oak Tree Permit Burden of Proof
22.56.2100 (A)

1. That the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property;

Construction of the proposed project will not endanger the health of any remaining on- or off-site oak trees. The proposed project has been designed to minimize environmental impacts to the project site, while designing a reasonable project in compliance with the County's General Plan, Land Use and Development Code and the Santa Clarita Valley Area Plan. The project site has been designed with the utmost sensitivity towards existing oak woodlands. The majority of on-site oak woodlands will be maintained as part of the project. All work performed in the protected zones and/or driplines of the remaining trees will be done using hand implements only; the use of mechanized equipment is prohibited except where absolutely necessary. This work will be completed under the supervision of a certified arborist or forester approved by the County of Los Angeles. Any canopy pruning for structural or clearance purposes, including deadwood removal, will be performed by or under the direction of such a certified arborist or forester approved by the County of Los Angeles. Appropriate fencing, as required by the County of Los Angeles, will be placed around all trees proposed for preservation.

2. The removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion, or increased flow, of surface waters which cannot otherwise be satisfactorily mitigated;

Natural drainage courses and natural grades around oak trees proposed for preservation shall not be altered. Surface runoff from adjacent areas shall be directed away from preservation areas and shall not increase runoff to those areas. Water shall not be allowed to pond or accumulate within the dripline of any oak tree. The proposed project's drainage plan and stormwater pollution prevention plan contains the appropriate erosion control and drainage devices on-site to ensure that the proposed removal or relocation of oak trees will not result in on- or off-site runoff that would divert and/or increase the flow of surface waters, thereby causing soil erosion.

3. In addition to the above facts, at least one of the following findings found in Section 22.56.2100(A)(3) of the Los Angeles County Code applies:

- (a) That the removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
- (i) Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
 - (ii) Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
- (b) That the oak tree(s) proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s), or

- (c) That the condition of the oak tree(s) proposed for removal with reference to seriously debilitating disease or danger or falling is such that it cannot be remedied through reasonable preservation procedures and practices;

The finding found in Section 22.56.2100(A)(3)(a)(i) applies; that is, the removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that (i) alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive.

The proposed project has been designed to minimize environmental impacts to the project site, while designing a reasonable project in compliance with the County's General Plan, Land Use and Development Code and the Santa Clarita Valley Area Plan. The subject site's topographical and other physical limitations such as on-site wetlands, significant ridgelines, scenic viewsheds, unstable soils, etc. should be considered when determining reasonable use and conforming use of the property. In order to minimize impacts, the project was designed to preserve a significant amount of open space within central, southern, western and eastern portions of the site. These areas contain the majority of on-site wetlands, significant ridgelines, Coast Live Oak woodlands, and contain the steepest on-site topography. In addition the project is designed to minimize the visual impact to The Old Road and the I-5 Freeway corridor, by limiting the amount of development along the eastern portion of the site adjacent to those roads.

After providing the open space to the south, west, and east and, locating development to ensure preservation of significant ridgelines, oak woodlands, and on-site wetlands, a limited amount of land remains for development purposes. Within this limited development envelope (approximately 90 of 234 acres), the Fire Department requires (for proper emergency response and access) two means of access at specified widths and grades, and the Public Works Department requires the construction of large debris/detention basins within the southern and northern portions of the site to mitigate existing flooding and debris flow problems. In order to design two means of ingress/egress which preserve the highest value oak woodland habitat and meet grade requirements, development of the valleys in the north portion of the project site, and the hillside area in the south area of the project site, is required to limit oak tree removal. In addition, the geotechnical report prepared for the project requires significant soil remediation, including removal and re-compaction, which also requires the removal of a number of oak trees.

Thus, any alternative design -- that would still achieve permitted densities -- would ultimately result in greater oak tree impacts, greater impacts to on-site wetlands, greater soil remediation, greater ridgeline impacts and ultimately unsustainable construction costs.

**MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA
TECHNICAL ADVISORY COMMITTEE (SEATAC)
MEETING OF OCTOBER 3, 2005**

(Approved as written via email, November 8, 2005)

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Ty Garrison
Mickey Long
Ruben Ramirez

REGIONAL PLANNING STAFF

Joe Decruyenaere
Daryl Koutnik

Project CUP 00-196/VTTM 53108 Representatives

Glenn Adamick	(661) 255-4003
Keith Babcock	(916) 652-6300
Matt Carpenter	(661) 255-4259
Josh Phillips	(510) 267-0494

Project RCUPT200500088/ROAKT200500039/TR53653 Representatives

Vince Daly	(805) 889-7252
Jasch Janowicz	(805) 889-7252
David Magney	(805) 646-6045
Rick Zeilenga	(805) 446-1496

**MINUTES
October 3, 2005**

AGENDA ITEMS

1. Garrison moved and Ramirez seconded to approve the September 12, 2005 SEATAC meeting minutes as written.
2. Project CUP 00-196/VTTM 53108 – See Attachment Item 2.
3. Project RCUPT200500088/ROAKT200500039/TR53653 – See Attachment Item 3.

NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY

FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

SEATAC REPORT AND COMMENTS

PROJECT CUP 00-196/VTTM 53108

SEATAC MEETING DATE OCTOBER 3, 2005, ITEM 2

Biota Report Prepared by Impact Sciences, Incorporated, Dated July 2005

Second Continuation from August 1, and September 12, 2005 of Initial SEATAC review of Biota Report

PROPOSED PROJECT CUP 00-196/VTTM 53108 – An application to subdivide the subject property into 418 lots, to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-use space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Off-site improvements include buried bank stabilization and the Long Canyon Road Bridge to be developed in conjunction with the tract development. Two borrow sites, one located south of the Santa Clara River (215 acres) and the other north of State Route 126 (120 acres), and haul routes will be located outside of the tract map boundary but within the Newhall Ranch Specific Plan area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast). The proposed project site is partially within the Santa Clara River SEA (SEA 23) and is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan, located north of the Santa Clara River, west of Interstate 5 and south of State Route 126, between the intersection of Chiquito Canyon Road and Castaic Creek.

SEA DESCRIPTION: Soledad Canyon and the Santa Clara River (SEA No. 23) possess several populations of the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). This species was formerly found in the Los Angeles, San Gabriel, and Santa Ana Rivers, but is now restricted to the Santa Clara River and San Francisquito Canyon. For these reasons and due to threats to its habitat, the fish species has been placed on the state and federal endangered species lists. In the Santa Clara River, the unarmored threespine stickleback is limited to permanent streams and pools from the mouth of San Francisquito Canyon west to the Ventura-Los Angeles County line, and from near Lang Station east to Arrastre Canyon.

The reason the unarmored threespine stickleback has been able to survive in the Santa Clara River is that its remaining habitat has been relatively undisturbed. The Santa Clara River is unique in being the only major river draining the San Gabriel Mountains that has not been extensively channelized. The vegetation consists of fresh water marsh, coastal sage scrub, oak woodland, and riparian woodland communities. The broad wash association is unlike that found in steeper mountain canyons, and is increasingly rare in Los Angeles County. The trees serve as habitat for many raptorial bird species. The red-shouldered hawk is restricted to woodland communities, and the species is becoming increasingly uncommon in southern California due to habitat destruction. The National Audubon Society and others have expressed concern for the hawk's welfare.

The primary concern for the survival of the unarmored threespine stickleback is the loss of suitable habitat. The species requires clean, free-flowing, perennial streams and ponds surrounded by native vegetation. Intermittent areas connecting perennial streams are also important during the wet season when surface water is present. The natural vegetation and stream course slow heavy runoff during the rainy season, decrease destruction and siltation of habitat in downstream areas, and provide habitat for stickleback migration between populations.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT CUP 00-196/VTTM 53108 (Note: comments for the October 3, 2005 SEATAC meeting are limited to Volume III of the Biota Report):

1. The revised Biota Report must provide a better accounting of impacts at the project site and mitigations in the High Country.
2. Water quality and hydrology, including intermittency of flows, in the river and tributaries must be maintained to ensure long term sustainability of biological resources.
3. Arroyo toad habitat is present, and populations may have been blown out by large releases from Castaic Lake. Proper management of flows from Castaic may permit reintroduction of arroyo toad.
4. Maps on pages 334 and 337 of Volume III are not clear and legends/captions are confusing.
5. Griffin (1999) reports a high level of use by arroyo toads of agricultural fields as aestivation sites. There is good potential for high-value, low-cost aestivation habitat restoration within the project site. Include clearance surveys for arroyo toad within agricultural fields as a mitigation measure.
6. SEATAC reiterates their concern that buried bank stabilization must be rough-sided.
7. SEATAC requests a field trip to see the sites of proposed buried bank stabilization.

ACTION TAKEN: Further SEATAC review of the project is required; prepare a revised Biota Report addressing the SEATAC comments and recommendations detailed above and in the minutes of the August 1 and September 12, 2005 minutes.

SEATAC REPORT AND COMMENTS

PROJECT RCUP200500088/ROAK200500039/TR53653

SEATAC MEETING DATE OCTOBER 3, 2005, ITEM 3

Biological Constraints Analysis Prepared by David Magney Environmental Consulting,
Dated September 2005

Initial SEATAC review for Biological Constraints Analysis

PROPOSED PROJECT: RCUP200500088/ROAK200500039/TR53653 – A Tentative Tract Map application to subdivide the 232 acre subject property into 112 lots consisting of 100 single-family lots, 1 condominium lot (10.25 ac.) for 95 senior housing units, 1 fire station lot (1.26 ac.), 4 open space lots, 5 debris basin lots, and 1 active park lot. Both primary and secondary means of access are from The Old Road. The project also includes an Oak Tree Permit to remove/encroach on oak trees (*Quercus agrifolia* and *Q. lobata*) and a Conditional Use Permit for development within an SEA and hillside management area and for a density bonus request. The proposed project is located west of I-5 Freeway in the Pico Canyon Area, south of Stevenson Ranch and Sagecrest Circle and northwest of Calgrove Boulevard, partially within SEA No. 20 (Santa Susana Mountains) and SEA No. 63 (Lyon Canyon).

SEA DESCRIPTIONS: The Santa Susana Mountains (SEA No. 20) are one of several relatively small ridge systems that form the Transverse Ranges and blend eastward into the larger San Gabriel and San Bernardino Mountains. The Santa Monica Mountains are also part of this system and form a coastal barrier shielding the interior ridges from the direct influences of moist marine air, making these interior ridges drier than the coastal ones. The vegetation of the Santa Susana Mountains consists of coastal sage scrub on south-facing slopes, dense chaparral on north-facing slopes, and oak, walnut and riparian woodlands in valleys. The oak woodland communities are extremely diverse, supporting six species of oak. These include coast live oak (*Quercus agrifolia*), valley oak (*Q. lobata*), canyon live oak (*Q. chrysolepis*), scrub oak (*Q. berberidifolia*), interior live oak (*Q. wislizenii*), and a single known location of Palmer's oak (*Q. palmeri*). The latter species is known in Los Angeles County only from this area. The walnut woodlands are frequently found in canyons supporting intermittent streams and consist primarily of southern California black walnut (*Juglans californica* var. *californica*), flowering ash (*Fraxinus dipetala*), Mexican elderberry (*Sambucus mexicana*), and coast live oak. Fires appear to promote the expansion of walnut woodlands within this area. Unusual southern California black walnut-flowering ash woodlands occur at mid-elevations within canyons of the north-facing slopes. This community appears to be unique to the Santa Susana Mountains. The bigcone spruce (*Pseudotsuga macrocarpa*)-canyon live oak forest at higher elevations represents one of the northwestern-most examples of this community.

The Santa Susana Mountains are the main representative of these small low, dry interior mountain ranges in Los Angeles County. The core of this range is in good condition and has not been heavily disturbed by human use. These mountains are becoming isolated from surrounding natural areas by continued urban expansion in the San Fernando, Simi, and Santa Clarita Valleys. As this isolation occurs the Santa Susana Mountains are becoming an important wildlife corridor for gene flow and species movement between the San Gabriel and Santa Monica Mountains via the Simi Hills.

The interior areas of the Santa Susana Mountains, away from peripheral development, support healthy, natural biotic communities. Some encroachment has taken place in the form of unimproved roads, ranches, and a limited number of oil extraction sites. The majority of the land is privately owned.

Lyon Canyon (SEA No. 63) is relatively narrow, supporting oak woodland surrounded by extensive chaparral and coastal sage scrub communities. The oak woodland is found in the southerly portion of the area and contains both coast live oak (*Quercus agrifolia*) and valley oak (*Q. lobata*). Higher elevations in the canyon support chaparral and scrub communities consisting of sugarbush (*Rhus ovata*), California lilac (*Ceanothus* spp.), black sage (*Salvia mellifera*), and chamise (*Adenostoma fasciculatum*), which is the dominant shrub. Drainages are dominated by mulefat (*Baccharis salicifolia*) scrub and riparian woodlands consisting of coast live oak, western sycamore (*Platanus racemosa*) and willows (*Salix laevigata* and *S. lasiolepis*); marsh assemblages, dominated by saltgrass (*Distichlis spicata*), occur where drainages merge with the flat bottomlands.

At present, Lyon Canyon is largely undeveloped, except for the remains of ranch outbuildings found at the mouth of the canyon, just outside of the SEA. The site has been grazed and was used for filming in the 1970's and 1980's. Thus, large areas of the bottomlands are disturbed, with a heavy cover of native and non-native ruderal species, and ornamental trees remain surrounding the former ranch buildings.

**SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT RCUP200500088/
ROAK200500039/TR53653:**

- 1) SEATAC commends David Magney on a very good, thorough Biological Constraints Analysis.
- 2) The vegetation map is excellent; however, it may be overwhelmingly detailed to some readers. A reference to the habitat map in discussions of vegetation may help to clarify aspects such as physiognomy of the various vegetation types to the lay reader.
- 3) Explain the concept of vegetation alliances with the use of an alternate terminology.
- 4) Use a 'common name (*scientific name*)' format for nomenclature, and refer to species by common name following its initial reference.
- 5) Provide updated photos as the area recovers from recent fires.
- 6) Bat surveys in trees and cliffs are recommended.

ACTION TAKEN: Further SEATAC review of the project is required; prepare a Biota Report addressing the above SEATAC Comments and Recommendations.

**MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA
TECHNICAL ADVISORY COMMITTEE (SEATAC)
MEETING OF DECEMBER 5, 2005**

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Jonathan Baskin, PhD
Janet Fahey, PhD
Ty Garrison
Mickey Long

REGIONAL PLANNING STAFF

Joe Decruyenaere
Daniel Fierros
Daryl Koutnik

Project CUP 00-196/VTTM 53108 Representatives

Glenn Adamick	(661) 255-4003
Keith Babcock	(916) 652-6300
Josh Phillips	(510) 267-0494
Tom Worthington	(805) 437-1900

Project TR53653/RCUPT200500088/ROAKT200500039 Representatives

Russ Baggerly	(805) 646-6045
Vince Daly	(805) 889-7252
Jasch Janowicz	(815) 889-7252
David Magney	(805) 646-6045

**MINUTES
December 5, 2005**

AGENDA ITEMS

1. Long moved and Fahey seconded to approve the November 7, 2005 SEATAC meeting minutes as written.

OLD BUSINESS

2. Project CUP 00-196/VTTM 53108 – See Attachment Item 2.

NEW BUSINESS

3. Project RCUPT200500088/ROAKT200500039/TR53653 – See Attachment Item 3.

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SEATAC REPORT AND COMMENTS

CUP 00-196/VTTM 53108 – CONDITIONAL USE PERMIT and VESTING TENTATIVE TRACT MAP

SEATAC MEETING DATE DECEMBER 5, 2005, ITEM 2

Revised Biota Report prepared by Impact Sciences, Incorporated, Dated November, 2005

Previous SEATAC Meetings for Biota Report August 1, September 12, and October 3, 2005.

PROPOSED PROJECT CUP 00-196/VTTM 53108 – An application to subdivide the subject property into 418 lots, to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-use space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Off-site improvements include buried bank stabilization and the Long Canyon Road Bridge to be developed in conjunction with the tract development. Two borrow sites, one located south of the Santa Clara River (215 acres) and the other north of State Route 126 (120 acres), and haul routes will be located outside of the tract map boundary but within the Newhall Ranch Specific Plan area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast). The proposed project site is partially within the Santa Clara River SEA (SEA 23) and is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan, located north of the Santa Clara River, west of Interstate 5 and south of State Route 126, between the intersection of Chiquito Canyon Road and Castaic Creek.

SEA DESCRIPTION: Soledad Canyon and the Santa Clara River (**SEA No. 23**) possess several populations of the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). This species was formerly found in the Los Angeles, San Gabriel, and Santa Ana Rivers, but is now restricted to the Santa Clara River and San Francisquito Canyon. For these reasons and due to threats to its habitat, the fish species has been placed on the state and federal endangered species lists. In the Santa Clara River, the unarmored threespine stickleback is limited to permanent streams and pools from the mouth of San Francisquito Canyon west to the Ventura-Los Angeles County line, and from near Lang Station east to Arrastre Canyon.

The reason the unarmored threespine stickleback has been able to survive in the Santa Clara River is that its remaining habitat has been relatively undisturbed. The Santa Clara River is unique in being the only major river draining the San Gabriel Mountains that has not been extensively channelized. The vegetation consists of fresh water marsh, coastal sage scrub, oak woodland, and riparian woodland communities. The broad wash association is unlike that found in steeper mountain canyons, and is increasingly rare in Los Angeles County. The trees serve as habitat for many raptorial bird species. The red-shouldered hawk is restricted to woodland communities, and the species is becoming increasingly uncommon in southern California due to habitat destruction. The National Audubon Society and others have expressed concern for the hawk's welfare.

The primary concern for the survival of the unarmored threespine stickleback is the loss of suitable habitat. The species requires clean, free-flowing, perennial streams and ponds surrounded by native vegetation. Intermittent areas connecting perennial streams are also important during the wet season when surface water is present. The natural vegetation and stream course slow heavy runoff during the rainy season, decrease destruction and siltation of habitat in downstream areas, and provide habitat for stickleback migration between populations.

**SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT 00-196/VTTM
53108:**

1. The hydrological assessments are too presumptive; a more in-depth analysis of hydrology is needed.
2. The maintenance of roughness in flow within the Santa Clara River is the biggest biological issue for this project, as channel roughness is the driving force behind encouraging heterogeneity in habitats within the floodplain. Bank stabilization designs that have been presented to SEATAC are fundamentally smooth-sided. Given the fact that they will be buried, they may be expected to remain unexposed in the short term; nevertheless, buried banks will be exposed with time (as other buried bank structures have been exposed in the region within several years of their emplacement), and a genuinely long-term approach to maintaining roughness of flow must be incorporated in the overall project design. This roughness may be accommodated at the banks or within the channel itself and may be facilitated through the use of large rip-rap in the overburden used to bury the stabilization or through the use of A-Jacks or similar interlocking modular units.
3. SEATAC is skeptical that otherwise mitigable impacts of this project are being improperly referred back to the Specific Plan which did not adequately address such impacts. The table on page 149 needs to be qualified in terms of what mitigations are possible in regard to habitat impacts and which are not. A fuller discussion of overriding considerations relative to the Specific Plan is needed to properly understand which impacts of Landmark village may justifiably require mitigation.
4. Provide information on ACOE and CDFG requirements for the project through the pending master permit so that SEATAC can have a context in which to view the mitigation responsibilities of the County (including mitigation for impacts to spineflower and water quality).
5. References to flooding as an 'infrequent' event minimize its ecological importance. Infrequent events may be extremely important in determining the future course of ecological developments.
6. An aggressive invasive species management plan is needed.

ACTION TAKEN: Further SEATAC review is required; incorporate the above SEATAC comments in the Biota Report.

SEATAC REPORT AND COMMENTS

PROJECT RCUP200500088/ROAK200500039/TR53653

SEATAC MEETING DATE DECEMBER 5, 2005, ITEM 3

Biota Report Prepared by David Magney Environmental Consulting, Dated November 2005

Initial SEATAC review for Biota Report

PROPOSED PROJECT: RCUP200500088/ROAK200500039/TR53653 – A Tentative Tract Map application to subdivide the 232 acre subject property into 112 lots consisting of 100 single-family lots, 1 condominium lot (10.25 ac.) for 95 senior housing units, 1 fire station lot (1.26 ac.), 4 open space lots, 5 debris basin lots, and 1 active park lot. Both primary and secondary means of access are from The Old Road. The project also includes an Oak Tree Permit to remove/encroach on oak trees (*Quercus agrifolia* and *Q. lobata*) and a Conditional Use Permit for development within an SEA and hillside management area and for a density bonus request. The proposed project is located west of I-5 Freeway in the Pico Canyon Area, south of Stevenson Ranch and Sagecrest Circle and northwest of Calgrove Boulevard, partially within SEA No. 20 (Santa Susana Mountains) and SEA No. 63 (Lyon Canyon).

SEA DESCRIPTIONS: The Santa Susana Mountains (SEA No. 20) are one of several relatively small ridge systems that form the Transverse Ranges and blend eastward into the larger San Gabriel and San Bernardino Mountains. The Santa Monica Mountains are also part of this system and form a coastal barrier shielding the interior ridges from the direct influences of moist marine air, making these interior ridges drier than the coastal ones. The vegetation of the Santa Susana Mountains consists of coastal sage scrub on south-facing slopes, dense chaparral on north-facing slopes, and oak, walnut and riparian woodlands in valleys. The oak woodland communities are extremely diverse, supporting six species of oak. These include coast live oak (*Quercus agrifolia*), valley oak (*Q. lobata*), canyon live oak (*Q. chrysolepis*), scrub oak (*Q. berberidifolia*), interior live oak (*Q. wislizenii*), and a single known location of Palmer's oak (*Q. palmeri*). The latter species is known in Los Angeles County only from this area. The walnut woodlands are frequently found in canyons supporting intermittent streams and consist primarily of southern California black walnut (*Juglans californica* var. *californica*), flowering ash (*Fraxinus dipetala*), Mexican elderberry (*Sambucus mexicana*), and coast live oak. Fires appear to promote the expansion of walnut woodlands within this area. Unusual southern California black walnut-flowering ash woodlands occur at mid-elevations within canyons of the north-facing slopes. This community appears to be unique to the Santa Susana Mountains. The bigcone spruce (*Pseudotsuga macrocarpa*)-canyon live oak forest at higher elevations represents one of the northwestern-most examples of this community.

The Santa Susana Mountains are the main representative of these small low, dry interior mountain ranges in Los Angeles County. The core of this range is in good condition and has not been heavily disturbed by human use. These mountains are becoming isolated from surrounding natural areas by continued urban expansion in the San Fernando, Simi, and Santa Clarita Valleys. As this isolation occurs the Santa Susana Mountains are becoming an important wildlife corridor for gene flow and species movement between the San Gabriel and Santa Monica Mountains via the Simi Hills.

The interior areas of the Santa Susana Mountains, away from peripheral development, support healthy, natural biotic communities. Some encroachment has taken place in the form of unimproved roads, ranches, and a limited number of oil extraction sites. The majority of the land is privately owned.

Lyon Canyon (SEA No. 63) is relatively narrow, supporting oak woodland surrounded by extensive chaparral and coastal sage scrub communities. The oak woodland is found in the southerly portion of the area and contains both coast live oak (*Quercus agrifolia*) and valley oak (*Q. lobata*). Higher elevations in the canyon support chaparral and scrub communities consisting of sugarbush (*Rhus ovata*), California lilac (*Ceanothus* spp.), black sage (*Salvia mellifera*), and chamise (*Adenostoma fasciculatum*), which is the dominant shrub. Drainages are dominated by mulefat (*Baccharis salicifolia*) scrub and riparian woodlands consisting of coast live oak, western sycamore (*Platanus racemosa*) and willows (*Salix laevigata* and *S. lasiolepis*); marsh assemblages, dominated by saltgrass (*Distichlis spicata*), occur where drainages merge with the flat bottomlands.

At present, Lyon Canyon is largely undeveloped, except for the remains of ranch outbuildings found at the mouth of the canyon, just outside of the SEA. The site has been grazed and was used for filming in the 1970's and 1980's. Thus, large areas of the bottomlands are disturbed, with a heavy cover of native and non-native ruderal species, and ornamental trees remain surrounding the former ranch buildings.

**SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT RCUP200500088/
ROAK200500039/TR53653:**

- 1) The grading and fuel modification footprints do not accommodate the BCA-recognized constraints.
- 2) SEATAC recommends a larger suite of mitigation methods for impacts to sensitive plants in addition to the proposed emphasis placed on translocation.
- 3) Indicate whether small mammal trapping was configured for sensitive species or for general purposes.
- 4) Animal movement routes appear to converge on graded areas; provide mitigation measures or explain how developed areas will continue to foster the movement of wildlife.

ACTION TAKEN: Further SEATAC review of the project is required; revise the Biota Report addressing the above SEATAC Comments and Recommendations.

**MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA
TECHNICAL ADVISORY COMMITTEE (SEATAC)
MEETING OF JANUARY 9, 2006**

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Frank Hovore
Mickey Long
Ruben Ramirez

REGIONAL PLANNING STAFF

Joe Decruyenaere

Project CUP 00-196/VTTM 53108 Representatives

Glenn Adamick	(661) 255-4003
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Tom Worthington	(805) 437-1900

Project TR53653/RCUPT200500088/ROAKT200500039 Representatives

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Jasch Janowicz	(815) 889-7252
David Magney	(805) 646-6045

Project CUP 04-069/TR061037/RCUPT200500011 Representatives

R. Mitchel Beauchamp	(619) 477-5333
Travis Cullen	(818) 879-4700
Adam Gile	(818) 879-4700
Nick Ni	(909) 481-6388

Project CUP 02-109 Representatives and Interested Parties

Ray Anderson	(626) 712-0735
George Bayse	(714) 577-9146
Tony Bomkamp	(949) 837-0404
Ingrid Chlup	(949) 837-0404
Bob Henderson (observing)	(562) 698-9644
Michael Huff	(619) 992-9161
Claire Schlotterbeck (observing)	(714) 996-0502

MINUTES January 9, 2006

AGENDA ITEMS

1. Fahey moved and _____ seconded to approve via email the December 5, 2005 SEATAC meeting minutes as _____.

OLD BUSINESS

2. Project CUP 00-196/VTTM 53108 – See Attachment Item 2.
3. Project RCUPT200500088/ROAKT200500039/TR53653 – See Attachment Item 3.
4. Project CUP 04-069/TR061037/RCUPT200500011 – See Attachment Item 4.

NEW BUSINESS

5. Project CUP 02-109 – See Attachment Item 5.

NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

SEATAC REPORT AND COMMENTS

CUP 00-196/VTTM 53108 – CONDITIONAL USE PERMIT and VESTING TENTATIVE TRACT MAP

SEATAC MEETING DATE JANUARY 9, 2006, ITEM 2

Revised Biota Report prepared by Impact Sciences, Incorporated, Dated November, 2005

Previous SEATAC meeting for Revised Biota Report December 5, 2005.

PROPOSED PROJECT CUP 00-196/VTTM 53108 – An application to subdivide the subject property into 418 lots, to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-use space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Off-site improvements include buried bank stabilization and the Long Canyon Road Bridge to be developed in conjunction with the tract development. Two borrow sites, one located south of the Santa Clara River (215 acres) and the other north of State Route 126 (120 acres), and haul routes will be located outside of the tract map boundary but within the Newhall Ranch Specific Plan area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast). The proposed project site is partially within the Santa Clara River SEA (SEA 23) and is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan, located north of the Santa Clara River, west of Interstate 5 and south of State Route 126, between the intersection of Chiquito Canyon Road and Castaic Creek.

SEA DESCRIPTION: Soledad Canyon and the Santa Clara River (**SEA No. 23**) possess several populations of the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). This species was formerly found in the Los Angeles, San Gabriel, and Santa Ana Rivers, but is now restricted to the Santa Clara River and San Francisquito Canyon. For these reasons and due to threats to its habitat, the fish species has been placed on the state and federal endangered species lists. In the Santa Clara River, the unarmored threespine stickleback is limited to permanent streams and pools from the mouth of San Francisquito Canyon west to the Ventura-Los Angeles County line, and from near Lang Station east to Arrastre Canyon.

The reason the unarmored threespine stickleback has been able to survive in the Santa Clara River is that its remaining habitat has been relatively undisturbed. The Santa Clara River is unique in being the only major river draining the San Gabriel Mountains that has not been extensively channelized. The vegetation consists of fresh water marsh, coastal sage scrub, oak woodland, and riparian woodland communities. The broad wash association is unlike that found in steeper mountain canyons, and is increasingly rare in Los Angeles County. The trees serve as habitat for many raptorial bird species. The red-shouldered hawk is restricted to woodland communities, and the species is becoming increasingly uncommon in southern California due to habitat destruction. The National Audubon Society and others have expressed concern for the hawk's welfare.

The primary concern for the survival of the unarmored threespine stickleback is the loss of suitable habitat. The species requires clean, free-flowing, perennial streams and ponds surrounded by native vegetation. Intermittent areas connecting perennial streams are also important during the wet season when surface water is present. The natural vegetation and stream course slow heavy runoff during the rainy season, decrease destruction and siltation of habitat in downstream areas, and provide habitat for stickleback migration between populations.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT 00-196/VTTM 53108:

1. The High Country dedication shall be made prior to the issuance of the grading permit for Landmark Village, rather than subsequent to recordation of the 2,500th unit, as originally proposed in the Newhall Ranch Specific Plan.
2. Monitoring reports submitted to the County as part of the Mitigation/Monitoring Program shall also be submitted to SEATAC members for their review and comment.

ACTION TAKEN: No further SEATAC review of the Biota report is required; incorporate the above SEATAC comments in the Draft EIR.

SEATAC REPORT AND COMMENTS

PROJECT RCUP200500088/ROAK200500039/TR53653

SEATAC MEETING DATE JANUARY 9, 2006, ITEM 3

Biota Report Prepared by David Magney Environmental Consulting, Dated November 2005

Previous SEATAC meeting for Biota Report December 5, 2005

PROPOSED PROJECT: RCUP200500088/ROAK200500039/TR53653 – A Tentative Tract Map application to subdivide the 232 acre subject property into 112 lots consisting of 100 single-family lots, 1 condominium lot (10.25 ac.) for 95 senior housing units, 1 fire station lot (1.26 ac.), 4 open space lots, 5 debris basin lots, and 1 active park lot. Both primary and secondary means of access are from The Old Road. The project also includes an Oak Tree Permit to remove/encroach on oak trees (*Quercus agrifolia* and *Q. lobata*) and a Conditional Use Permit for development within an SEA and hillside management area and for a density bonus request. The proposed project is located west of I-5 Freeway in the Pico Canyon Area, south of Stevenson Ranch and Sagecrest Circle and northwest of Calgrove Boulevard, partially within SEA No. 20 (Santa Susana Mountains) and SEA No. 63 (Lyon Canyon).

SEA DESCRIPTIONS: The Santa Susana Mountains (SEA No. 20) are one of several relatively small ridge systems that form the Transverse Ranges and blend eastward into the larger San Gabriel and San Bernardino Mountains. The Santa Monica Mountains are also part of this system and form a coastal barrier shielding the interior ridges from the direct influences of moist marine air, making these interior ridges drier than the coastal ones. The vegetation of the Santa Susana Mountains consists of coastal sage scrub on south-facing slopes, dense chaparral on north-facing slopes, and oak, walnut and riparian woodlands in valleys. The oak woodland communities are extremely diverse, supporting six species of oak. These include coast live oak (*Quercus agrifolia*), valley oak (*Q. lobata*), canyon live oak (*Q. chrysolepis*), scrub oak (*Q. berberidifolia*), interior live oak (*Q. wislizenii*), and a single known location of Palmer's oak (*Q. palmeri*). The latter species is known in Los Angeles County only from this area. The walnut woodlands are frequently found in canyons supporting intermittent streams and consist primarily of southern California black walnut (*Juglans californica* var. *californica*), flowering ash (*Fraxinus dipetala*), Mexican elderberry (*Sambucus mexicana*), and coast live oak. Fires appear to promote the expansion of walnut woodlands within this area. Unusual southern California black walnut-flowering ash woodlands occur at mid-elevations within canyons of the north-facing slopes. This community appears to be unique to the Santa Susana Mountains. The bigcone spruce (*Pseudotsuga macrocarpa*)-canyon live oak forest at higher elevations represents one of the northwestern-most examples of this community.

The Santa Susana Mountains are the main representative of these small low, dry interior mountain ranges in Los Angeles County. The core of this range is in good condition and has not been heavily disturbed by human use. These mountains are becoming isolated from surrounding natural areas by continued urban expansion in the San Fernando, Simi, and Santa Clarita Valleys. As this isolation occurs the Santa Susana Mountains are becoming an important wildlife corridor for gene flow and species movement between the San Gabriel and Santa Monica Mountains via the Simi Hills.

The interior areas of the Santa Susana Mountains, away from peripheral development, support healthy, natural biotic communities. Some encroachment has taken place in the form of unimproved roads, ranches, and a limited number of oil extraction sites. The majority of the land is privately owned.

Lyon Canyon (SEA No. 63) is relatively narrow, supporting oak woodland surrounded by extensive chaparral and coastal sage scrub communities. The oak woodland is found in the southerly portion of the area and contains both coast live oak (*Quercus agrifolia*) and valley oak (*Q. lobata*). Higher elevations in the canyon support chaparral and scrub communities consisting of sugarbush (*Rhus ovata*), California lilac (*Ceanothus* spp.), black sage (*Salvia mellifera*), and chamise (*Adenostoma fasciculatum*), which is the dominant shrub. Drainages are dominated by mulefat (*Baccharis salicifolia*) scrub and riparian woodlands consisting of coast live oak, western sycamore (*Platanus racemosa*) and willows (*Salix laevigata* and *S. lasiolepis*); marsh assemblages, dominated by saltgrass (*Distichlis spicata*), occur where drainages merge with the flat bottomlands.

At present, Lyon Canyon is largely undeveloped, except for the remains of ranch outbuildings found at the mouth of the canyon, just outside of the SEA. The site has been grazed and was used for filming in the 1970's and 1980's. Thus, large areas of the bottomlands are disturbed, with a heavy cover of native and non-native ruderal species, and ornamental trees remain surrounding the former ranch buildings.

**SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT RCUP200500088/
ROAK200500039/TR53653:**

- 1) Several sensitive animal species are not discussed; review the document for completeness in relation to the CDFG Special Animals list.
- 2) Wildlife movement through and within the site is a constraint that the proposed development will impact. Design components, such as drainage culverts and other potential bottlenecks to movement, must encourage use by a diversity of species.
- 3) Mitigation through CC&Rs needs strengthening; a step-by-step chain of responsibility should be presented whereby the process of enforcement of CC&Rs is reasonably ensured.

ACTION TAKEN: Further SEATAC review of the project is required; revise the Biota Report addressing the above SEATAC Comments and Recommendations.

SEATAC REPORT AND COMMENTS

PROJECT CUP 04-069/TR061037/RCUPT200500011

SEATAC MEETING DATE JANUARY 9, 2006, ITEM 4

Biota Report Prepared by Pacific southwest Biological Services, Incorporated, dated
December 2005

Previous SEATAC meeting for Biological Constraints Analysis February 7, 2005

PROPOSED PROJECT: CUP 04-069/TR061037/RCUPT200500011 – A tentative tract map application for the construction of 15 single-family residences, a 60-foot wide access street from Woolsey Canyon Road, a 20-foot wide ingress/egress easement, a gate at the entry to the access street, concrete block walls, retaining walls, concrete crib walls, and wrought iron fences as necessary. 20 acres of the project site are proposed as open space. Approximately 24,782 c.y. of cut and 15,782 c.y. of fill are proposed, with 9,000 c.y. of material to be exported off site. The proposed development will be connected to public water and sewer services. The application also includes a request for an Oak Tree Permit to remove four coast live oak trees (trees #2, 3, 11, and 12) and encroach upon 24 coast live oak trees. The proposed project is located at 24303 Woolsey Canyon Road, Chatsworth, within SEA 14 (Simi Hills).

SEA DESCRIPTION: The Simi Hills SEA (SEA No. 14) contains relatively undisturbed representative examples of most of the biotic communities found in the Simi Hills. Habitats include chaparral, coastal sage scrub, southern oak woodland and riparian woodland. While all of these are relatively common in Los Angeles County, this is one of two areas that include these cismontane associations at the western edge of the County.

The area also supports populations of Santa Susanna tarplant (*Deinandra minthornii*) and serves as a buffer and wildlife corridor for movement between the Chatsworth reservoir and the undeveloped portions of the Simi Hills in Ventura County. Genetic exchange and replenishment of native populations in the Chatsworth Reservoir area are important considerations here.

A paved road runs through Dayton Canyon but does not appear to have greatly disturbed the riparian woodland there. A few dirt roads exist in the area. Scattered houses are found in the Lakeside Park development adjacent to Chatsworth Reservoir.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT CUP 04-069/TR061037/RCUPT200500011:

- 1) SEATAC considers *Calochortus plummerae* to have a high potential of occurrence on site.
- 2) SEATAC remains concerned that adequate time has been spent on the site, judging by the low number of species actually observed
- 3) Expand the sensitive species discussions to all species on the Special Animals list with potential to occur in the region.

ACTION TAKEN: Further SEATAC review of the project is required; prepare a Biota Report incorporating the above SEATAC Comments and Recommendations.

SEATAC REPORT AND COMMENTS

PROJECT 02-109

SEATAC MEETING DATE JANUARY 9, 2006, ITEM 5

Biota Report Prepared by Glenn Lukos Associates, dated December 2005

Initial SEATAC meeting for Biota Report

PROPOSED PROJECT: CUP 02-109 – A General Plan Amendment, Zone Change, and Specific Plan application to allow the phased development of 3,600 dwelling units, an 18-hole golf course, local and community park uses, local community commercial uses, internal greenbelts and open space preservation on a 2,935 acre site. Approximately 1,435 acres are proposed for residential and commercial development, and the remaining acreage is proposed for active and passive open space uses and habitat restoration. The proposed project is located east and west of State Route 57, partially within the Tonner Canyon/Chino Hills SEA (SEA No. 15). This project falls under the jurisdiction of both Los Angeles and Orange Counties.

SEA DESCRIPTIONS: Tonner Canyon (SEA No. 15) is one of three areas in the hilly region of eastern Los Angeles County that still supports relatively undisturbed stands of southern coast live oak woodland, chaparral, coastal sage scrub, and riparian woodland complexes that were once common throughout southern California but have been converted largely to agricultural and urban uses. This is true throughout southern California, resulting in the rapid disappearance of these habitat types from the region. Three areas within Los Angeles County (SEA Nos. 15, 17 and 44) were chosen to serve as representative examples of these once widespread vegetative associations.

The vegetation in Tonner Canyon supports heavily forested areas of California walnut (*Juglans californica*) and coast live oak (*Quercus agrifolia*). The former species is uncommon outside Los Angeles and Ventura Counties and has one of its major populations in this portion of Los Angeles County. Tonner and Brea Canyons are of sufficient size, and in close enough proximity to the other designated SEAs in this region, that they should be able to continue to support relatively healthy wildlife populations if preserved. This probability is increased by the presence of riparian woodlands and intermittent streams in the canyon bottoms.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT CUP 02-109:

- 1) Clarify the amount of disturbance that will be associated with the oil facilities remediation.
- 2) Connectivity must be maintained throughout the processes of construction and remediation.
- 3) Development in the eastern portion of the project, west of the freeway constrains on-site movement throughout that area.
- 4) Corridors must be designed to be as wide as possible.
- 5) The document conveys the tone that if the site is not developed, the property will continue to be degraded; cattle grazing should be discontinued on the site in the near term.

ACTION TAKEN: Further SEATAC review of the project is required; revise the Biota Report addressing the above SEATAC Comments and Recommendations.

**MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA
TECHNICAL ADVISORY COMMITTEE (SEATAC)
MEETING OF MARCH 27, 2006**

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Jonathon Baskin, PhD
Ty Garrison
Mickey Long

REGIONAL PLANNING STAFF

Joe Decruyenaere
Daryl Koutnik

Project T2004-00716 Representatives

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Irena Mendez	(310) 260-1520

Project TR053653 Representative

David Magney	(805) 646-6045
--------------	----------------

Project 02-109 Representatives

Ray Anderson	(626) 712-0735
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Tony Bomkamp	(949) 837-0404
Michael Huff	(619) 992-9161
Jeff Maisch	(714) 577-8258

**MINUTES
March 27, 2006**

AGENDA ITEMS

1. Garrison moved and Long seconded to approve the January 9, 2006 SEATAC meeting minutes as written.

OLD BUSINESS

2. Project T2004-00716 – See Attachment Item 2.
3. Project TR053653 – See Attachment Item 3.
4. Project 02-109 – See Attachment Item 4.

NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

SEATAC REPORT AND COMMENTS

PROJECT T2004-00716

SEATAC MEETING DATE MARCH 27, 2006, ITEM 2

Biota Report Prepared by Sapphos Environmental, Inc., dated February, 2006

Initial SEATAC review of Biota Report; BCA reviewed July 11, 2005

PROPOSED PROJECT: T2004-00716 – An application to re-permit existing facilities at an established campground in Soledad Canyon. Facilities include 100 recreational vehicle hookups for disposal, water, electrical, and telephone lines; swimming pool; two hot tubs; restaurant lodge; recreation room; snack bar; three bathroom facilities; laundry room; ranger station; two caretakers' units; and storage yard within the Santa Clara River SEA (SEA 23).

SEA DESCRIPTIONS: Soledad Canyon and the Santa Clara River (SEA No. 23) possess several populations of the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). This species was formerly found in the Los Angeles, San Gabriel, and Santa Ana Rivers, but is now restricted to the Santa Clara River and San Francisquito Canyon. For these reasons and due to threats to its habitat, the fish species has been placed on the state and federal endangered species lists. In the Santa Clara River, the unarmored threespine stickleback is limited to permanent streams and pools from the mouth of San Francisquito Canyon west to the Ventura-Los Angeles County line, and from near Lang Station east to Arrastre Canyon near Acton.

The reason the unarmored threespine stickleback has been able to survive in the Santa Clara River is that its remaining habitat has been relatively undisturbed. The Santa Clara River is unique in being the only major river draining the San Gabriel Mountains that has not been extensively channelized. The vegetation consists of fresh water marsh, coastal sage scrub, oak woodland, and riparian woodland communities. The broad wash association is unlike that found in steeper mountain canyons, and is increasingly rare in Los Angeles County. The trees serve as habitat for many raptorial bird species. The red-shouldered hawk is restricted to woodland communities, and the species is becoming increasingly uncommon in southern California due to habitat destruction. The National Audubon Society and others have expressed concern for the hawk's welfare.

The primary concern for the survival of the unarmored threespine stickleback is the loss of suitable habitat. The species requires clean, free-flowing, perennial streams and ponds surrounded by native vegetation. Intermittent areas connecting perennial streams are also important during the wet season when surface water is present. The natural vegetation and stream course slow heavy runoff during the rainy season, decrease destruction and siltation of habitat in downstream areas, and provide habitat for stickleback migration between populations.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT T2004-00716:

- 1) The Biota report has been improved significantly from the Biological Constraints Analysis reviewed previously. Minor inconsistencies remain, such as between the stated occurrence potentials for coastal western whiptail given in the sensitive species text and table accounts. Cite published material (e.g. Schoenherr for herpetofauna, Boyd for Liebre Mountains flora, and Bell for fishes of the Santa Clara River) wherever possible. Avoid permissive language such as 'should' and 'would' in favor of definitive language such as 'shall' and 'will.'

- 2) The continued protection of the Santa Clara River is the highest priority for development in Soledad Canyon. Foot traffic will be impossible to prevent, and use prohibition of the site by hikers is not intended by SEATAC. Trails must be designated to direct hikers and other campground users away from sensitive areas of the site; provide fencing and/or signage to guide hikers to trails and the existing stream crossing at the west end of the site; utilize plantings of locally indigenous thorny species such as roses or blackberries to discourage entry into riparian areas.
- 3) Vehicle traffic and storage must be kept as far as possible from the creek and depicted on Exhibit A; no off-highway vehicle use is to be permitted on the site other than that which is necessary to enter and leave designated camping areas.
- 4) Water shall not be allowed to pond on the site for periods sufficient to encourage invasive or pest species.
- 5) SEATAC supports the applicant's intention not to develop his property north of the railroad line.

ACTION TAKEN: No further SEATAC review of the project is required; incorporate the above comments and recommendations in the Mitigation Monitoring Plan, along with those of the final Biota report.

SEATAC REPORT AND COMMENTS

PROJECT TR053653

SEATAC MEETING DATE MARCH 27, 2006, ITEM 3

Revised Biota Report Prepared by David Magney Environmental Consulting, dated February 2006

Previous SEATAC review for Biota Report, dated November 2005, begun December 5, 2005 and completed January 9, 2006

PROPOSED PROJECT: TR053653 – A Tentative Tract Map application to subdivide the 232 acre subject property into 107 lots consisting of 93 single-family lots, 1 condominium lot (9.26 ac.) for 93 senior housing units, 1 fire station lot (2.05 ac.), 5 open space lots, and 6 debris basin lots. Both primary and secondary means of access are from the Old Road. The project also includes an Oak Tree Permit to remove/encroach on oak trees and a Conditional Use Permit for development within an SEA and hillside management area and a density bonus request. The proposed project is located west of the I-5 Freeway south of Stevenson Ranch and Sagecrest Circle and north of Calgrove Boulevard, partially within SEA No. 20 (Santa Susanna Mountains) and SEA No. 63 (Lyon Canyon).

SEA DESCRIPTION: The Santa Susana Mountains (SEA No. 20) are one of several relatively small ridge systems that form the Transverse Ranges and blend eastward into the larger San Gabriel and San Bernardino Mountains. The Santa Monica Mountains are also part of this system and form a coastal barrier shielding the interior ridges from the direct influences of moist marine air, making these interior ridges drier than the coastal ones. The vegetation of the Santa Susana Mountains consists of coastal sage scrub on south-facing slopes, dense chaparral on north-facing slopes, and oak, walnut and riparian woodlands in valleys. The oak woodland communities are extremely diverse, supporting six species of oak. These include coast live oak (*Quercus agrifolia*), valley oak (*Q. lobata*), canyon live oak (*Q. chrysolepis*), scrub oak (*Q. berberidifolia*), interior live oak (*Q. wislizenii*), and a single known location of Palmer's oak (*Q. palmeri*). The latter species is known in Los Angeles County only from this area. The walnut woodlands are frequently found in canyons supporting intermittent streams and consist primarily of southern California black walnut (*Juglans californica* var. *californica*), flowering ash (*Fraxinus dipetala*), Mexican elderberry (*Sambucus mexicana*), and coast live oak. Fires appear to promote the expansion of walnut woodlands within this area. Unusual southern California black walnut-flowering ash woodlands occur at mid-elevations within canyons of the north-facing slopes. This community appears to be unique to the Santa Susana Mountains. The bigcone spruce (*Pseudotsuga macrocarpa*)-canyon live oak forest at higher elevations represents one of the northwestern-most examples of this community.

The Santa Susana Mountains are the main representative of these small low, dry interior mountain ranges in Los Angeles County. The core of this range is in good condition and has not been heavily disturbed by human use. These mountains are becoming isolated from surrounding natural areas by continued urban expansion in the San Fernando, Simi, and Santa Clarita Valleys. As this isolation occurs the Santa Susana Mountains are becoming an important wildlife corridor for gene flow and species movement between the San Gabriel and Santa Monica Mountains via the Simi Hills.

The interior areas of the Santa Susana Mountains, away from peripheral development, support healthy, natural biotic communities. Some encroachment has taken place in the form of unimproved roads, ranches, and a limited number of oil extraction sites. The majority of the land is privately owned.

Lyon Canyon (SEA No. 63) is relatively narrow, supporting oak woodland surrounded by extensive chaparral and coastal sage scrub communities. The oak woodland is found in the southerly portion of the area and contains both coast live oak (*Quercus agrifolia*) and valley oak (*Q. lobata*). Higher elevations in the canyon support chaparral and scrub communities consisting of sugarbush (*Rhus ovata*), California lilac (*Ceanothus* spp.), black sage (*Salvia mellifera*), and chamise (*Adenostoma fasciculatum*), which is the dominant shrub. Drainages are dominated by mulefat (*Baccharis salicifolia*) scrub and riparian woodlands consisting of coast live oak, western sycamore (*Platanus racemosa*) and willows (*Salix laevigata* and *S. lasiolepis*); marsh assemblages, dominated by saltgrass (*Distichlis spicata*), occur where drainages merge with the flat bottomlands.

At present, Lyon Canyon is largely undeveloped, except for the remains of ranch outbuildings found at the mouth of the canyon, just outside of the SEA. The site has been grazed and was used for filming in the 1970's and 1980's. Thus, large areas of the bottomlands are disturbed, with a heavy cover of native and non-native ruderal species, and ornamental trees remain surrounding the former ranch buildings.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT TR053653:

- 1) Pg 64: SEATAC's previous comment stands – there remains a conflict between the proposed project and wildlife movement through the site; the amount of movement documented on the site suggests that there is heavy use of the site by wildlife and it is an essential and functional part of the regional habitat linkage between the San Gabriel and Santa Susanna Mountains.
- 2) Lyon Canyon is currently the northernmost route of access from the Santa Susanna Mountains to the I-5 over-crossing of Calgrove Boulevard. Wildlife use of Lyon Canyon will be displaced south to Towsley Canyon with the implementation of this project, and the Biota Report must explore alternative possibilities for avoidance of impacts from development of this site on this part of the regional linkage.
- 3) There is potential for the project to contribute to cumulative impacts on water quality degradation in the Santa Clara River via the South Fork tributary.
- 4) SEATAC doubts that Public Works will allow a management program for the proposed retention basin that encourages its use by wildlife. Any mitigation measures involving ecologically sensitive management of flood control structures must be met with a strong commitment by Public Works prior to project approval if SEATAC is to judge the project as being consistent with the SEA Compatibility Criteria.
- 5) The proposed project, as currently designed, does not meet the SEA Compatibility Criteria, and SEATAC would endorse an alternative that sites construction in the northeastern portion of the property.

ACTION TAKEN: Further SEATAC review of the project is required; revise the Biota Report for inclusion in the Draft EIR addressing the above SEATAC Comments and Recommendations.

SEATAC REPORT AND COMMENTS

PROJECT 02-109 – Aera Specific Plan

SEATAC MEETING DATE MARCH 27, 2006, ITEM 4

Biota Report Prepared by Glenn Lukos Associates, dated December 2005

Continuation from January 9 and February 6, 2006 of initial SEATAC review of Biota Report

PROPOSED PROJECT: CUP 02-109 – A General Plan Amendment, Zone Change, and Specific Plan application to allow the phased development of 3,600 dwelling units, an 18-hole golf course, local and community park uses, local community commercial uses, internal greenbelts and open space preservation on a 2,935 acre site. Approximately 1,435 acres are proposed for residential and commercial development, and the remaining acreage is proposed for active and passive open space uses and habitat restoration. The proposed project is located east and west of State Route 57, partially within the Tonner Canyon/Chino Hills SEA (SEA No. 15). This project falls under the jurisdiction of both Los Angeles and Orange Counties.

SEA DESCRIPTIONS: Tonner Canyon (SEA No. 15) is one of three areas in the hilly region of eastern Los Angeles County that still supports relatively undisturbed stands of southern coast live oak woodland, chaparral, coastal sage scrub, and riparian woodland complexes that were once common throughout southern California but have been converted largely to agricultural and urban uses. This is true throughout southern California, resulting in the rapid disappearance of these habitat types from the region. Three areas within Los Angeles County (SEA Nos. 15, 17 and 44) were chosen to serve as representative examples of these once widespread vegetative associations.

The vegetation in Tonner Canyon supports heavily forested areas of California walnut (*Juglans californica*) and coast live oak (*Quercus agrifolia*). The former species is uncommon outside Los Angeles and Ventura Counties and has one of its major populations in this portion of Los Angeles County. Tonner and Brea Canyons are of sufficient size, and in close enough proximity to the other designated SEAs in this region, that they should be able to continue to support relatively healthy wildlife populations if preserved. This probability is increased by the presence of riparian woodlands and intermittent streams in the canyon bottoms.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT CUP 02-109:

- 1) Normative language is prevalent throughout the document; phrases using words such as 'only,' 'just,' 'most of,' etc. may lead the reader to an interpretation of the site as non-sensitive or of the project as minimally impactful. Remove such language and replace it with unequivocal language and data, so that readers may make their own interpretations.
- 2) The emphasis on the disturbed nature of the SEA is inappropriate, as it obscures the facts that several sensitive species and habitats occur on the site. This is the condition of the area when it was designated an SEA, and the site is a crucial part of an important regional habitat linkage.
- 3) The proposed project decimates the portions of the SEA on site; there is no way to meet the SEA-CUP Burden of Proof with the currently proposed design. An excessively large number of trees are proposed for removal, and internal habitat corridors on manufactured slopes do not afford sufficient space to be functional.

- 4) SEATAC recommends substantial redesign of the project that preserves as open space areas of the site that are currently most ecologically functional, rather than a design that proposes restoration and habitat creation as mitigation for the destruction of the site's most valuable resources.

ACTION TAKEN: Further SEATAC review of the project is required; revise the Biota Report addressing the above SEATAC Comments and Recommendations and those of the January 9 and February 6, 2006 SEATAC minutes.

**MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA
TECHNICAL ADVISORY COMMITTEE (SEATAC)
MEETING OF NOVEMBER 6, 2006**

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Ty Garrison
Mickey Long
Ian Swift

REGIONAL PLANNING STAFF

Joe Decruyenaere
Rudy Silvas
Susan Tae

Project RCUPT200500088/ROAKT200500039/RHSGT200600001/TR53653 Representatives

Cher Batchelor	(805) 646-6045
Jasch Janowicz	(818) 889-7252
David Magney	(805) 646-6045

**MINUTES
November 6, 2006**

AGENDA ITEMS

1. Long moved and Garrison seconded to approve the June 5, 2006 SEATAC meeting minutes as written.
Ian Swift was welcomed as the newest SEATAC member.

DISCUSSION ITEM

2. EDAW, Incorporated was accepted to be included on the SEATAC Certified List of Biological Consultants.

NEW BUSINESS

3. Project RCUPT200500088/ROAKT200500039/RHSGT200600001/TR53653 – See Attachment Item 2.

NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

SEATAC REPORT AND COMMENTS

PROJECT RCUPT200500088/ROAKT200500039/RHSGT200600001/TR53653

SEATAC MEETING DATE NOVEMBER 6, 2006, ITEM 2

Draft EIR Prepared by David Magney Environmental Consultants, dated September, 2006

Previous SEATAC review for Biological Constraints Analysis, October 2005; Biota Report, December 2005, January 2006 and March 2006

PROPOSED PROJECT RCUPT200500088/ROAKT200500039/RHSGT200600001/TR53653

– A Tentative Tract Map application to subdivide the 235 acre subject property into 107 lots consisting of 93 single-family lots, 1 condominium lot (10.25 ac.) for 93 senior housing units, 1 fire station lot (1.26 ac.), 5 open space lots, 6 debris basin lots, and 1 active park lot. Both primary and secondary means of access are from the Old Road. The project also includes an Oak Tree Permit to remove/encroach on oak trees and a Conditional Use Permit for development within an SEA and hillside management area and a density bonus request. The proposed project is located west of I-5 Freeway in the Pico Canyon Area, south of Stevenson Ranch and Sagecrest Circle and north of Calgrove Boulevard, partially within SEA No. 20 (Santa Susanna Mountains) and SEA No. 63 (Lyon Canyon).

SEA DESCRIPTION: The Santa Susana Mountains (SEA No. 20) are one of several relatively small ridge systems that form the Transverse Ranges and blend eastward into the larger San Gabriel and San Bernardino Mountains. The Santa Monica Mountains are also part of this system and form a coastal barrier shielding the interior ridges from the direct influences of moist marine air, making these interior ridges drier than the coastal ones. The vegetation of the Santa Susana Mountains consists of coastal sage scrub on south-facing slopes, dense chaparral on north-facing slopes, and oak, walnut and riparian woodlands in valleys. The oak woodland communities are extremely diverse, supporting six species of oak. These include coast live oak (*Quercus agrifolia*), valley oak (*Q. lobata*), canyon live oak (*Q. chrysolepis*), scrub oak (*Q. berberidifolia*), interior live oak (*Q. wislizenii*), and a single known location of Palmer's oak (*Q. palmeri*). The latter species is known in Los Angeles County only from this area. The walnut woodlands are frequently found in canyons supporting intermittent streams and consist primarily of southern California black walnut (*Juglans californica* var. *californica*), flowering ash (*Fraxinus dipetala*), Mexican elderberry (*Sambucus mexicana*), and coast live oak. Fires appear to promote the expansion of walnut woodlands within this area. Unusual southern California black walnut-flowering ash woodlands occur at mid-elevations within canyons of the north-facing slopes. This community appears to be unique to the Santa Susana Mountains. The bigcone spruce (*Pseudotsuga macrocarpa*)-canyon live oak forest at higher elevations represents one of the northwestern-most examples of this community.

The Santa Susana Mountains are the main representative of these small low, dry interior mountain ranges in Los Angeles County. The core of this range is in good condition and has not been heavily disturbed by human use. These mountains are becoming isolated from surrounding natural areas by continued urban expansion in the San Fernando, Simi, and Santa Clarita Valleys. As this isolation occurs the Santa Susana Mountains are becoming an important wildlife corridor for gene flow and species movement between the San Gabriel and Santa Monica Mountains via the Simi Hills.

The interior areas of the Santa Susana Mountains, away from peripheral development, support healthy, natural biotic communities. Some encroachment has taken place in the form of unimproved roads, ranches, and a limited number of oil extraction sites. The majority of the land is privately owned.

Lyon Canyon (SEA No. 63) is relatively narrow, supporting oak woodland surrounded by extensive chaparral and coastal sage scrub communities. The oak woodland is found in the southerly portion of the area and contains both coast live oak (*Quercus agrifolia*) and valley oak (*Q. lobata*). Higher elevations in the canyon support chaparral and scrub communities consisting of sugarbush (*Rhus ovata*), California lilac (*Ceanothus* spp.), black sage (*Salvia mellifera*), and chamise (*Adenostoma fasciculatum*), which is the dominant shrub. Drainages are dominated by mulefat (*Baccharis salicifolia*) scrub and riparian woodlands consisting of coast live oak, western sycamore (*Platanus racemosa*) and willows (*Salix laevigata* and *S. lasiolepis*); marsh assemblages, dominated by saltgrass (*Distichlis spicata*), occur where drainages merge with the flat bottomlands.

At present, Lyon Canyon is largely undeveloped, except for the remains of ranch outbuildings found at the mouth of the canyon, just outside of the SEA. The site has been grazed and was used for filming in the 1970's and 1980's. Thus, large areas of the bottomlands are disturbed, with a heavy cover of native and non-native ruderal species, and ornamental trees remain surrounding the former ranch buildings.

**SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT RCUPT200500088/
ROAKT200500039/RHSGT200600001/TR53653:**

- 1) There is an extensive reliance on unproven mitigation, such as planting of sensitive plant species into unoccupied habitat; permanent losses of reptiles from the site will contribute to significant cumulative losses in the region.
- 2) The project site is regionally noteworthy in that it encompasses two SEAs; it is adjacent to an important wildlife linkage to the east and south and to large areas of open space to the west; and it supports a high diversity of vegetation and habitat types. The SEA/Oak Tree Avoidance Alternative is preferable to the proposed project due to its reduction of direct impacts on the various site constraints, and it would reduce many of the project contributions to cumulative impacts on native species and animal movement.
- 3) Include desert woodrat, Lewis's woodpecker and spotted owl in the listing of species observed or potentially occurring on site and in the analysis of impacts to sensitive species.

ACTION TAKEN: No further SEATAC review of the project is required; incorporate the recommended changes in the Final EIR. The SEATAC endorsement of the SEA/Oak Tree Avoidance Alternative will be reflected in the staff report on the project to the Planning Commission.

Lyons Canyon (TTM 53653)
Off-Site Access Meeting Chronology

Since submission of the entitlement applications for the Lyons Canyon Ranch project in June 2005 (TTM 53653), DR Horton and its representatives have been working with the adjacent property owner and their engineer to establish reasonable vehicle access through our project site pursuant to existing private easement recorded over the Lyons Canyon property. Provided below is the chronology of meetings held to date with the adjacent property owner and/or their representatives.

6/2/2005 – Submission of Lyons Canyon Ranch Subdivision Application (TTM, CUP, OTP, EIR, etc.)

6/28/2005 – DR Horton and Daly Owens Group met with adjacent property owner and engineer to discuss feasible access through the Lyons Canyon site.

7/19/2005 –Daly Owens Group spoke with adjacent property owner requesting all easement documents recorded over the Lyons Canyon site.

7/20/2005 – Daly Owens Group received partial package of easement documents from adjacent property owner.

9/27/2005 – DR Horton and Daly Owens Group met with adjacent property owners and project engineer to discuss feasible access options through the Lyons Canyon site.

10/5/2005 – DR Horton and Daly Owens Group met with adjacent property owner engineer to discuss feasible access options through Lyons Canyon site.

11/8/2005 – DR Horton and Daly Owens Group met with adjacent property owners to discuss joint access. A revised access plan was proposed by the adjacent property owner and his engineer. The access revisions proposed by the adjacent property owner were accepted by DR Horton. In exchange for a signed agreement by the adjacent property owner, TTM 53653 was formally revised to include the adjacent property owner's requested access, and was submitted December 12, 2005 to the County of Los Angeles.

11/15/2005 – DR Horton, Daly Owens Group, and the adjacent property owner met with LA County Fire Dept to discuss joint access design. The joint access design was approved by the Los Angeles County Fire Department.

12/12/2005 – DR Horton submitted revised TTM to the County of Los Angeles with the joint access approved by the County Fire Department.

12/22/2005 – DR Horton submitted written correspondence (dated December 22, 2005) to adjacent property owner requesting written acceptance of (1) the proposed access as designed, (2) requisite off-site grading easements for a small portion of debris basin, and (3) letter of support for the Lyons Canyon project.

01/31/2006 – Daly Owens Group received verbal confirmation from adjacent property owner that adjacent property owner was not willing to provide written concurrence with the items requested in the correspondence dated December 22, 2005.

3/13/2006 – As a result of the above, access to adjacent property was revised as part of TTM revisions so that no off-site improvements were required. The TTM was re-submitted to the County of Los Angeles. DR Horton submitted written correspondence (dated March 13, 2006) to adjacent property owner requesting written acceptance of revised off-site access as currently shown on TTM. No response was received.

Prepared by:

Jasch Janowicz
DalyOwensGroup

D·R·HORTON [®] **DHI**
NYSE
America's Builder

March 13, 2006

Mr. Joseph W. Aidlin
Attorney at Law
5143 Sunset Boulevard
Los Angeles, CA 90027-5798

Mr. Nick Eftekhari
Oakridge Homes
9800 Valley Blvd.
Rosemead, CA 91770

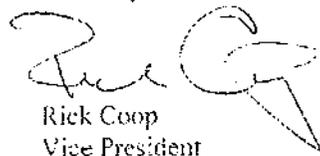
RE: Lyons Canyon Ranch Adjacent Property Access

Dear Mr. Aidlin and Mr. Eftekhari

In a letter dated December 22, 2005, DR Horton respectfully requested your formal written approval of the location of two "tap" streets, a potential future connection to the Prentice Taylor Property, and acceptance of off-site grading and drainage as shown on the revised Lyons Canyon Ranch Tentative Tract Map (TTM 53653). This map was submitted to Los Angeles County for review on December 14, 2005, based upon your engineer's prior conceptual approval of that revised plan. In fact, the recent revisions to our TTM in the Fall of 2005 (including two improved connection points to your property, a potential third connection to the Prentice Taylor property, and locating a small portion of our debris basin on your property), were included at the specific request of your engineer. To date we have received no formal written response either accepting or rejecting the proposed future vehicle access points and the off-site debris basin as shown on our recently revised TTM.

We must have some definitive direction from you so we know how to proceed with the processing of TTM 53653 before the County. Accordingly, we request that you please sign the signature block below acknowledging your acceptance of the proposed vehicle access points and acknowledging your acceptance of the necessary drainage acceptance letter and off-site grading easement. Your signature will also confirm your commitment to support our project during the upcoming administrative hearings before the County. After we receive your signature, we will prepare an Agreement that specifically details these terms. If we do not receive a fully executed copy of this letter from you within ten business days, we will revise the TTM to remove any portion of the drainage debris basin from your property, and will otherwise proceed with the processing of TTM 53653 as a stand alone development plan, not requiring your consent for any off-site drainage facility.

Sincerely,


Rick Coop
Vice President

Accepted:

Nick Eftekhari, Oakridge Homes

Joe Aidlin, Trustee, Aidlin General Trust

cc: Rick Zeilenga

D·R·HORTON PHI
NYSE
America's Builder

December 22, 2005

Mr. Joseph W. Aidlin
Attorney at Law
5143 Sunset Boulevard
Los Angeles, CA 90027-5798

Mr. Nick Eftekhari
Oakridge Homes
9800 Valley Blvd.
Rosemead, CA 91770

RE: Lyons Canyon Ranch Adjacent Property Access

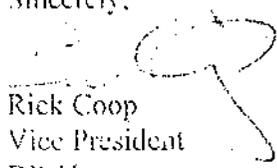
Dear Mr. Aidlin:

On Tuesday November 8, 2005, representatives of DR Horton and Daly Owens Group met with your partners for the purposes of establishing mutually acceptable vehicle access to all properties (referred to as "Ayles" and "Riedel" land) through the Lyons Canyon Ranch development (TTM 53653). As a result of this meeting and in lieu of a dispute, we have revised the Lyons Canyon Ranch Tentative Tract Map (TTM 53653) to include: (1) two fully improved "tap" streets for future vehicle access located along "A" Street between Lot numbers 3 and 4 and Lot numbers 103 and 72 and (2) a potential future connection to the Prentice-Taylor property via the extension of our "D" street cul-de-sac. Please note that the revised map was submitted to the County of Los Angeles for review on December 14, 2005. The attached Exhibit "A" is an exact copy of the TTM submitted to the County of Los Angeles.

Please note that in exchange for re-designing our project to facilitate your requested vehicle access, we had to locate a small portion of our debris/detention basin on your site and thus will require your acceptance of an off-site grading easement and drainage acceptance letter subsequent to approval of our proposed TTM by the County of Los Angeles.

Please sign the signature block below acknowledging your acceptance of the proposed vehicle access points and acknowledging your acceptance of the necessary drainage acceptance letter and off-site grading easement. With the re-submittal of a revised TTM, we expect that you will immediately submit an unconditional letter of support for our project to the County of Los Angeles. All parties agree that the drainage acceptance letter (easement), grading easement and support for the project are a condition of providing the additional access point and the connection through "D" Street.

Sincerely,


Rick Coop
Vice President
DR Horton

Accepted: _____
Joe Aidlin, Trustee, Aidlin General Trust

Nick Eftekhari, Oakridge Homes

November 8, 2006

Mr. Rudy Silvas
Department of Regional Planning, Room 1346
320 West Temple Street
Los Angeles, California 90012

Re: Written Comments concerning Public Hearing – State Clearinghouse Number #200303-1086
Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2006-00088-(5)
And Oak Tree Permit Case No. 2006-00039-(5)

Dear Mr. Silvas,

It is with great concern that I write to you to inform you of my great disapproval concerning the proposed development of 93 single family lots, one multi-family lot with 93 attached senior condominium units, five open space lots, six public facility (debris/detention basin) lots, one park lot and one fire station lot on 234.8 gross acres. The proposal is extremely disheartening due to its significant size and overall total foot print in our local community.

Unfortunately, due to having to work I cannot attend the public hearing which happens to be on a weekday and 31 miles away from my home. Below are my comments which I wish to be entered as public record and consideration by the Regional Planning Commission of Los Angeles County against this proposed development.

This proposed development will cause adverse effects and significant environmental impact to one of our last local wildlife refuges and I will do everything in my rights as a citizen to prevent this from occurring.

I oppose this project because of the development's irreversible negative environmental impacts. Some of these include threatening the community's quality of life, increasing traffic problems, air pollution, light pollution, visual blight from land scarring and construction, elimination of recreational areas, habitat loss, loss of hundreds of trees including hundred year old oak trees, impact on public services, public safety, and many years of noise pollution from the close proximity of a fire station near a residential community. This current area of woodland & forest ecosystems and many riparian areas is one of the few remaining natural regions in the Los Angeles area that supports abundant native wildlife and habitats, it also contains several rare and sensitive plant and animal species.

The audaciousness to remove of 162 oak trees should be considered criminal as this will take away the homes of many native indigenous animals in this area. We already see the poor coyotes frequently crossing into the surrounding area and taking away yet one more place safe for them to live will push them further from survival and more towards extinction. The removal of such sacred oak trees which have been growing in this area for more than a few hundred years will cause irreversible damage to our local environment similar to cutting trees in the rain forests. Not only are you taking away the natural surrounding of so many living creatures, but you're taking away a tree which has lived untouched by man and has survived so many years. The nature and serene areas are quickly being destroyed so that big developers can come in and build their mass developments.

We need to protect this unique and disappearing landscape as open space for the public and as habitat for wildlife that increasingly have nowhere to go in urbanized southern California. This ecosystem is a global "Hot Spot of Diversity" - one of the world's most biologically rich and threatened regions. Numerous federally listed endangered species exist in these lands. In addition, many rare species are present, including oak trees.

As an island of beauty and biological value in a sea of urbanization, they provide visual and psychological relief to a stressed urbanized and congested region which does not have its fair share of parks and open space. Please help us in stopping this proposal, the commission's consideration is kindly requested.

Sincerely,

Andrew Lorenzana
25028 Hollyhock Court
Stevenson Ranch, CA 91381
(661) 803-5280
(661) 799-3455

Paul C. Anderson
Direct: (310) 201-3573
panderson@jmbm.com

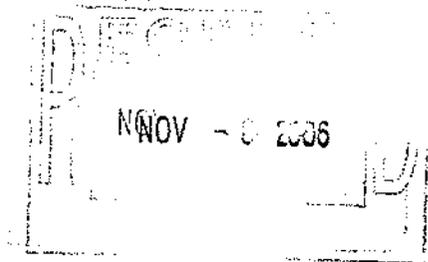
1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

Ref: 67155-0001

November 7, 2006

VIA FEDEX DELIVERY

Ms. Susan Tae
Los Angeles County Department of Regional Planning
320 West Temple Street
Room 1382
Los Angeles, CA 90012



Re: Lyons Canyon Ranch proposed tentative subdivision map 53653 and its impact upon the Kantor Property, APN # 2826-022-024, -028

Dear Ms. Tae:

Please provide copies of this letter and its attachments to the Regional Planning Commissioners in advance of their upcoming November 15, 2006 meeting concerning the above-referenced matter.

I represent the owners of the 20 acre property adjoining the Lyons Canyon Ranch property, Ken and Marjorie Kantor. Because the Kantors are elderly, they are also being assisted by their daughter Kristin Ulibarri with respect to this property.

The reason for this letter is that the owners did not receive notice of the availability of the draft tentative subdivision map nor of the availability of the draft Environmental Impact Report. They only recently became aware of the hearing before the Regional Planning Commission.

The owners, through their daughter, have asked in writing for advance written notice, and would respectfully request that such notice be provided for any and all documentation and upcoming hearings or public meetings concerning this property. Our ability to respond to the pending November 15, 2006 hearing is severely hampered by this lack of notice.

We recently became aware that the proposed tentative tract map 53653 does not acknowledge, identify, or show the longstanding dirt road that serves as the only access to and from the Kantor property and Old Road through the D.R. Horton Lyons Canyon Ranch property. The County Fire Department has used this roadway as well for access to both the Lyons Canyon Ranch property and the Kantor property over the years. The Kantors maintain a prescriptive easement to this roadway.

Thus, the proposed map land-locks the Kantor property. This creates a serious fire safety and vehicular access problem.

We engaged former Santa Barbara County Fire Marshal Don Oaks to advise us in this regard. A copy of his letter to the County's Fire Marshal is attached, complete with photos of the dirt road. Also attached is a copy of sheet 1 of the proposed tentative tract map 53653 showing *in green* the dirt road and showing *in pink* an alternative alignment which the Kantors would also consider.

On account of this omission, the EIR is defective. Nowhere in the draft EIR document is the impact of the Lyons Canyon project on access to and from adjoining property addressed. The fire safety problems created by the map upon the Kantor property and other adjoining properties including the existing homes in the Sunset Point Subdivision are not addressed in the EIR. The Circulation, Traffic, Fire Services and Land Use Sections of the EIR are deficient in that they do not address these significant access and fire safety environmental impacts. The very first significant environmental impact listed in the State CEQA Guidelines, Appendix G is where the proposed project "disrupts or physically divides an established community" and the second significant environmental impact is where the project "conflicts with any applicable land use plan, policy or regulation." Here, the proposed Lyons Canyon Ranch project presents both of these significant impacts in cutting off access to the Kantor property.

The failure to address this critical access and fire safety issue and the proposed map's creation of a land-locked situation for the Kantor property renders impossible the findings required to approve the Lyons Canyon development project under the 1980 County General Plan, the 1984 Santa Clarita Valley Area Plan, the State Subdivision Map Act for tentative subdivision map approvals, the County Code for tentative subdivision map approvals, and Section 22.56.215 of the County Code for the necessary hillside management conditional use permit.

In addition to the existing dirt roadway, please know there is a "paper" easement held by the Kantors which essentially starts at Old Road and goes west, hugging the northern property boundary of Lyons Canyon Ranch, then turning south at a sharp right angle again adjacent to the boundary of Lyons Canyon Ranch, before finally reaching the northeast corner of the Kantor property. However, this easement does not serve in any way as access to the Kantor property nor could it given its extremely narrow width, sharp right angle turn and location on the steepest terrain of the Lyons Canyon Ranch property.

We respectfully request that the Regional Planning Commission either reject the proposal or condition it to require a publicly dedicated roadway, to County street standards, in either the location of the existing dirt road, or the alternative alignment shown on the attached sheet 1.

Ms. Susan Tae
November 7, 2006
Page 3

Thank you for your consideration. If you have any questions, or need further information, please let me know.

Very truly yours,

A handwritten signature in black ink that reads "Paul C. Anderson". The signature is written in a cursive style with a large, stylized "P" and "A".

PAUL C. ANDERSON for
Jeffer, Mangels, Butler & Marmaro LLP

PCA:mb

Attachments

cc: Mr. Don Oaks
Mr. and Mrs. Ulibarri

Don Oaks
2650 latigo dr
sovang ca 93463
805.680.1818
donoaks@syv.com

October 31, 2006

Assistant Fire Chief Scott L. Poster
Fire Marshal
County Of Los Angeles
Fire Prevention Division Headquarters
Fire Marshal's Office
5823 Rickenbacker Road
Commerce, CA 90040

RE: Lyons Canyon Ranch Proposed Tract Map 53653 pending for hearing before the Regional Planning Commission on November 15, 2006

Dear Chief Poster,

My name is Don Oaks. I spent two decades as Fire Marshal for the County of Santa Barbara prior to retiring in 2001. A copy of my resume is enclosed. I have been retained by Ross and Kristin Ulibarri because Kristin's parents, Ken and Marjorie Kantor, are elderly and own an approximately 20 acre piece of property that is in danger of losing its only current access for fire prevention and vehicular travel.

The Kantor property is located in Santa Clarita off of the Old Road on the east side (APN 2826-022-024, -028). Between the Kantor property and Highway 5 is another piece of vacant land proposed for residential development by D.R. Horton (proposed tract map 53653 is up for consideration by the Regional Planning Commission on November 15, 2006).

The Ulibarris and their attorney Paul Anderson of JMBM, have asked me to analyze, and render an opinion on, the implications of the D.R. Horton residential subdivision with respect to emergency response to the Kantor property. I have reviewed the maps and other documents provided, discussed the issue with Ross Ulibarri and personally inspected the site. In addition I have contacted representatives of your Department, and the County Department of Regional Planning.

There currently is a well-traveled roadway that serves as fire access and ordinary vehicular access from the Old Road through the D.R. Horton property to the Kantor property. Please see enclosed photos. This road has no grade problems, and is otherwise free of natural or man-made barriers. This road appears to provide historic access to the parcel and may well have a perfectible prescriptive easement. It is the only pathway that would allow fire department vehicle access at this time.

Of similar, critical importance, this roadway is the only fire access to the canyon that is south of, and adjacent to, the Sunset Pointe subdivision. A fire in this canyon would have an unimpeded, upslope run toward the homes on the southern perimeter of Sunset Pointe.

The proposed D.R. Horton development, Lyons Canyon Ranch does not identify this road on their map. The general area is simply referenced as 'open space'. The development, as proposed, would therefore, eliminate this present and future fire department access. It would appear that, to avoid a 'taking' of the emergency access/egress road to the Kantor property, tract map 53653 should be conditioned on the dedication of a roadway that could be relocated slightly to the north on the edge of the area designated disturbed and undisturbed open space, terminating at the eastern property line of the Kantor parcel. There should be no environmental reasons to oppose the road dedication. The areas designated disturbed and undisturbed open space have ample evidence of historic disturbance including, but not limited to, dumping of debris, underground piping, off-road vehicle activity, etc. I observed an abandoned car frame, building materials, tangles of rusted barbed wire, and a 50 gallon drum in plain sight from the access roadway.

I spoke to your Fire planner at some length. She understands the issue, and in fact, indicated that she had brought about changes from the original proposed map (the map that I was referencing). The current map iteration does provide for street stub outs for future access, but only to the south of the Kantor property. She referred me to the hall of records in L.A. to review copies of the latest maps. There I was able to view the changes and talk to regional planners. The additional stub outs the Fire planner had described were south of the Kantor property's contiguous interface, and subsequently, south of a ridgeline that is a physical barrier to vehicular access.

I ask that you act within your discretionary role and direct a reconsideration of the implications of the Lyons Canyon Ranch proposed subdivision map on fire department access and egress relating to the Kantor parcel prior to the November 15th hearing.

I will contact you shortly to further discuss and possibly meet with you since this is an urgent matter. In the meantime, please don't hesitate to call if you have questions.

Don Oaks



attachments

cc: Susan Tae, County Land Divisions Section
Ross and Kristen Ulibarri
Paul C. Anderson, Esq.

Don Oaks is retired professional fire service. A 39 year veteran, Don spent over two decades as the Fire Marshal of the Santa Barbara County Fire Department. He holds a bachelor's degree in public administration from California State University at Long Beach (1973), with post graduate work in political science/public policy at UCLA and USC, and a doctorate in law from the California Law Institute at Santa Barbara (1978). Don is a California attorney.

Don has represented the California Fire Chief's Association (CFCA) and the State Fire Marshal's Office and is past president of the CFCA Fire Prevention Officers. He is a past chair of the Firescope Hazardous Materials Committee. He is a past member of the Flammable Liquids Committee, Explosives Committee, Building Committee, and Fire Code Committee for the California Fire Chief's Association. He is a past member of the Wildland/Urban Interface committee of the Western Fire Chief's Association, and co-chairs the Urban-Wildland Interface Committee for the California Fire Chief's Association. He is a member of the ICC Fire Code committee. He has authored ordinances for various communities including those relating to special protection, high rise building systems, toxic and hazardous materials, automatic fire sprinklers, urban/wildland interface, and land use controls.

Don holds a California teaching credential and various professional certifications and designations including Hazardous Materials Management; NBC Weapons of Mass Destruction; and Incident Command System (Red Card Incident Commander, Plans Section Chief, and Command Staff). He has lectured in several California colleges and universities. He is a member of the adjunct faculty of the National Fire Academy and has lectured for state academies of California, Arizona, Washington, Nevada, Wyoming, Hawaii, and Alaska.

Don has authored a variety of fire protection, emergency procedure, and organizational management books and professional journal articles, including the "Project Management" section of Managing Fire Services ICMA, (1988), and contributed to, Development Strategies in the Wildland/Urban Interface, Western Fire Chief's Association (1991, 1997). He authored the chapter, "Mitigation or Litigation", for a book edited by Rodney Slaughter titled, The I-Zone: California's Mitigation Strategies, (1995). He authored a new section in the 2000 edition of the Uniform Fire Code, "Article 86, Development in Wildland-Urban Interface Areas". He authored an article in the April, 2000 issue of Fire Chief Magazine titled "Fight or Flight", an argument for more creative regulation of active and passive fire protection systems in urban-wildland interface development. He continues the argument for building standards consistent with "Sheltering in Place", in the September-October, 2001 issue of Building Standards, published by the International Conference of Building Officials(ICBO). He was active in the 2005 creation of a new chapter in the California Building Code focused on development in the wildland-urban interface.

Don provides fire protection design, application, interpretation, and advocacy consulting services.

donoaks@syv.com phone: 805.680.1818

THE KANTOR ROAD EXISTING ON THE
LYONS CANYON RANCH PROPERTY



THE KANTOR ROAD EXISTING ON THE
LYONS CANYON RANCH PROPERTY



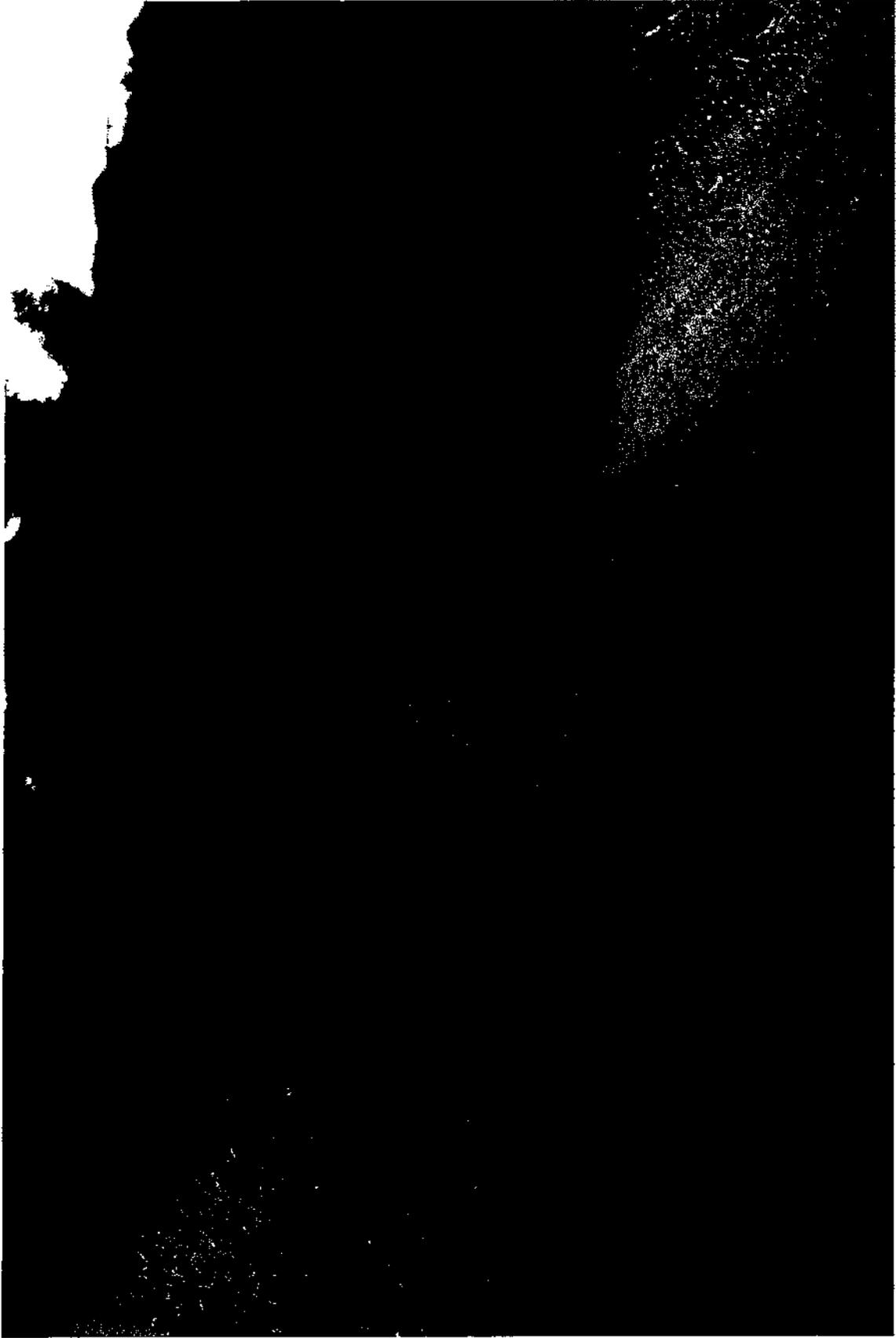
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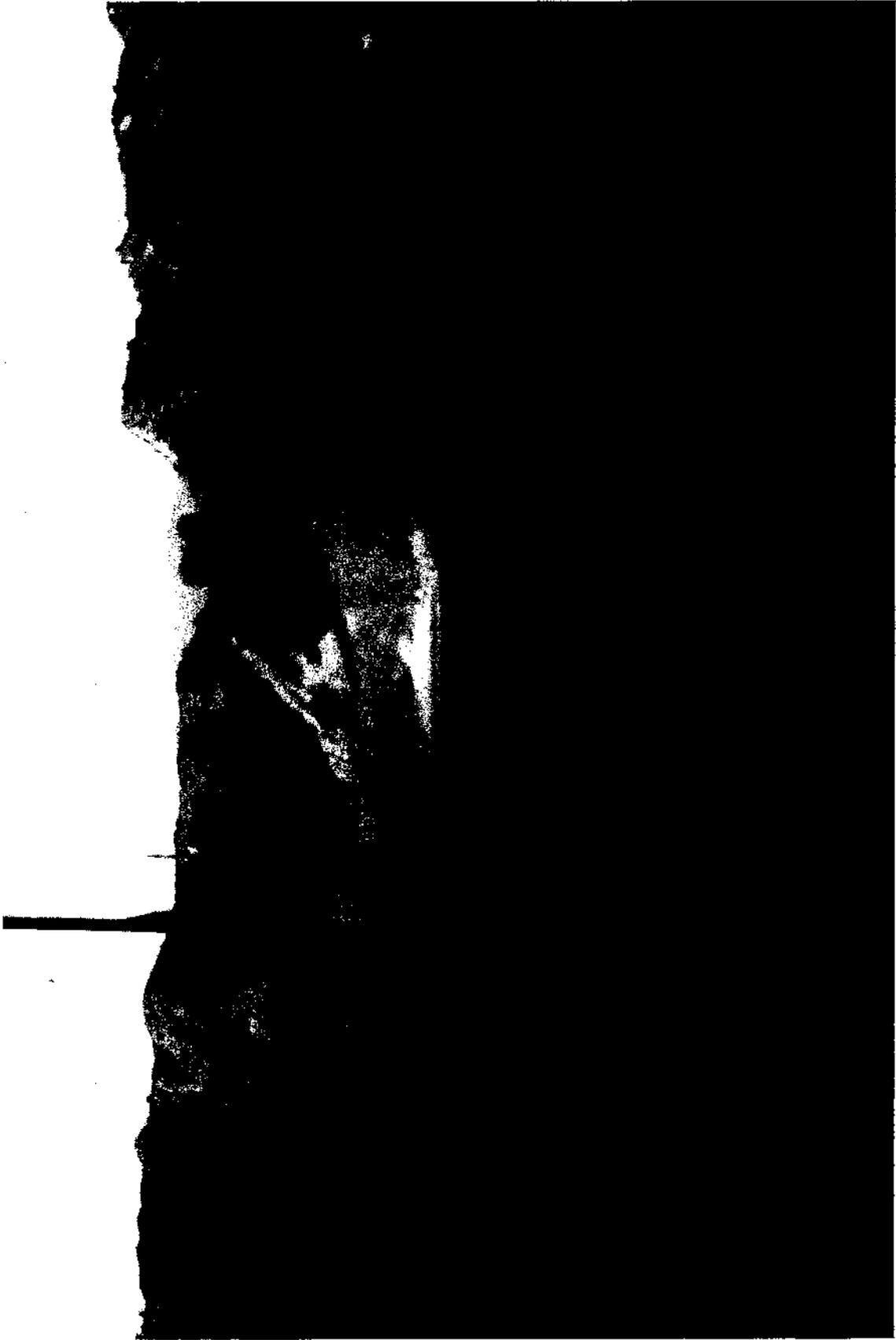
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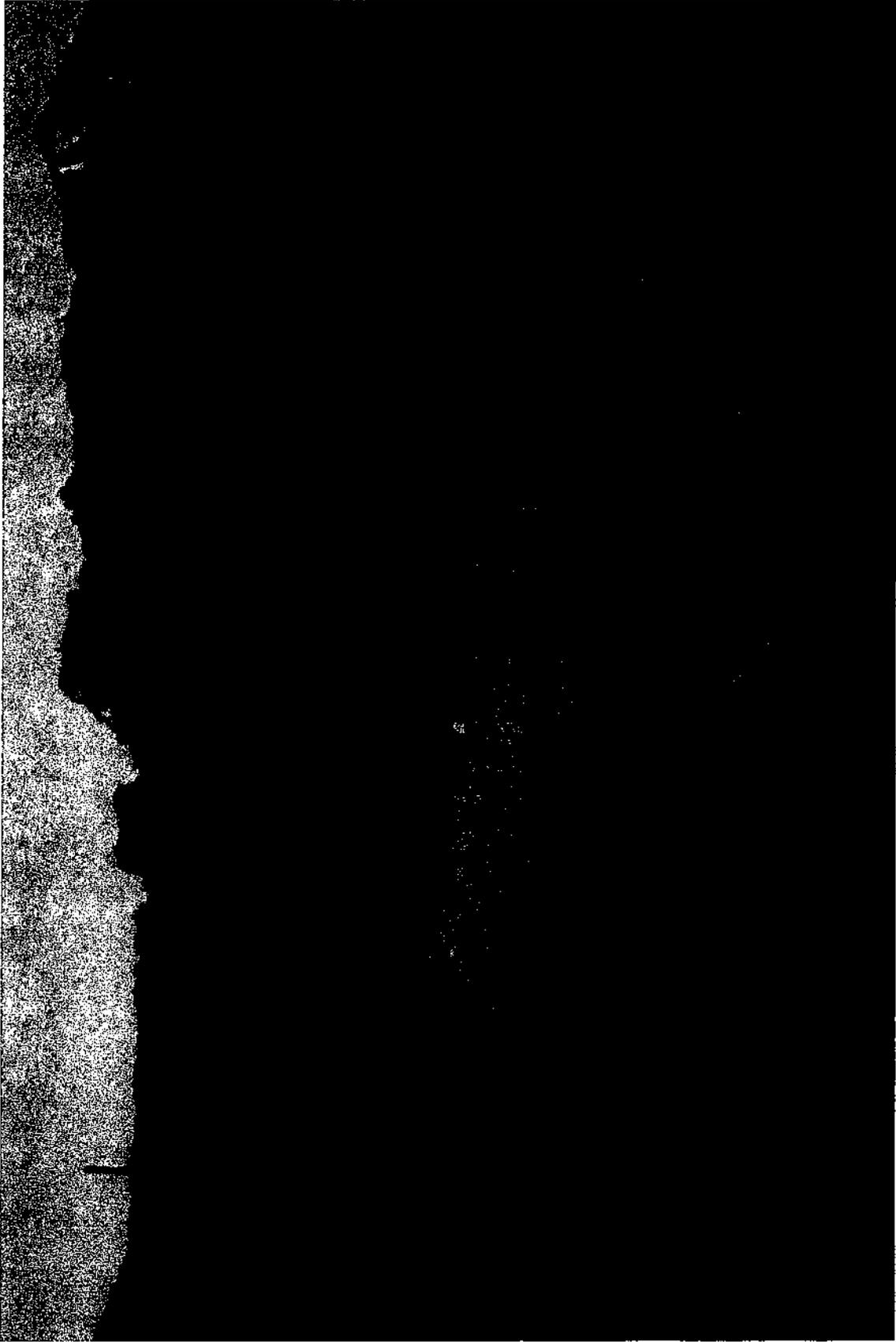
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LYONS CANYON RANCH PROPERTY



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LYONS CANYON RANCH PROPERTY



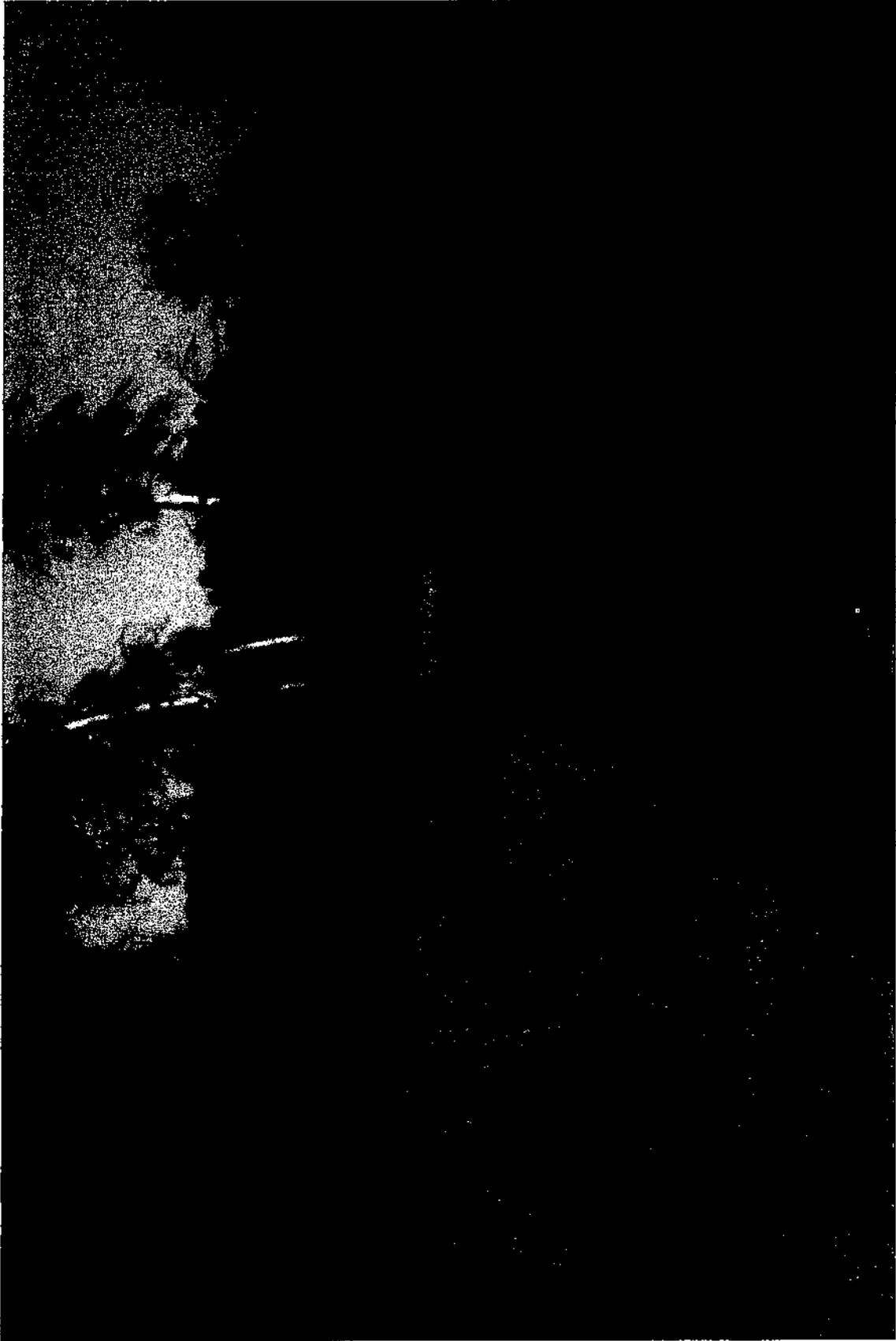
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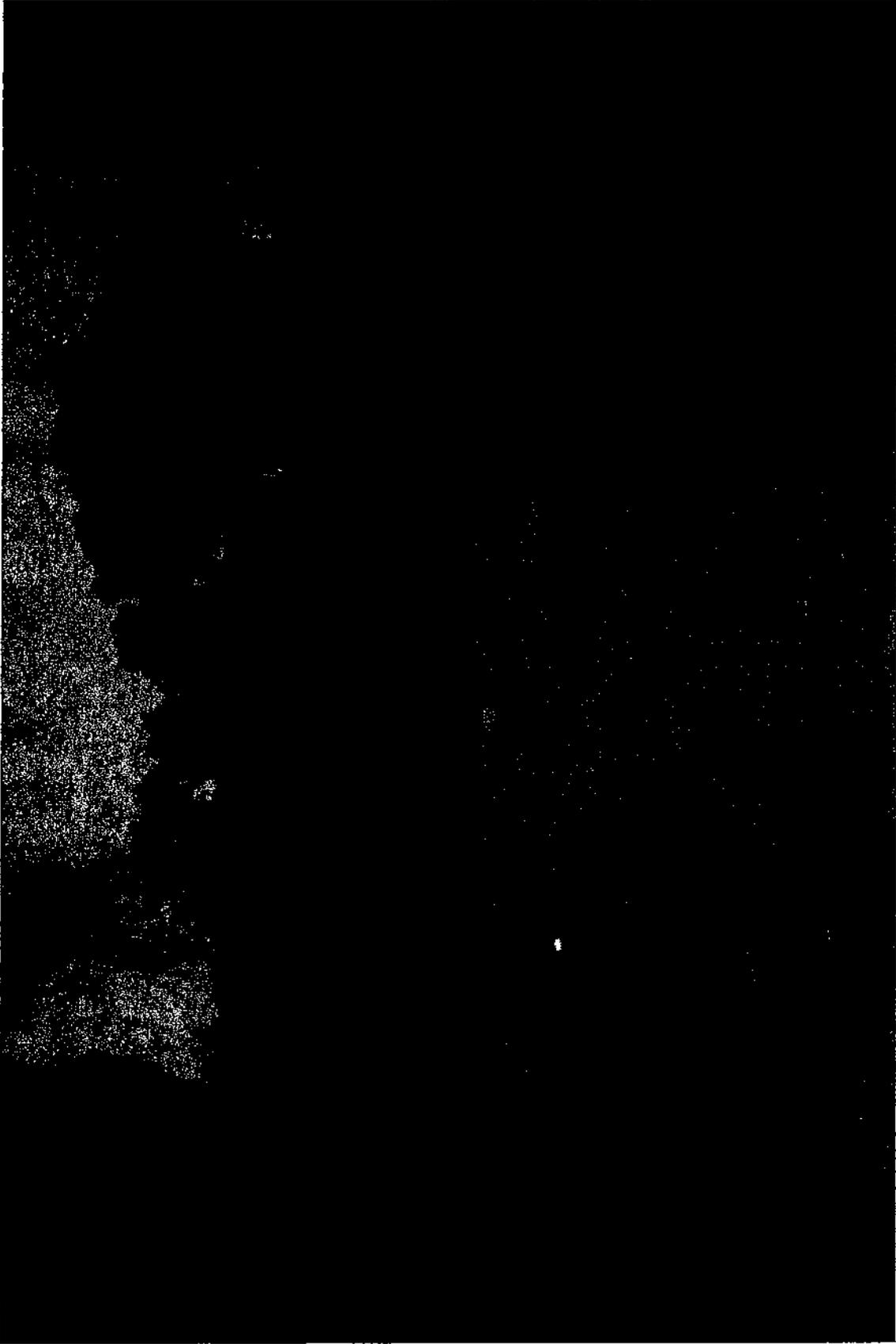
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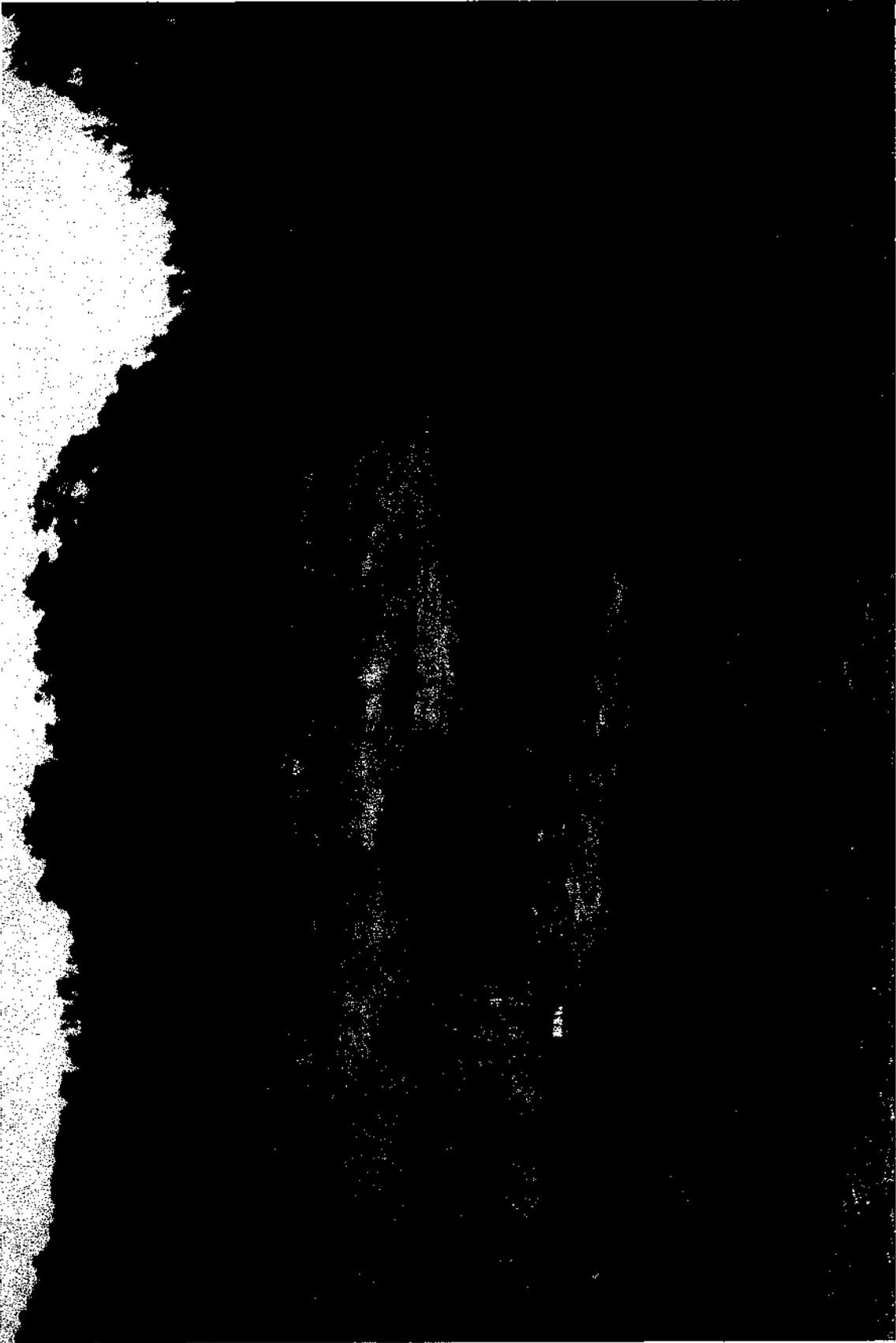
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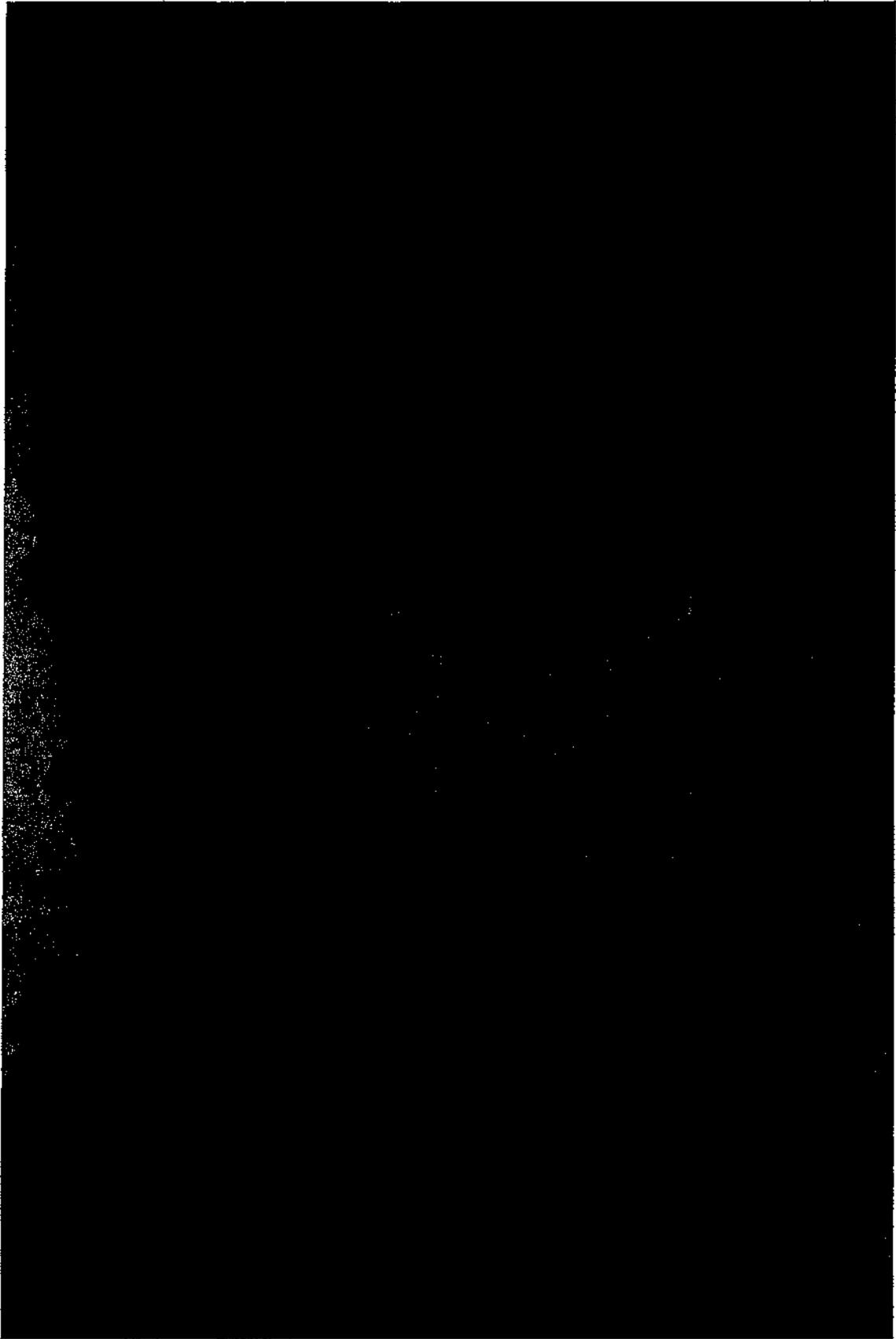
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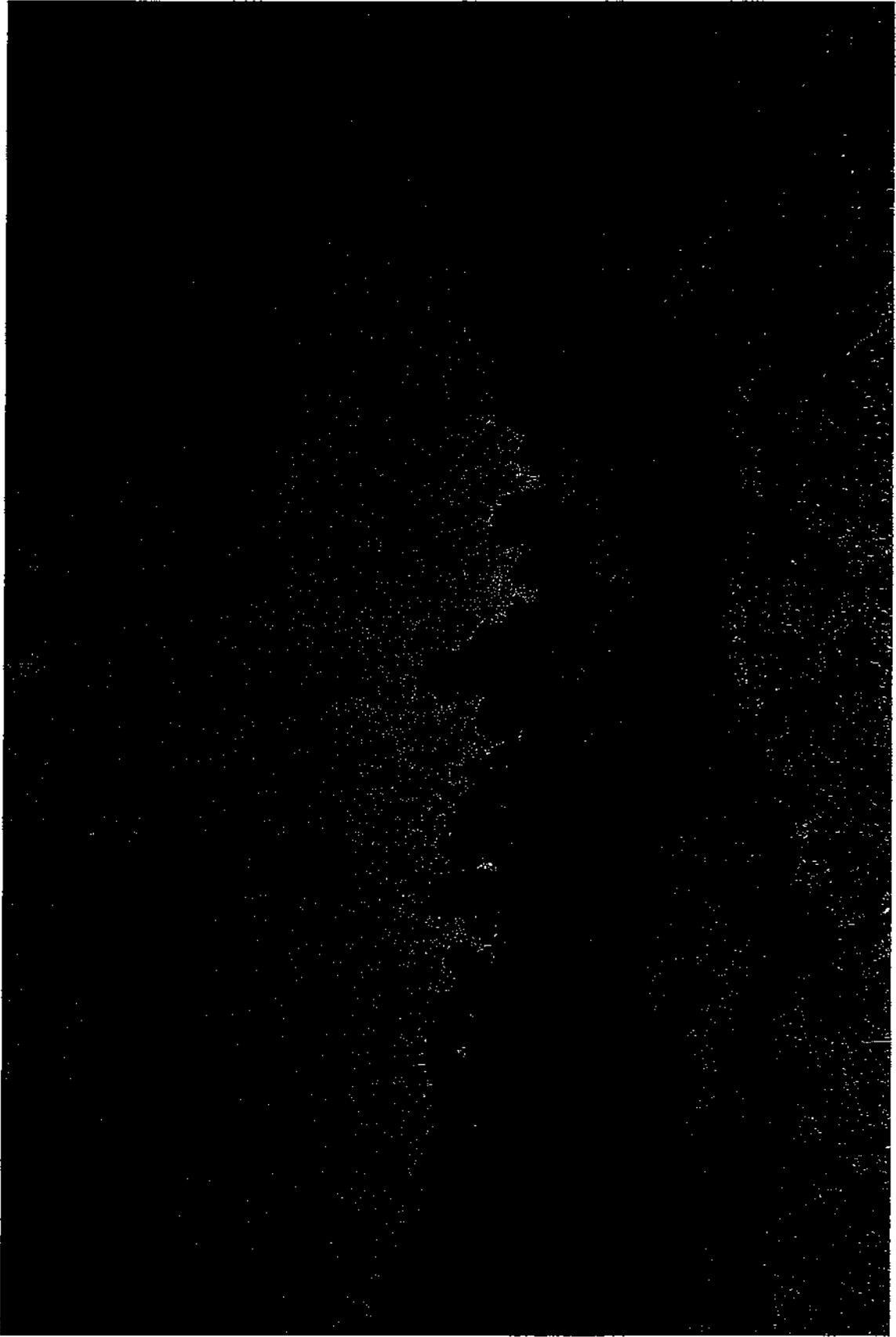
THE KANTOR ROAD EXISTING ON THE
LYONS CANYON RANCH PROPERTY



THE KANTOR ROAD EXISTING ON THE
LYONS CANYON RANCH PROPERTY



SUNSET POINT SUBDIVISION
HOUSES UPHILL



PO Box 419
El Prado, NM 87529
stormy@laplaza.org
March 23, 2006

Susie Tae
Land Division Section
Los Angeles County Zoning Department

Dear Ms. Tae,

My parents and I own land adjacent to the proposed Lyon's Canyon Ranch Project (TR-53653). We own 20 acres directly NE of the proposed project (APN-2826-022-024). While much of the plan seems well conceived, we are seriously affected by certain components. We want to make our concerns known to the county.

My parents have owned their 20 acres for 30 years. They are in their late 80's and have recently moved to an assisted living facility near me in Taos, New Mexico. If they have been negligent in commenting on this plan earlier, it is because of their age and the stress of being uprooted. I now help them handle their affairs and hold power of attorney for them. I have only recently become aware of the planned development.

The biggest problem with the proposed development, from our point of view, is that it does not provide for access to our land or any of our neighbor's land. My parents bought this land as a retirement investment, and without access it has little worth. It is simply not fair that the county approve this plan as it stands when it robs my parents of a fair price on their land now that they are retired and wanting to sell.

We have 20 acres, but this plan also does not provide for access for our neighbors; this amounts to over 500 acres that would be landlocked. It is the job of your office to oversee development in Los Angeles County. You are charged with meeting the growing needs of the county for residential housing, and addressing environmental, safety, and open space concerns. It makes no sense to simply take 500 acres out of play with no possibility of any use at all. If this proposal is approved, in effect D.R. Horton decides that 500 acres not be developed.

We have seen a letter to the county from the Santa Monica Mountains Conservancy. They ask that the county "essentially seal the project from providing utilities or access to any property outside of...the project boundary". We are supporters of environmental needs and preserving natural land. But this is not how you go about it—by robbing tax paying landowners of their right to sell or develop their land and by taking the decision making of environmental issues

out of the county's hands. The land behind the Lyon's project should be developed with environmental sensitivity and fairness.

When we look at the proposed development, it would be a simple matter to extend one of the proposed roads to meet our needs. For example, F Street could simply be extended beyond the cul de sac to north eastern property boundary. A plan such as this does not disturb any of their proposed house sites.

The plan now includes a firehouse, but does not provide access for fire trucks should a fire occur to the east of the housing development. This is all the more reason to provide an easement to our properties.

We have one other issue of which we need to make you aware. We and our neighbors have a 20 ft. easement to our land along the northern boundary of the proposed development and around part of the eastern boundary to our land. We know that 20 ft. is not much and certainly is not adequate for the acreage that it serves, but it is all we have at this time. We have deeded land for the first part of this easement starting at the old road (APN-2826-022-028). We want the Lyon's Canyon developers to be aware of that easement and to make sure that they do not trespass. The proposed firehouse is directly south of that easement, and we cannot afford to lose one inch of that 20 feet.

Thank you,
Kristin Ulibarri

APR 2 2006

WEST RANCH TOWN COUNCIL
25876 THE OLD ROAD #213
STEVENSON RANCH, CA 91381

April 6, 2006

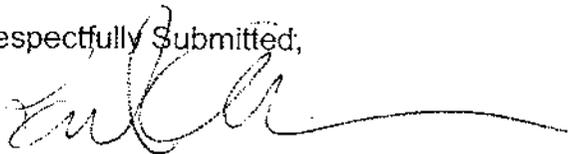
County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Attn: Susan Tae, Land Divisions

The West Ranch Town Council has had an opportunity to review the Lyons Canyon Tentative Tract Map (TTM 53653) on four separate occasions (April 5, 2005, September 7, 2005, February 8, 2006 and April 5, 2006). The details associated with the proposed project were presented by the project applicant at these meetings. In addition, the project applicant answered questions from members of the West Ranch Town Council and concerned citizens about the project.

Overall, the West Ranch Council supports the Lyons Canyon Ranch project (TTM 53653) proposed on approximately 234 acres south of the Stevenson Ranch community and its associated development of 93 single-family residences, 93 multi-family units for senior housing, a fire station site, and on-site recreational amenities.

Respectfully Submitted,



Paul V. Ash, President
West Ranch Town Council

February 7, 2006

Dr. Hsiao-ching Chen, AICP
County of Los Angeles Regional Planning Department
Impact Analysis Section
320 West Temple Street, Room 1348
Los Angeles, CA

Dear Dr. Chen,

Subject: Lyons Cyn Ranch -- Tr. No. 53653

This is to let you know that our 'agency', the Santa Clarita Trails Advisory Committee (SCVTAC) will be requesting that the Lyons Cyn Ranch Project do a presentation of the County of Los Angeles' Regional Trail System, and provide some compliance with the Press Bulletin and Board of Supervisors unanimous vote to preserve, protect, and expand the equestrian lifestyle (February 26, 2003).

This property is zoned agricultural, i.e. A2-2 and A2-1. Many times, SFD are clustered and zone changes are not required. As part of the efforts and workshops held on the One Valley, One Vision, The Big Picture, and SCVTAC's efforts to maintain the continuity of the Master Plan of Trails, we are also seeking as part of Equestrian Trails, Inc, the proper amount of horsekeeping with adequate square footage retained or set aside to accommodate 2 horses on the property i.e. 2K to 3K square foot exclusive of land set aside for pools, tennis courts, the house pad, etc.

This means, that no deed restrictions to livestock/horses be retained especially on the General Plan Update's impact to equestrians that many of us attended December 14, 2005, at Descanso Gardens. We wish to uphold A2-2 or A2-1 along with the unanimous vote of our Board of Supervisors to preserve the equestrian lifestyle by upholding the inherent rights of A2-2 or 1 zoning.

Mr Jausch Janowicz, the Consultant for this project, stated to us at the West Ranch HOA meeting held February 1, 2006, that this is an equestrian, semi-rural project. If so, then horses should be allowed on these lots and the trail system accessible from all lots. Mr Janowicz stated this would be on some of the lots, but that the lot sizes would be minimum 9,000 to 65,000 square feet. We would like to see that horses be accommodated on adequate lot sizes by at least 40 homes of the 93 set aside in the southern portion of the property, if not all. No deed restrictions to horses within this designated horsekeeping area of 40 homes.

*Pls also forward
to subdirector
committee
SCM (mtg held 2-6-06)*

Page 2

Thank you for your time and consideration of this letter as we wish to work with D.R.Horton on providing a model equestrian neighborhood adjacent to Towsley and East Cyn and the County's Regional Trail System and with a community arena set aside for this community.

Sincerely,

Sherrie Stolarik (+ others)

Sandra Cattell (SCVTAC Member) and

Sherrie Stolarik
SCVTAC Member and
Area 11 Director, Equestrian Trails, Inc.

Linda Tamoff

*— contact person — 661-255-5012
Cell - 213-399-4290*

*25241 West Carson
way
Stevenson Ranch, CA
91381*



SUPERVISOR MICHAEL D. ANTONOVICH
Los Angeles County Board of Supervisors, Fifth District
869 Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012
<http://antonovich.co.la.ca.us>

PRESS RELEASE

Contact: Tony Bell, Communications Dept
Office: (213) 974-5555 Cell: (213) 272-8032
E-mail: tbell@bos.co.la.ca.us

February 26, 2003
Release

For Immediate

SUPERVISORS SUPPORT PRESERVATION OF EQUESTRIAN LIFESTYLE

Los Angeles - Supervisor Michael D. Antonovich's motion to ensure that an equestrian lifestyle is preserved and expanded in the San Fernando, San Gabriel, Santa Clarita, and Antelope Valleys was unanimously approved by the Board of Supervisors.

"As new development applications are processed, it is vital that we consider the impacts to equestrians and the County's trail system," said Supervisor Antonovich.

Antonovich's motion directs the Department of Regional Planning, in conjunction with the Department of Parks and Recreation, to work with all City planning departments to preserve the equestrian lifestyle.

BACK



FedEx Kinko's
Office and Print Center

Fax Cover Sheet

FedEx Kinko's of STEVENSON RANCH Telephone: 661.255.3224 Fax: 661.255.9677

Date 1/6/06

Number of pages 5 (including cover page)

To:

From:

Name DR Hsiao-Ching Chen

Name Bill Speer

Company County Planning

Company _____

Telephone _____

Telephone 661 2879583

Fax 213 6260434

Comments

RE TRACT 53653

Impact Analysis

BILL AND SONJA SPEER

25555 Yucca Valley Rd. Valencia Ca. 91355
661 287 9583 Cell 818 368 7420
Speerwmr@aol.com, SpeerSonja@aol.com

January 5, 2006

Dr. Hsiao-ching Chen, AICP
County of Los Angeles Regional Planning Department
Impact Analysis Section
320 W. Temple Street, Room 1348
Los Angeles, CA 90012

Re: Tentative Tract 53653

We are one of the owners of the property west of the proposed Tract 53653 and note it does not provide access to ours or other adjacent parcels. Accordingly we disagree with the proposed Tract 53653 without access to the adjacent properties. It is in interest of the County to provide continuity of development of all parcels in the area (i.e. not to land lock ours or other adjacent parcels).

We were provided access though the Sunset Point Tract # 43734 Via Item "F" in the attached conditional use permit case number 1639-5. However, as noted in the attached article dated May 13, 1982, the access being granted in not practical for our property.

We then started tentative tract #TT50242 on our property and have been stalled due to lack of access and the County staff attitude to wait for access from the property in front of us, now known as the referenced tract 53653 which as proposed does not show access. This tract has bounced around (we were informed by the City of Santa Clarita in June, 2005, that the tract # 53653 was being withdrawn) and we have not had any success in getting the access suggested by the County staff.

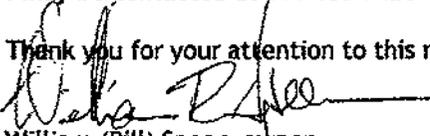
Recently (June 2005), we met with Mr. Paul Novak of Mr. Antonovich's office and then the Fire Dept. to reach agreement on an access...there were no conclusive results. Again it was suggested to get access from the front parcel.

Accordingly, after 20 years of requests, we request that the County do what is right in the development of the area and require access in Tract 53653 to our property and the adjacent properties.

Please keep us informed on this matter including all meetings and hearings on Tract 53653.

I may be contacted at 818-368-7420 or 661-287-9583.

Thank you for your attention to this matter.


William (Bill) Speer, owner

Attachments:

Letter dated June 10, 1981

Daily News Article dated May 13, 1982



COUNTY OF LOS ANGELES

OFFICE OF THE COUNTY COUNSEL

648 HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012

974-1845

JOHN H. LARSON, COUNTY COUNSEL

June 10, 1981

SYN. #19
4/30/81

Honorable Board of Supervisors
383 Hall of Administration
Los Angeles, California 90012

Re: Conditional Use Permit Case Number 1639-5

Dear Supervisors:

On April 30, 1981 you conducted a hearing on an appeal from an action of the Regional Planning Commission, relating to certain conditions attached to the grant of a conditional use permit. The permit application is a proposal to establish residential and commercial planned developments.

After the hearing, you rendered a tentative order to grant the conditional use permit and revise the pertinent conditions. You also instructed this office to prepare findings and revised conditions for your review before entry of the final order.

Such findings, conditions and order are attached hereto.

Very truly yours,

JOHN H. LARSON
County Counsel

By
CHARLES J. MOORE
Deputy County Counsel

APPROVED AND RELEASED:

JOHN H. LARSON
County Counsel

CJM/kra
Attachment

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

16

JUN 23 1981

JAMES S. WICK
EXECUTIVE OFFICER

F. Prior to issuance of a building permit, applicant shall offer an easement to the owner of the parcel adjacent to the southwest corner of applicant's property for the right to use and maintain a roadway serving said adjacent parcel along the existing road shown in yellow on Exhibit C until such time as a public road serves said adjacent parcel. Such easement, which shall not exceed a width of twenty feet, may be modified by applicant during construction.

Development before panel runs into snag

By REED McCLURE

Daily News Staff Writer

Los Angeles County planning commissioners Wednesday delayed action on a proposed 213-unit housing development near Valencia after being told the project may be challenged in court.

The Regional Planning Commission held a 15-minute closed-door meeting before it held a public hearing on a request by Camden Development Co. to rezone 213 acres for a residential planned development.

Deputy County Counsel S. Robert Ambrose recommended the executive session, saying the Camden development is the subject of "potential litigation."

Ambrose declined to comment on what kind of a lawsuit might be filed. Representatives of the developers said they were not aware of any legal problems.

Wednesday's hearing was a continuation of an earlier meeting on the case April 14. Commission Chairman George Lefcoe complained at the time that the developers failed to provide enough information on the project.

The only opponent of the project April 14 was Clifford Wolfe, chairman of the Santa Clarita Valley Planning Association.

He asserted that the proposed development southwest of Pico Canyon Road-Lyons Avenue interchange with the Golden State Freeway was premature.

Commissioners, who decided to visit the site in July before voting on a recommendation to the Board of Supervisors, were

urged Wednesday by an adjacent property owner to allow him access to his real estate via the new development.

William R. Speer, who said he owned 20 acres to the south, said he wants "a future easement out of their (Camden's) tract that would serve our project or possibly others."

Speer said he would like to build about eight homes on his property.

Thomas R. Welsh, Camden's vice president, said the developers were prepared to offer Speer a narrow easement to his land, but asserted that the access road Speer wanted would be impossible to build due to the terrain.

Commissioner Roy W. Donley, an appointee of 5th District Supervisor Michael D. Antonovich, said: "What bothers me is approving a development that possibly would leave somebody landlocked."

Camden's property is adjacent to the California Highway Patrol's Newhall Station. It currently is zoned for two-acre and one-acre agricultural lots.

The commission in 1980 approved a residential planned development allowing 201 units on the property. That change, however, has not been finally adopted by the Board of Supervisors.

Joel Silverman, a Camden representative, said the firm's rezoning request was supported May 5 by the Santa Clarita Valley Planning Advisory Committee. The committee's vote was 12-4, according to Silverman.

Silverman explained the proposed development in detail. Lefcoe was not present.

J O S E P H W. A I D L I N
ATTORNEY AT LAW
5143 SUNSET BOULEVARD
LOS ANGELES, CALIFORNIA 90027-5798
TELEPHONE (323) 666-1910
FAX (323) 666-1919

July 29, 2005

Ms. Ellen Fitzgerald
Land Division
Department of Regional Planning
County of Los Angeles
320 West Temple Street, Room 1382
Los Angeles, CA 90012

Re: Objection to approval of Western Pacific Homes
Proposed Tentative Tract Map No. 53653

Dear Ms. Fitzgerald:

I have just had occasion to view the proposed tentative tract map No. 53653 for Lyons Canyon, which has been submitted by Western Pacific Homes. The land involved adjoins lands owned by me, as trustee of my revocable trust, and by Diana Ayres, as trustee, and whom I represent. My land is generally referred to as the "Riedel" land, and the Ayres trust land is generally referred to as the "Ayres" land. Mrs. Ayres and I have entered into an option for the sale of said land to Evergreen Canyon Homes, as optionee.

Over the years, the Ayres and Riedel properties have acquired numerous easements for access and other purposes over the land embraced in the Western Pacific Homes proposed tentative tract map, and we are in the process of filing for a tentative tract map on the Ayres and Riedel lands, jointly, which will delineate proposed easements for access and other purposes over lands covered by the Western Pacific Homes proposed map.

We have at various times and from time to time fully advised Western Pacific Homes of our access rights. All of these rights are of record in various transactions involving these lands over many years.

July 29, 2005

On numerous occasions, up to the present time, we have requested that Western Pacific Homes join with us in developing mutual and reciprocal access, acceptable to both Western Pacific Homes and to us, and which would involve a just, proper and economically feasible utilization of our respective lands. But we have had no response, other than action on the part of Western Pacific Homes which ignores completely our access rights and also the public record of such rights. The total acreage of the Riedel and Ayres properties is 418 acres. If the proposed tentative tract map No. 53653 which has been submitted by Western Pacific Homes were to be approved, this total 418 acres would be deprived of access and could not be utilized for any purposes, private or public.

I have advised the representatives of Western Pacific Homes that I will strenuously contest any effort on their part to deprive the Riedel and Ayres lands of their proper and legal rights to appropriate access. The attitude and action of Western Pacific Homes leaves me no alternative but to object to any approval of their proposed tentative tract map No. 53653, and I respectfully request and hereby ask that you note such objection.

I have high regard for the personnel of the County Department of Regional Planning, and in lodging this objection to the Western Pacific Homes proposed tentative tract map, I want to assure you that my position is sound and is unquestionably in accord with the public record and the law. I will be pleased, if you so request, to further document for your department the instruments and material which accord ample support for the statements which I have made in this letter.

Respectfully yours,


JOSEPH W. AIDLIN, Trustee
Aidlin General Trust

JWA:ac

NOV 2006

Dr. Susan Stone
24584 Sagecrest Cir.
Stevenson Ranch, CA 91381
(H) (661) 259-8901
Cell (661) 373-1814

November 2, 2006

Mr. Rudy Silvas
Department of Regional Planning County of Los Angeles
320 West Temple Street #1348
Los Angeles, CA 90012

RE: fault through property proposed for development
Vesting Tentative Tract Map NO. 53653, Conditional use Permit Case No. 2005-00088

Dear Mr. Silvas,

Enclosed you will find a copy of the photograph of the property identified above. The photograph faces south from our back yard. The fault runs laterally through the property east from the 5 freeway west to Pico Canyon. The photograph shows earth movement into the air during a minor aftershock from the 1994 Northridge quake. The earth was thrown beyond the height of the photograph. You should be able to see the dust up to the top of this picture.

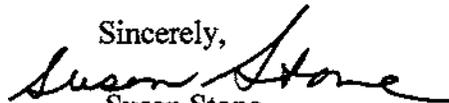
This fault was responsible for the disproportionate extensive damage to Sunset Pointe by the Northridge quake; Many houses in our development were red tagged.

The nature of this surface fault was not noted in the geologic study of this property.

I am concerned regarding safety to potential residents of any proposed development: housing tracks, senior apartments and possible school.

Thank you for you quick response to my e-mail.

Please feel free to contact me should additional information be helpful.

Sincerely,

Susan Stone



DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

28648 The Old Road
Valencia, CA 91355
(661)294-5540
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



September 27, 2006

File No.: 540.9107.13086

NOV - 2 2006

Mr. Rudy Silvas
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Silvas:

This is in response to the Notice of Completion and Availability for the Lyons Canyon Ranch Project, for County Project Number, TR 53653 draft Environmental Impact Report (EIR). After review, we have a concern with this project. The proposed project will be located within the unincorporated area of Los Angeles County; which will be within the jurisdiction of the California Highway Patrol. Therefore, traffic enforcement, emergency incident management, public service, assistance and accident investigation will be the responsibility of our agency.

Our concern is what effect this project will have on traffic safety and congestion. This project proposes a subdivision of 107 lots comprised of 93 single-family lots, one condominium lot (for approximately 93 senior condominium units), five open space lots, six debris/detention basin lots, one park lot, and one fire station lot. The project will increase recurrent traffic congestion on The Old Road and nearby on and off ramps to I-5. This added congestion could increase response times for emergency services in the community.

Lieutenant R. Elvira will be our Department's contact person for the project. If you have any questions or concerns, he may be reached at the above address or telephone number. Thank you for allowing us the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "S.V. Bernard".

S.V. BERNARD, Captain
Commander
Newhall Area

Cc: Southern Division, CHP
Special Projects Section, CHP

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, REGIONAL PLANNING

IGR/CEQA BRANCH

100 MAIN STREET, MS # 16

LOS ANGELES, CA 90012-3606

PHONE: (213) 897-3747

FAX: (213) 897-1337

*Flex your power!
Be energy efficient!*

NOV 1 2006

IGR/CEQA No. 060951AL, DEIR
Referenced to IGR/CEQA No. 050825AL, TS
Lyons Canyon Ranch
Vic. LA-05 / PM R49.04 to R50.33
SCH # 2003031086

November 1, 2006

Mr. Rudy Silvas
Regional Planning Department
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

Dear Mr. Silvas:

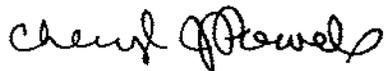
Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project includes a mix of single-family residential, senior housing, public facility, and open space uses. The 234.8-acre project site includes 93 single-family detached homes, 93 senior condominium units, and 130.26 acres of parks and undisturbed open space. The project also includes a 2.05-acre site for a new fire station, which is intended to serve the proposed development and surrounding areas.

In addition to our comment letter dated September 8, 2005, we have the following comments on pages 1-43 and 1-44 of the EIR.

1. I-5 SB Ramp/Marriott & Pico Canyon Rd. On the east approach, we would like to keep the existing separate right-turn lane to SB I-5 on-ramp and add a third westbound through lane. Converting the right-turn lane into a through/right share lane may cause traffic back up into Pico Canyon Road.
2. I-5 NB Ramps and Lyons Ave. We acknowledge the proposal to add a 2nd eastbound left-turn lane.
3. I-5 SB Ramp & Calgrove Blvd. We acknowledge the proposal to add a 2nd eastbound through lane, a 2nd westbound through lane and install traffic signal.
4. I-5 NB Ramps and Calgrove Blvd. We acknowledge the proposal to add a 2nd eastbound through lane, a 2nd westbound through lane and install traffic signal.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 060951AL.

Sincerely,

A handwritten signature in black ink that reads "Cheryl J. Powell". The signature is written in a cursive style with a large, stylized "P" and "W".

CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

October 25, 2006

Rudy Silvas
Los Angeles County Department of Regional Planning
320 West Temple Street Room 1348
Los Angeles, CA 90012

OCT 26 2006

Dear Mr. Silvas:

Re: SCH# 2003031086; Lyons Canyon Ranch Project/Project TR53653/Conditional Use Permit
RCUP200500088, Tract Map No. 53653

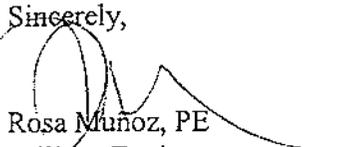
As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near Metrolink's Antelope Valley Line right-of-way be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians.

Please advise us on the status of the project. If you have any questions in this matter, please contact me at (213) 576-7078 or at rxm@cpuc.ca.gov.

Sincerely,



Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

C: Rob Harris, Metrolink

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



October 23, 2006

Mr. Rudy Silvas
Department of Regional Planning
Los Angeles County
320 West Temple Street, 13th floor
Los Angeles, California 90012

**Draft Environmental Impact Report Comments
Lyons Canyon Ranch Project
Tract No. 53653 - SCH No.2003031086**

Dear Mr. Silvas:

The proposed project in Lyons Canyon and the Lyons Canyon Significant Ecological Area (SEA) would essentially gut the central and lower portions of a significant Santa Susana Mountains watershed of all remaining core habitat values. The proposed project disturbance footprint would produce this result by concentrating over three-fifths of the development area at the greatest possible distance from the Old Road access point. The Conservancy sees not a glimmer of public policy justification for the County to approve any project similar to this proposal.

Much of the proposed project's significant adverse ecological impact can be easily avoided while still fulfilling all of the Draft Environmental Impact Report (DEIR) project objectives. More specifically, the SEA/Oak Tree Avoidance Alternative in the DEIR provides for a mixture of 126 units on the project site compared to the 186 mixed units of the proposed project. The addition of a fire station site is all that is needed to make this alternative project completely compatible with the DEIR project objectives. We have found no reference in the DEIR that the project applicant has stated that this alternative is economically infeasible.

Essentially the footprint of the DEIR's SEA/Oak Tree Avoidance Alternative should either be incrementally expanded in the FEIR to include a fire station site or housing units should be removed to provide for a station site. To reject the SEA/Oak Tree Avoidance Alternative based on the lack of a fire station site is not only contrary to the intent of the California Environmental Quality Act and poor public policy. Furthermore, it exposes how the current range of DEIR alternatives is inadequate. The SEA/Oak Tree Avoidance Alternative can still be legitimately called by that name even if the project must expand two acres into the SEA to allow for a fire station somewhere in the project boundary. It will still significantly avoid oak tree and SEA impacts. This environmentally superior alternative will

also reduce specific habitat and species impacts and leave sufficient area on the site such that disturbance impacts can also be fully mitigated onsite as opposed to some undetermined offsite location (which is the case with the proposed project and all other development DEIR alternatives).

The SEA boundary was drawn for a reason. In this case the SEA encompasses the main fork of Lyons Canyon from a natural topographic constriction point to a great distance upstream. This line is where mass grading should end, as reflected in the SEA/Oak Tree Avoidance Alternative.

Generally mass grading, roads and housing units in an SEA require a General Plan Amendment. The proposed project would require over 26 acres of direct loss to SEA No. 63. Indirect disturbances would increase this adversely affected acreage. In addition, the DEIR states that many of the County land use designations must be changed to implement the project. Generally the County requires a Zone Change when land use designations (zoing) are changed.

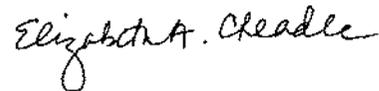
We understand that a recently adopted density bonus ordinance waives the need for both General Plan Amendment and Zone Change approvals if an applicant proposes a project that meets criteria for the inclusion of Senior or affordable housing. We respectfully request that the FEIR fully disclose to decision makers if this absence of General Plan Amendment and Zone Change approvals in any way limits the County's ability to mitigate for project impacts in an SEA or other important natural area. If the County's ability to either condition or mitigate for such a project is limited by this ordinance, the FEIR must fully disclose to decision makers the explicit parameters and potential implications of all such limitations. For the FEIR to avoid a significant deficiency, it must clearly and explicitly state that the SEA/Oak Tree Avoidance Alternative (with or without an added fire station site) is still feasible in the context of the subject density bonus ordinance.

Protection of open space land via a legal instrument as stated in the DEIR is not adequate to insure the permanent continuation of existing resource conditions. We urge that the DEIR and FEIR mitigation measures require that all open space located outside of fuel modification zones be dedicated in fee simple to a public park agency prior to or concurrent with tract map recordation. Only through resource agency stewardship and public accountability can resource protection be guaranteed at a level consistent with a CEQA mitigation measure for a large subdivision. In addition, a conservation easement to a public agency should be required on all open space lots (aside from manufactured slopes) with some fuel modification. Again that transfer should occur before a tract map records.

Los Angeles County Regional Planning Department
Lyons Canyon Ranch Project DEIR
October 23, 2006
Page 3

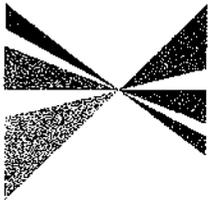
Please direct any future documents and questions to Paul Edelman of our staff at 310-589-3200 ext. 128.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth A. Cheadle". The signature is written in black ink and is positioned above the printed name.

ELIZABETH A. CHEADLE
Chairperson

SOUTHERN CALIFORNIA



ASSOCIATION OF GOVERNMENTS

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Riverside County: Jill Stone, Riverside County - Thomas Buckley, Lake Elsinore - Bonnie Hickingey, Moreno Valley - Ron Lovelidge, Riverside - Greg Petts, Cathedral City - Ron Roberts, Hemet, CA

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Ventura County: Judy Mikels, Ventura County - Glen Becerra, Sirm Valley - Carl Mosehouse, San Buenaventura - Toni Young, Port Hueneme

Orange County Transportation Authority: Lou Lowe, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

10/05/06

October 20, 2006

OCT 20 2006

Mr. Rudy Silvas
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 W. Temple Street
Los Angeles, CA 90012

RE: SCAG Clearinghouse No. I 20060651 Lyons Canyon Ranch Project

Dear Mr. Silvas:

Thank you for submitting the **Lyons Canyon Ranch Project** for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the **Lyons Canyon Ranch Project**, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

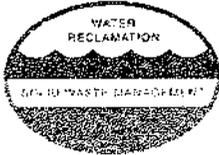
A description of the proposed Project was published in SCAG's **September 16-30, 2006 Intergovernmental Review Clearinghouse Report** for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1857. Thank you.

Sincerely,

LAVERNE JONES
Planning Technician
Intergovernmental Review

Doc #127983



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

JAMES F. STAHL
Chief Engineer and General Manager

October 5, 2006

File No: SCV-00.04-00

OCT 10 2006

Mr. Rudy Silvas
Impact Analysis Section, Room 1348
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Silvas:

**Lyons Canyon Ranch Project, County Project No. TR53653, Conditional Use Permit
No. RCUP200500088, Oak Tree Permit No. ROAK200500039, Tentative Tract Map No. 53653**

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report for the subject project on September 22, 2006. We offer the following comments regarding sewerage service:

- *Page 3-23, 3.4.6 Utilities:* The following changes should be made to the paragraph under *Sewer Service*:

Currently, the project site is located outside the service boundaries of the Los Angeles County Sanitation Districts and will need to be annexed into the Santa Clarita Valley Sanitation District (SCVSD) before service can be provided for the proposed development. Due to the location of the project, the flow from the site will have to be transported to the Districts' facilities by local sewer lines. The nearest local sewer line is located approximately 400 feet north of the subject site. This line conveys wastewater flow to the Districts' District #32 Main Trunk Sewer, an 18-inch diameter trunk sewer that is nearing capacity. Availability of trunk sewer capacity should be verified as the project advances. The SCVSD operates two water reclamation plants (WRPs), the Saugus WRP and the Valencia WRP, which provide wastewater treatment in the Santa Clarita Valley. These facilities are interconnected to form a regional treatment system known as the Santa Clarita Valley Joint Sewerage System (SCVJSS). The SCVJSS has a design capacity of 28.1 mgd and currently processes an average flow of 21.1 mgd.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

James F. Stahl

Ruth I. Frazen
Engineering Technician
Facilities Planning Department

RJF:rf

c: M. Cabrera
T. Sung
S. Espinoza
S. Christian

695487.1



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
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LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE
(213) 974-8118
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(213) 613-4751
TDD
(213) 633-0901

RAYMOND G. FORTNER, JR.
County Counsel

October 15, 2008

Ms. Lynne Plambeck, President
Santa Clarita Organization for
Planning and the Environment
Post Office Box 1182
Santa Clarita, California 91386

OCT 20 2008

Re: Planning Commission Brown Act Violation

Dear Ms. Plambeck:

We are writing in response to your September 15, 2008 letter to the Los Angeles County Regional Planning Commission ("Planning Commission"), the Regional Planning Director, and a staff planner regarding the materials that were submitted to the Planning Commission for the July 30, 2008 and August 20, 2008, public hearings on the Lyons Canyon project (VTM 53653; Zone Change 2008-00004-(5); CUP No. 2005-00088-(5); OTP 2005-00039-(5); and Housing Permit No. 2006-00001-(5)). In your letter, you state that the additional materials distributed to the Planning Commission after the agenda materials were mailed out were not made available to the public as required by the Ralph M. Brown Act ("Brown Act"), California Government Code sections 54950, et seq.

Section 54957.5(b) of the Brown Act requires that any writings constituting public records relating to an agenda item at a public meeting that are distributed less than 72 hours prior to the meeting be made available for public inspection at the time the writing is distributed to all or a majority of the members of the legislative body. The Brown Act further states that the local agency shall make the writings available for public inspection at a public office or other location that the agency designates for this purpose. The local agency may also post the writing on the local agency's website.

The Los Angeles County Department of Regional Planning ("Planning Department") has taken steps to ensure that any materials covered by this provision of the Brown Act will be available for public review at the Planning Commission meetings in the Planning Commission hearing room. As feasible, the Planning Department will also post any such materials on the Planning Department's website.

Your letter references information and correspondence provided to the Planning Commission on the morning of the July 30, 2008 and August 20, 2008 hearings, including information regarding fire and water service, and requests a copy of those materials. A copy of the materials provided to the Commission on July 30, 2008, is enclosed as Exhibit A and Exhibit B. A copy of the materials provided to the Commission on August 20, 2008, is enclosed as Exhibit C. The materials enclosed as

Ms. Lynne Plambeck

October 15, 2008

Page 2

Exhibits A and C include correspondence and documents previously provided to the Planning Commission as well as material that was submitted between the time the agenda packets were mailed out and the date of the hearing. The materials enclosed as Exhibit B were provided to the Planning Commission on July 30, 2008, and were included in the supplemental agenda package that was mailed to the Planning Commission for the August 20, 2008 hearing as well as posted on the Planning Department's website.

First, we note that by its terms, Government Code section 54960.1, part of the Brown Act, does not apply to these circumstances. Additionally, and importantly, the proposed project entitlements include a request for a zone change, which is a legislative action. As such, the Planning Commission is only authorized to make a recommendation to the Board of Supervisors ("Board"), which will consider the zone change request along with the related entitlements at a separately noticed public hearing. Therefore, before any further action is taken on this matter, there will be a properly noticed public hearing, and the public will have the opportunity to testify regarding any concerns related to project, including concerns related to the referenced materials. The public hearing before the Board has not yet been scheduled, and notice of that public hearing will be provided at least 30 days in advance pursuant to the provisions of Title 22 of the Los Angeles County Code.

We believe that the Planning Commission has taken appropriate steps to ensure that materials covered by section 54957.5(b) of the Brown Act are available for public review at future Planning Commission meetings on all relevant matters. Additionally, we are providing you with copies of the requested documents regarding this matter. If you have any further questions, please contact the undersigned at (213) 974-8118.

Very truly yours,

RAYMOND G. FORTNER, JR.

County Counsel

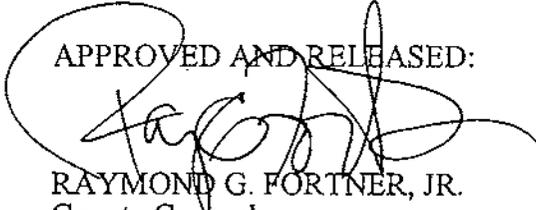
By 

PATRICIA KEANE

Deputy County Counsel

Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel

PK:vn
Enclosures

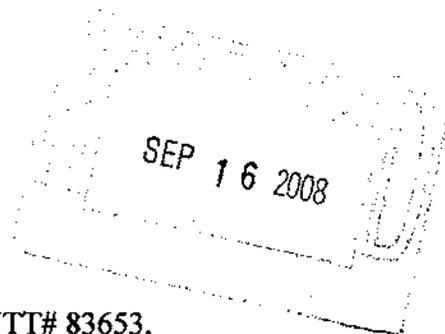
c: Susan Tae, Department of Regional Planning

SCOPE
Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



9-15-08

Los Angeles, County Regional Planning Commission
Bruce McClendon, Director & Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012



Re: Brown Act Violation – Demand to Cure and Correct
Lyons Canyon Project # 2005-0008, Zone Change 2008-0004 (5) VTT# 83653,
OT Permit # 2005-0039, Agenda Item 7, August 20th

Dear Commissioners, Ms. Tae and Attorney:

At the July 30th hearing regarding this subject, I made a formal request on behalf of Santa Clarita Organization for Planning and the Environment and myself that all information supplied to the Commission regarding the above referenced project also be made available to the public prior to any future hearings regarding this matter. I suggested that making a copy of all agenda materials and placing them on the back table in the hearing room could easily accommodate this request.

I made this request because information was supplied to the Commission at the July 30th hearing regarding water supply and fire services, two areas about which the public is very concerned, after the agenda was mailed. That information was also not available on your website, nor was it available anywhere in the room. We did not become apprised of the fact that this additional information existed until after the public portion of the hearing had ended. It only came to our attention during the Commission's discussion of the agenda item. At that point no further comments from the public were allowed, so we had no opportunity to comment on this new information.

In spite of making a formal request to the Commission regarding this matter in more than sufficient time to have the problem remedied at the next meeting, a similar situation occurred at the August 20th public hearing on this matter. Again, correspondence was submitted and circulated to the entire commission apparently regarding water and fire service, but not made available to the public as we requested on July 30th, thereby precluding any opportunity to comment on or rebut that information.

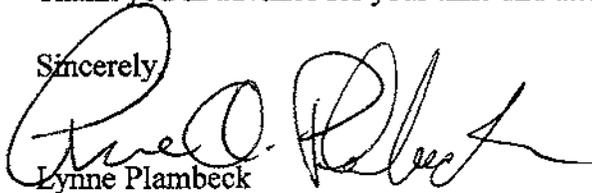
We believe that the failure to provide such information after we specifically requested that it be provided at your July 30th hearing constitutes a violation of the Ralph M. Brown Act sections pertinent to the public's right to agenda information provided to a majority of the Commission members. We request that this violation be cured before any additional actions on this matter are taken.

We believe this violation may be easily remedied by providing us with all documentation received by the Commission prior to its Aug. 20th hearing on this matter, including but not limited to correspondence from the developer and water company regarding water service and from the County Fire Dept. regarding fire services that was apparently submitted to the entire Commission prior to the hearing on this matter on August 20th and then re-noticing and holding a compliant public hearing where all information is available to the public. This will give the interested public its legal right to make fully informed comments at the public hearing.

This demand is timely made within 30 days following the above described violation per section 54960.1(c)(1) of the Ralph M. Brown Act.

Thank you in advance for your time and attention to this matter.

Sincerely



Lynne Plambeck
President

**REGIONAL PLANNING COMMISSION
JUNE 18, 2008
AGENDA ITEM NO. 9 a, b, c, d, e**

TR 53653

**ADDITIONAL
CORRESPONDENCE**



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

Russ Guiney, Director

March 23, 2006

TO: Rudy Silvas
Department of Regional Planning
Impact Analysis Section

FROM: Bryan Moscardini
Park Project Coordinator

SUBJECT: **SCREENCHECK DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)-
LYONS CANYON RANCH-COUNTY PROJECT NO. TR 53653**

The Department of Parks and Recreation has reviewed the Screencheck DEIR for the proposed project. The Department had commented on the project previously (August 23, 2005), however there are some two items which need clarification:

- The developer's Quimby obligation is 1.54 net acres or \$404,313 of in-lieu fees. The project description (3-13) describes a 1.39 acre active recreation park whereas the recreation impact analysis section (5.19-10) states it to be a 1.75 acre active recreation park. Please clarify as gross or net.
- Please clarify what is planned for the passive 6.13 acre recreation area.

If you have any questions, please contact me at (213) 351-5098.

LH:bm(c:response-Lyons Canyon032306)

c: Parks and Recreation (James Barber, Patrick Reynolds, Joan Rupert)

Paul C. Anderson
PAnderson@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

June 17, 2008

VIA E-MAIL & U.S. MAIL

Harold V. Helsley, Chair
Leslie G. Bellamy, Vice Chair
Esther Valadez
Wayne Rew
Pat Modugno
Regional Planning Commission
Hall of Records (13th Floor)
320 West Temple Street
Los Angeles, CA 90012

Re: DR Horton Project
Vesting Tentative Tract Map No. 53654
Zone Change Case No. 2008-00004-(5)
Conditional Use Permit Case No. 2005-00088-(5)
Oak Tree Permit Case No. 2005-00039-(5)
Housing Permit Case No. 2006-00001-(5)
RPC Hearing Date: June 18, 2008

Dear Honorable Members of the Regional Planning Commission:

This letter is sent on behalf of the Kantor property adjacent to the subject DR Horton property. The Kantor property is known by its Assessor's Parcel Number, 2826-022-024. This is one of the properties you identified at your last November 15, 2006 meeting because the design of the proposed DR Horton subdivision would cut off the existing right of way and access to the Kantor property. We incorporate our earlier letter which was submitted for your November 15, 2006 meeting. In particular, we note the EIR is still silent on the significant effect that the creation of this subdivision will pose for adjacent properties in terms of cutting off access.

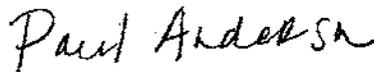
We have recently become aware of the Staff Report and the "Supplemental Information" distributed to you by staff. We have the following comment. Finding #29 confirms our understanding that there are at least three feasible access routes to and from the Kantor property which would avoid transforming the Kantor property into a landlocked parcel. Access route Option 1 has been chosen by staff and appears as condition #24 to the conditional use permit and as condition #21 to the tentative tract map. We endorse these conditions so long as they are enforced with the understanding that no final map may be approved nor recorded

Members of the Regional Planning Commission
June 17, 2008
Page 2

absent an easement being executed and recorded per the terms of these conditions. This is absolutely necessary to preserve access to and from the Kantor property.

We also have been provided a copy of a side letter DR Horton submitted to the County on or about May 8, 2008. We need to state for the record that we do not know Mr. Rodney Singh, the author of the letter. He was not involved in our conversations and meetings. We do not believe his letter to be an accurate portrayal of the discussions we have had over the subject of preserving access to the Kantor property. It is true that we are in negotiations with the SMMC/MRCA for the possible disposition of the Kantor property; however, despite the diligent help of the County, there has been no final agreement. While we are hopeful that a final transaction may occur this year, the Kantors do not waive any and all rights they have to vehicular access to and from their property on account of these negotiations.

Very truly yours,

 (LH)

PAUL C. ANDERSON

PCA:ih

cc:

Ms. Susie Tae, Supervising Regional Planner
Mr. Paul McCarthy
Mr. Paul Novak
Mr. and Mrs. Ross Ulibarri

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



June 23, 2008

Regional Planning Commission
Los Angeles County Department of Regional Planning
320 West Temple Avenue
Los Angeles, California 90012

Lyons Canyon Ranch FEIR Comments
Vesting Tentative Tract Map No. 53653
SCH No. 2003031086

Dear Planning Commission Members:

The Santa Monica Mountains Conservancy always pursues the strongest protection for natural lands located both within County-designated Significant Ecological Areas (SEA) and adjacent to significant public lands—such as the Santa Clarita Woodlands Park. A project with significant SEA, oak woodland, and streambed impacts must have the most precise and enduring mitigation.

In addition to our Draft Environmental Impact Report (DEIR) comments that are addressed in the FEIR and that provide supportive background for the below requests, we adamantly request that the following mitigation measures be added to the certified FEIR to achieve this minimum level of mitigation. These mitigation measures require no modification of the proposed project.

Without the complete incorporation of each and every one these below mitigation elements in the FEIR, we urge the Commission not to certify the document on the grounds of inadequate mitigation for several unavoidable significant adverse biological impacts.

1. Per the DEIR and FEIR, open space lots 103-106 of the subject project shall be irrevocably offered for fee simple dedication to the Mountains Recreation and Conservation Authority (MRCA) or shall be recorded in fee simple by the MRCA prior to or concurrent with tract map recordation. Under absolutely no circumstances shall there be an exception to this requirement. If the land is not recorded by the MRCA prior to, or concurrent with, map recordation, the irrevocable offer to dedicate shall be duly recorded prior to map recordation.

The amount of land transferred in fee to the MRCA shall not be less than 122.74 acres per the DEIR and FEIR. If the MRCA does not accept the land within one year

after being notified via Certified Mail concurrently with the recording of an offer to dedicate, the offer to dedicate shall expire. The land shall be free and clear of all liens and encumbrances. The developer shall be allowed to conduct only the subject project required mitigation on lots 103-106 and only exactly as depicted in the DEIR and FEIR.

If any portions of lots 103-106 fall within the 200-foot-wide variable fuel modification zone depicted in the DEIR, the Homeowners Association (HOA) shall retain an easement solely for the purpose of fuel modification only where such overlap of DEIR and FEIR depicted fuel modification occurs. The Homeowners Association CC&Rs shall include all necessary elements to recognize this easement and to require that the HOA be wholly responsible for any fuel modification required on lots 103-106 as depicted in the DEIR and FEIR.

2. The Homeowners Association CC&Rs shall include an irrevocable requirement to provide an annual open space maintenance fee to the fee title holder of lots 103-106. That payment of \$15,000 annually shall first be due in full concurrently with map recordation. That map recordation date shall establish the annual due date for each subsequent \$15,000 payment. Fee owner of said open space lots shall invoice the HOA for all subsequent payments. Said fee shall include an indexed inflation adjustment.
3. No remedial grading or mechanical disturbance shall be allowed under any circumstances more than 15 feet outside of the shown limits of grading for Vesting Tentative Tract Map 53653. This amount of space should allow for normal calculation errors and difficult vehicle turnaround conditions that require added safety. Any grading or mechanical disturbance impact beyond 15 feet would constitute additional adverse ecological impact not addressed in the FEIR. Unforeseen geological instability must thus be solved internal to the limits of grading as shown in the DEIR and FEIR and approved by the Board of Supervisors.
4. The Gavin Canyon Trail with a 12-foot-wide easement as depicted in the DEIR and FEIR must be dedicated to the Los Angeles County Department of Parks and Recreation prior to or concurrent with tract map recordation. Under no circumstances shall there be an exception to this requirement. If the land is not transferred, an irrevocable offer to dedicate shall be duly recorded.

5. With the exception of one "required offsite access easement" (FEIR Exhibit 6-1) in the northwest project corner approximately following unpaved Lyon Ranch Road), the DEIR and FEIR do not depict or analyze any public or private access or utility easements across any portion of open space lots 103-107 or the potential impacts of their improvement.

The two owners of APNs 2826-022, 022, 023 and 024 have gone on the public record for the subject project to request access easements. The above mentioned "required offsite access easement" could service these two subject ownerships. It is our understanding that the applicant has agreed to grant exclusive access and utility easements to the owners of these parcels in the width of approximately forty feet. The location and scope of the easements are not otherwise defined to our knowledge. The MRCA has APN 2826-022-024 under contract to acquire in July 2008.

Based on the DEIR and FEIR analysis and disclosure, the public must then be able to conclude that no other additional access and utility easements exist, or shall exist in the future, that can diminish the ecological integrity of open space lots 103-107 in any way shape or form. This conclusion must include any public street reservations to the Los Angeles County Department of Public Works. For the record APN 2826-022-024 does have a narrow easement across a small sliver of open space owned by the Vesting Tentative Tract Map No. 53653 owner.

The FEIR shall include a mitigation measure that expressly states that open space lots 103-106 must be offered to the MRCA free and clear of all access and utility easements except a future exclusive easement to benefit only APNs 2826-022, 022, 023 and 024. The narrow easement coming from the north that benefits APN 2826-022-024 would be the one exception.

Please address any future documents to the attention of Paul Edelman at the letterhead address and questions to him at (310) 589-3200 ext. 128.

Sincerely,

RONALD P. SCHAFER
Chairperson

SCOPE

Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



6-18-08

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone Change 2008-0004 (5) VTT# 83653,
OT Permit # 2005-0039, Agenda Item #10, May 7th

Dear Commissioners and Ms. Tae:

We did not receive the final EIR and Supplemental Final EIR in our mailbox until Monday, June 16th. This did not give us sufficient time to review the material or to write a comment letter in a timely manner to the Commission. Never the less, we submit this comment letter and request that you delay approval for at least ten days to give us an opportunity to review this new information.

You are undoubtedly aware that the Governor of California declared a statewide drought on June 5th, just a little over two weeks ago. We also have attached the Notice from the Dept. of Water Resources showing that Castaic Lake Water Agency will only receive 35% of its state water allotment this year. We believe that under such conditions the County may not rely on the 2005 Urban Water Management Plan because circumstances have substantially changed. The County may also not rely on the *draft* State Water Reliability report for the same reason. That draft was released before the Federal Court Oliver Wanger decision of Dec 17th, 2007 (hereby incorporated by reference) and its figures will have to be adjusted downwards to comply with the remedies ordered by that decision.

We do not believe that this project meets the Burden of Proof required by the proposed issuance of a Zone Change, a Conditional Use permit and a Statement of Over-riding Considerations for significant unmitigatable impacts to biology, aesthetics, geologic formations, air quality, traffic and noise.

CUP Burden of Proof

Contrary to the requirements of a CUP, this project adversely affects the health, peace, comfort and welfare of the surrounding community by significantly increasing the traffic and noise to a level that cannot be mitigated (EIR), significantly impacting the biological resources of the area (EIR), significantly impacting the aesthetic views of the area by grading down hillsides and removing important geologic features (see EIR) and removing a significant number of oaks which help to clean the air.

The loss of oaks, ridgelines and viewshed is also materially detrimental to the use, enjoyment and valuation of property of other persons located in the vicinity of the site as well as those that must pass by it on the freeway every day by significantly impacting the natural beauty of the area that lies immediately adjacent to a regional park.

This project jeopardizes, endangers and constitutes a menace to the public health safety or general welfare by placing housing in a high fire prone wildfire area. Fires have already burned through this area three times in the last 15 years. Fires burned right to the edge of houses in the neighboring community, requiring evacuations.

This project provides only one ingress and egress to the back units. This puts residents of those units in extreme danger because it will be difficult for them to escape while emergency vehicles are arriving. It will be difficult and expensive to defend this area from fire, thus reducing the defense that is available for existing homes.

We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit for half the proposed units.

This project will only provide the pad for a fire station in this area, NOT the fire station itself. The Development Monitoring System requires a fire station within 1.5 miles of new development proposals. The nearest station is 3 miles away. The long response time would enable a fire to get out of control and into the surrounding natural areas.

We therefore request that any approval of this discretionary permit require that the developer help provide an actual fire station and that no units be built until the fire station is in place. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area.

The County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future. Failure to do so puts an unfair burden on existing residents and therefore does not meet the burden of proof required for a CUP.

One Finding of the CUP that states:

“ The proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community and is consistent with the objectives and policies of the General Plan. ”

This finding is untrue on its face, since there are no nearby shopping or commercial opportunities.

Burden of Proof for a Zone Change

The modified conditions do not warrant a change in the zoning because the project is in a fire prone area with only one exit to half of the units. The placement of this zoning in this area is not in the interest of public health, safety and general welfare and in conformity with good zoning practices because of the known extreme fire hazard of the area. Future residents would be put in jeopardy and existing residents fire protection would be reduced by having to defend this project placed in a known high fire hazard area.

Also, many housing units are already in foreclosure in the Santa Clarita Valley, indicating that housing is overbuilt for the area. The Santa Clarita area already has available at least 5 large senior housing complexes with rental space available as well as a number of lower cost condominium units that are similar to those proposed in this project.

Findings of Over-riding considerations

We have attached the Attorney General's office list of proposed mitigation for reducing greenhouse gases and air pollution. In order to make a finding of over-riding considerations, the County must incorporate all feasible mitigation. We believe that several additional conditions from this list are feasible and must be included.

The need for this project is not supported by any documentation. Housing in the Santa Clarita Valley is already overbuilt with many properties in foreclosure and builders in bankruptcy. A similar senior housing project by PacSun on the east side of Highway 14 is in bankruptcy.

Conclusion

In closing, we would like to call your attention to the Golden Valley project, an "active senior" project that is in severe financial trouble on the east side of 14. It too required a massive amount of grading, which put the developer into bankruptcy. The natural area was destroyed for nothing. Now there is a huge hole in the ground that is an eyesore for the neighboring community.

As you are aware, financial instability impacts the entire community as the developer becomes unable to pay required fees for schools, libraries, etc, and graded pads are left standing without the stormwater or re-vegetation requirements met. This has already occurred with many projects in the Antelope Valley. We attach several articles regarding the shaky financial condition of the project proponent before you. For the sake of the surrounding community we beg you to find a way to require bonding or some other assurance that required mitigation will be met BEFORE you allow any oaks to be removed or grading to occur. Please do not allow destruction of this beautiful area for a project that may not ever be built.

We urge you to vote no on this project because it does not meet the burden of proof for a CUP or a zone change and because it is in a very high fire prone area with only one exit for the back units of the project.

Thank you for your attention to our concerns.

Sincerely,

Lynne Plambeck

Lynne Plambeck

President

Attachments:

1. Notice of Availability of Water Allotment showing that Castaic Lake Water Agency will only receive 35% of its State Water supply this year.
2. Office of the Attorney General's list of possible mitigation for greenhouse gas generation and air pollution reduction.
3. Several articles from business news services indicating the shaky financial state of DR Horton Builders.

Home builder D.R. Horton says orders plunged last quarter

[REDACTED]

[REDACTED]

NEW YORK (Reuters) — D.R. Horton (DHI), one of the largest U.S. home builders, said Tuesday that declining home values would lead to its first quarterly loss since it listed on the New York Stock Exchange in 1995.

Hurt by the deteriorating housing market, the home builder said net sales orders in its fiscal third quarter, ended June 30, fell 40% to 8,559 homes. The dollar value of the orders dropped 47% to \$2.0 billion.

"Market conditions for new-home sales declined in our June quarter as inventory levels of both new and existing homes remained high, and we expect the housing environment to remain challenging," Chairman Donald Horton said in a statement.

Regionally, the sharpest decline came in California, where the value of orders fell 61.9% to \$307.1 million.

The company said that as a result of the weak market, it will post significant asset impairments that will result in a loss for both the third quarter and the nine-month period.

"D.R. Horton was as aggressive as anyone in buying land during the bubble years," said Eric Landry, analyst at Morningstar, in Chicago. "They bought plenty of land when land prices were dear. Home prices now have declined such that there are several communities that aren't profitable."

Horton's third-quarter cancellation rate was 38%, up from 32% in its fiscal second quarter. The company's traditional customer is a first- or second-time home buyer. It builds homes in 27 states with sales prices ranging from \$90,000 to more than \$900,000.

Executives of some of the largest U.S. home builders, including Horton Chief Executive Donald Tomnitz, have said they do not expect the market to rebound this year — and probably not in the first half of next year, either.

"The fundamental headwinds are stiff right now and no one has any idea when it will turn around," said Morningstar's Landry.

Late last month, home builders Lennar (LEN) and KB Home (KBH) reported quarterly losses.
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D.R. Horton swings to \$1.3 billion loss

Builder cuts dividend and records \$834 million in inventory, land charges

By [John Spence](#), MarketWatch

Last update: 3:22 p.m. EDT May 6, 2008

BOSTON (MarketWatch) -- D.R. Horton Inc., one of the nation's largest home builders, on Tuesday reported a \$1.3 billion quarterly loss as housing weakness and turmoil in mortgage markets continued to drain financial results.

The Ft. Worth, Texas-based company

D.R. Horton, Inc swung to a net loss of \$1.31 billion, or \$4.14 a share, compared with net income of \$51.7 million, or 16 cents a share, in the year-earlier period.

D.R. Horton also halved its quarterly dividend.

For the fiscal second quarter ended March 31, total revenue slipped to \$1.62 billion from \$2.62 billion. Analysts polled by Thomson Financial had been looking for a loss of 39 cents a share on revenue of \$1.36 billion, on average. Analyst estimates typically exclude charges.

D.R. Horton's latest quarterly results included \$834.1 million in pretax charges related to inventory impairments and land options it's walking away from. During the quarter, the company booked a valuation allowance of \$714.3 million against its deferred tax assets.

"Although market conditions in the homebuilding industry remain challenging, we continue to focus on reducing inventory and generating cash flow from operations," said Chairman Donald Horton in the earnings release.

D.R. Horton declared a quarterly dividend of 7.5 cents a share, down from 15 cents. Carl Reichardt at Wachovia estimated the move will save the company \$95 million annually. D.R. Horton said it expects the quarterly dividend payment to remain at 7.5 cents a share for the next three quarters.

Reflecting ongoing weakness in the residential market, D.R. Horton's net sales orders fell to 7,528 homes from 9,983 homes a year ago. The cancellation rate, measured by cancelled sales orders divided by gross sales orders, was 33% in the fiscal second quarter.

"The spring selling season is once again likely to be a bust as deteriorating economic conditions and fear of declining prices keep would-be buyers on the sidelines," wrote Morningstar Inc. analyst Eric Landry in a recent research note. He estimated there could be as many as 2 million surplus homes for sale, most of which are sitting empty.

"Slower starts will be helpful, but it's likely that current single-family production has only recently fallen to a point that will allow standing inventory to be absorbed at a meaningful rate," Landry said.

"Market conditions remained challenging for D.R. Horton in [the fiscal second quarter], as the mortgage market remained tight and negative homebuyer sentiment impacted the company," said analysts at Soleil Securities Group.

Deutsche Bank analysts pointed to rising impairment charges at D.R. Horton, which is one of the builders with longer, less-developed land supplies including Pulte Homes Inc. (PHM:
pulte homes inc com

In prior quarters, D.R. Horton's impairments had lagged those of the group, especially considering its land supply; however, with an \$834 million impairment charge most of the gap has closed," wrote Nishu Sood and Rob Hansen in an investor note.

They said the company also appears to have renewed its push on driving orders with reductions on home prices. Still, margins were still above the builder group's average, "perhaps reflecting D.R. Horton's lesser exposure to bubble markets."

□
D.R. Horton's average closing price for the quarter fell 8% from the year-ago quarter to \$237,800, management said on the earnings call. The company continues to scale down its homes in inventory and speculative homes, or those without a buyer. It owns or controls 181,000 lots, or a 5.2-year supply.
John Spence is a reporter for MarketWatch in Boston.

Fitch Downgrades D.R. Horton's IDR to 'BB+'; Outlook Remains Negative

NEW YORK--(BUSINESS WIRE)--Fitch Ratings has downgraded D.R. Horton, Inc.'s (NYSE: DHI) Issuer Default Rating (IDR) and other outstanding debt ratings as follows:

- IDR to 'BB+' from 'BBB-';
- Senior unsecured to 'BB+' from 'BBB-';
- Unsecured bank credit facility to 'BB+' from 'BBB-';
- Senior subordinated debt to 'BB-' from 'BB+'.

The Rating Outlook remains Negative.

The downgrade reflects the current difficult housing environment and Fitch's expectations that housing activity will be even more challenging than previously anticipated during the balance of calendar 2008 and that new home activity will still be on the decline well into 2009. The anemic economy and impaired mortgage markets are, of course, contributing to the housing shortfall. The ratings changes also reflect negative trends in D.R. Horton's operating margins, further deterioration in credit metrics (especially interest coverage and debt/EBITDA ratios) and erosion in tangible net worth from non-cash real estate charges. However, D.R. Horton's liquidity position provides a buffer and supports the new ratings. Future ratings and outlooks will be influenced by broad housing market trends as well as company-specific activity, such as land and development spending, general inventory levels, speculative inventory activity (including the impact of high cancellation rates on such activity), gross and net new order activity, debt levels and free cash flow trends and uses.

Ratings for D. R. Horton are based on the company's execution of its business model in the current housing correction, steady capital structure, geographic and product line diversity, and the company's above average growth during this past housing expansion. D.R. Horton had been an active consolidator in the homebuilding industry, which had kept debt levels a bit higher than its peers. But management also exhibited an ability to quickly and successfully integrate its many acquisitions. During fiscal 2002 the company completed its largest acquisition in absolute size (Schuler Homes). However, D.R. Horton made no acquisitions in fiscal 2003 through fiscal 2007 or so far in fiscal 2008. It also appears that D.R. Horton may be less acquisitive in the future as it primarily focuses on harvesting the opportunities within its current and adjacent markets.

D.R. Horton maintains a 5.2-year supply of lots (based on last 12 months deliveries), 78% of which are owned and the balance controlled through options. (The options share of total lots controlled is down sharply over the past two years as the company has written off substantial numbers of options.) The ratings also manifest the D.R. Horton's historic aggressive, yet controlled growth strategy and its relatively heavy speculative building activity (which had lessened late in the last up-cycle). D.R. Horton has historically built a significant number of its homes on a speculative basis (i.e. begun construction before an order was in hand). D.R. Horton successfully executed this strategy in the past. Nevertheless, Fitch was more comfortable with the more modest 'spec' targets of 2004 and 2005. At present 'spec' counts are high for D.R. Horton as with certain other builders because of unusually elevated cancellation rates.

D.R. Horton ended the March 2008 quarter with \$518.9 million of cash on the balance sheet and \$1.3 billion of availability under its \$2.25 billion unsecured revolving credit facility. As of March 31, 2008, D.R. Horton was in compliance with all the covenants under its revolving credit facility. However, the

cushion under its tangible net worth covenant has declined to approximately \$290 million. Management indicated that it intends to seek an amendment to its revolving credit facility to modify the covenant provisions by the end of its current fiscal year (ending Sept. 30, 2008). The revolving credit facility matures in December 2011.

Fitch's rating definitions and the terms of use of such ratings are available on the agency's public site, www.fitchratings.com. Published ratings, criteria and methodologies are available from this site, at all times. Fitch's code of conduct, confidentiality, conflicts of interest, affiliate firewall, compliance and other relevant policies and procedures are also available from the 'Code of Conduct' section of this site.

Contacts

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Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

June 26, 2008

Bruce W. McClendon FAICP
Director of Planning

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

FROM: ^{ACB for ST} Susan Tae, AICP, Supervising Regional Planner
Land Divisions Section

SUBJECT: **ZONE CHANGE CASE NO. 2008-00004-(5)**
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
July 9, 2008; AGENDA ITEM NO. 8 a, b, c, d, e

SUPPLEMENTAL INFORMATION

PROJECT BACKGROUND

Your Regional Planning Commission ("Commission") held a public hearing on November 15, 2006 and June 18, 2008 for Vesting Tentative Tract Map No. 53653, a residential subdivision proposal to create 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The project is located approximately 273 feet southwest of Sagecrest Circle west of Interstate 5 (I-5) Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal also required approval of Conditional Use Permit Case No. 2005-00088-(5) ("CUP") to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
June 26, 2008 RPC Memo – Supplemental Information

PAGE 2

At time of the June 18, 2008 public hearing, the Findings of Fact and Statement of Overriding Consideration, in response to the final EIR comments regarding the seven factors that cannot be mitigated to less than significant, were not included in the materials distributed.

Attached for review and consideration are the Findings of Fact and Statement of Overriding Consideration.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Commission close the public hearing, and adopt the environmental document. Staff also recommends the Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, certify the Final Environmental Impact Report, and adopt the Statement of Facts and Overriding Considerations."

Suggested Motion: "I move that the Regional Planning Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5) (with the conditions as added into the record); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors."

SMT:st
06/26/08

Attachment: Findings of Fact and Statement of Overriding Considerations

FINDINGS OF FACT REGARDING
FINAL ENVIRONMENTAL IMPACT REPORT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS
FOR
D.R. HORTON'S LYONS CANYON PROJECT
TENTATIVE TRACT MAP NO. RMTR53653
CONDITIONAL USE PERMIT NUMBER RCUP200500088
OAK TREE PERMIT NO. ROAK200500039

INTRODUCTORY FINDINGS.

Pursuant to Public Resources Code Section 21000, et seq. ("CEQA") and California Code of Regulations, Title 14, Section 15000, et seq. ("CEQA Guidelines"), no public agency shall approve or carry out a project where an Environmental Impact Report (the "EIR") has been certified, which identifies one or more significant impacts on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant impacts, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

1. The project's potentially significant effects on the environment will be mitigated or avoided through implementation of the described mitigation measures and/or changes or alterations that have been required in, or incorporated into, the project. Any remaining impacts will be less than significant (hereinafter, "Finding 1").
2. Changes or alterations to the project are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency (hereinafter, "Finding 2").
3. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR (hereinafter, "Finding 3")

For those significant impacts that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological or other benefits of the project outweigh the significant impacts on the environment.

Regional Planning Commission (the "Commission") of the County of Los Angeles (the "County") hereby approves Tentative Tract Map No. RMTR53653 ("TTM"), Conditional Use Permit Number RCUP200500088 and Oak Tree Permit No. ROAK200500039 (collectively, the "Project") and certifies the Final EIR ("FEIR"), State Clearinghouse Number 2003031086, which consists of and/or relies upon and incorporates the draft EIR, including all appendices

thereto and all supporting materials referenced therein (the "DEIR"); all comments on the DEIR, all responses thereto, and all supporting materials referenced therein; the Project description; all revisions to the DEIR, if any, and all revised impact descriptions and other supporting documents, if any; all testimony and written comments received at any public hearing relating to the Project; the County's General Plan, as amended, and all environmental documents relating thereto; the Santa Clarita Valley Area Plan, and all environmental documents relating thereto; the County's General Plan, and all environmental documents relating thereto; the County's Land Use Policy Map; the Castaic Lake Water Agency 2005 Urban Water Management Plan; these findings and this Statement of Overriding Considerations made by the County and the Mitigation Monitoring and Reporting Program ("MMRP") adopted by the County for the Project; all final County Staff reports relating to the DEIR, the FEIR and/or the Project; all other public reports, documents, studies, memoranda, maps, or other planning documents relating to the Project; and all matters of common knowledge to the County, including but not limited to the County's policies, guidelines and regulations.

The County finds that the FEIR has been completed in compliance with CEQA, was presented to the decision-making body of the County and the decision-making body reviewed and considered the information contained in the FEIR prior to certifying the FEIR and approving the Project. The FEIR reflects the independent judgment and analysis of the County and has been completed in compliance with CEQA and the CEQA Guidelines. The County's decision-making body has received, reviewed, and considered the information contained in the FEIR, the application for the Project, all testimony at public hearings and submissions from public officials and others, departments of the County, the applicant, community associations, and other public agencies and all other information in the record prior to its approval of the Project.

The documents described above, comprising the record of proceedings, are located in the County's offices, 320 West Temple Street, Los Angeles, California 90012.

Having received, reviewed and considered the foregoing information, as well as any and all other information in the record, the County's decision-making body hereby makes findings pursuant to, and in accordance with, Section 21081 of the Public Resources Code.

ORGANIZATION OF FINDINGS.

- Section 1 of these findings discusses those potential environmental impacts of the Project that were reviewed during the Initial Study process, but were found to be less than significant.
- Section 2 discusses those potential environmental impacts of the Project that are not significant.
- Section 3 discusses those potential environmental impacts that have been mitigated to a level of insignificance.
- Section 4 discusses those unavoidable environmental impacts that cannot be mitigated to a level of insignificance.

- Section 5 discusses those potential cumulative impacts that are not significant.
- Section 6 discusses those potential cumulative impacts that have been mitigated to a level of insignificance.
- Section 7 discusses those cumulative impacts that cannot be mitigated to a less than significant level.
- Section 8 discusses the potential growth-inducing impacts of the Project.
- Section 9 discusses the alternatives to the Project as discussed in the DEIR and FEIR.
- Section 10 contains findings regarding the Mitigation Monitoring Program.
- Section 11 contains the Statement of Overriding Considerations.

The findings set forth in each section are supported by substantial evidence in the record of the approval of the Project. In accordance with the provisions of CEQA and the CEQA Guidelines, the County adopts these findings as part of its certification of the FEIR for the Project.

BACKGROUND.

In June 2005, the applicant filed with the County (i) a Zoning and Subdivision Application; (ii) an Initial Study Questionnaire; (iii) a Request for an Oak Tree Permit; (iv) a Burden of Proof Statement for a Conditional Use Permit; (v) a Density Bonus Application; (vi) supporting photographs of the Project site; (vii) a Vicinity Map; and (viii) a Slope Density Analysis.

The Project includes a mix of single-family residential, senior housing, public facilities and open space uses. Specifically, the 234.8-acre Project site will include (a) 93 single-family detached residential units situated on 46.9 gross acres, which shall be subdivided into 93 separate lots; (b) 93 senior condominium units, which shall be situated on a 9.26-acre parcel; (c) 128.87 acres of open space, which shall be divided into 5 open space parcels; (d) a recreational parcel consisting of 1.39 acres; (e) 6 basin lots, which shall cumulatively amount to 26.51 acres; (f) a 2.05-acre parcel, upon which will sit a to-be-constructed fire station; (g) 9.78 acres of graded areas, which, following grading, shall be preserved as open space; and (h) 10.04 acres of streets.

An Initial Study was prepared for the Project on June 15, 2005. Impact areas identified by the Initial Study, as potentially significant, were: Geology, Soils and Seismicity; Hydrology and Water Quality; Hazards and Hazardous Materials; Noise; Air Quality; Biological Resources; Cultural Resources; Mineral Resources; Aesthetics and Visual Resources; Traffic and Circulation; Water and Wastewater; Schools/Education; Fire Services; Sheriff Services; Solid Waste; Electricity; Natural Gas; Library Services; Parks and Recreation; and Land Use.

The Initial Study concluded that certain other impacts related to the Project will be less than significant, due to the Project's inability to create any such impacts; or due to the absence of any characteristics of the Project that were likely to produce impacts of this type. Pursuant to CEQA Section 21100 and CEQA Guideline 15128, the effects which the Initial Study determined not to

be significant are not required to be included in primary analysis sections of the DEIR. Those effects are listed in Section 1.

A Notice of Preparation was circulated from July 11, 2005 to August 9, 2005.

The DEIR for the Project was prepared in accordance with CEQA, the CEQA Guidelines and the County's guidelines for the implementation of CEQA and the CEQA Guidelines. The County has relied on Section 15084(d)(3) of the CEQA Guidelines, which allows acceptance of a DEIR prepared by the applicant, consultants retained by the applicant or any other person.

The County analyzed, reviewed and edited the DEIR and circulated it for public review and comment from September 22, 2006 until November 6, 2006. A notice of availability of the DEIR was published in the local newspapers, posted on the Project site, and was distributed to known interested individuals and organizations. Copies of the DEIR were available at the Department of Regional Planning and in local public libraries during the 45-day review period.

The County also analyzed, reviewed and edited the FEIR. The responses to public agency comments on the DEIR, which are contained in the FEIR, were provided to such public agencies at least 10 days prior to the effective date of this Resolution, which certifies the FEIR. Both the DEIR and FEIR reflect the County's independent judgment.

The County Regional Planning Commission (the "Commission") conducted a public hearing on November 15, 2006 to receive comments on the DEIR and the TTM from all interested parties. The Commission then closed the public hearing and deliberated upon the adequacy of the DEIR and the TTM and, thereafter, directed Staff to prepare the FEIR, Final Conditions of Approval and Final Resolution(s) of Approval. On [*DATE], the Commission, which is the decision-making body of the County with regards to such matters, certified the FEIR, adopted these findings and approved the Project.

SECTION 1 - POTENTIAL ENVIRONMENTAL IMPACTS THAT WERE DETERMINED TO BE LESS THAN SIGNIFICANT DURING THE INITIAL STUDY PROCESS.

Upon completion of the Initial Study process, the determination was made, pursuant to CEQA Guideline 15128, that analyses of Geotechnical Hazards; Flood Hazards; Fire Hazards; Water Quality; Air Quality; Archaeological/Cultural Resources; Mineral Resources; Agricultural Resources; Visual Qualities; Traffic/Access; Utilities; Land Use; and Several General "Other Factors" and Other Environmental Safety Factors were not required in the EIR, since such potential impacts were determined not to be significant

1.1. GEOTECHNICAL HAZARDS.

The Project is not considered a sensitive use (school, hospital or public assembly site) located in close proximity to a geotechnical hazard. The Project will not be located on an expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), and will not create a related substantial risk to life or property.

1.2. FLOOD HAZARDS.

The Project site is not in or subject to high mud/low conditions.

1.3. FIRE HAZARDS.

The Project site is not located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives or manufacturing).

The proposed use does not constitute a potentially dangerous fire hazard.

1.4. WATER QUALITY.

The Project site is located in an area known to have perchlorate water contamination problems. However, the Project is not proposing the use of individual on-site water wells and thus all water used for drinking and irrigation will meet or exceed state water quality standards.

The Project will not require the use of private sewage disposal systems.

1.5. AIR QUALITY.

The Project will not exceed the state's criteria for regional significance (generally 500 dwelling units for residential uses or 40 gross acres, 650,000 SF of floor area or 1,000 employees for non-residential uses).

The Project will not conflict with or obstruct implementation of the applicable air quality plan.

The Project will not violate any air quality standard or contribute substantially to an increased or Project-air quality violation.

1.6. ARCHAEOLOGICAL/CULTURAL RESOURCES.

The Project does not contain any known historic structures or site.

The Project will not cause a substantial adverse change in the significance of a historical or archaeological resource as defined in CEQA Guideline 15064.5.

1.7. MINERAL RESOURCES.

The Project will not result in the loss of availability of a known mineral resource that will be of value to the region and residences of the state.

The Project will not result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan.

1.8. AGRICULTURAL RESOURCES.

The Project will not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses.

The Project will not conflict with existing zoning for agricultural use or a Williamson Act contract.

The Project will not involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Prime Farmland to non-agricultural use.

1.9. VISUAL QUALITIES.

The Project will not likely create substantial sun shadow, light or glare problems.

1.10. TRAFFIC/ACCESS.

The Project will not result in hazardous traffic conditions.

The Project will not conflict with adopted policies supporting alternative transportation (e.g. bus stops, bicycle racks).

1.11. UTILITIES.

The Project will not create problems with providing utility services, such as electricity, gas or propane.

1.12. OTHER FACTORS (GENERAL).

The Project will not result in an inefficient use of energy resources.

1.13. OTHER FACTORS (ENVIRONMENTAL SAFETY).

There are no residential units, schools or hospitals located within 500 feet that could be potentially affected by on-site hazardous materials.

The Project will not create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment.

The Project will not emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The Project is not located on a site that is included in a list of hazardous materials sites pursuant to Government Code Section 65962.5 and, as a result, will not create a significant hazard to the public or environment.

The Project will not result in safety hazards for people in the Project area related to airports or airstrips, because the Project site is not located within an airport land use plan, within two miles of a public or public use airport or within the vicinity of a private airstrip.

The Project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

1.14. LAND USE.

The Project will not physically divide an established community.

SECTION 2 - POTENTIAL ENVIRONMENTAL IMPACTS THAT ARE NOT SIGNIFICANT (NO MITIGATION REQUIRED).

2.1. GEOLOGY, SOILS AND SEISMICITY - SURFACE FAULT RUPTURE.

Please refer to DEIR page 5.1-14 for an analysis of Project impacts related to Geology, Soils and Seismicity - Surface Fault Rupture.

Potential Effects and Rationale Supporting Finding:

No known active or potentially active faults exist within, or project onto, the proposed Project site. As such, there will be no potential for surface fault rupture of an active or potentially active fault. No impact is anticipated in this regard.

Finding:

Based upon the DEIR, the FEIR and the entire record of proceedings, the County finds that any impact to people or structures due to surface fault rupture, as a result of the Project, will be less than significant. Consequently, no mitigation measures are required for this less-than-significant impact.

2.2. GEOLOGY, SOILS AND SEISMICITY - SEISMIC GROUNDSHAKING.

Please refer to DEIR page 5.1-14 for an analysis of Project impacts related to Geology, Soils and Seismicity - Seismic Groundshaking.

Potential Effects and Rationale Supporting Finding:

The proposed Project site may experience groundshaking as a result of an earthquake along any of the active or potentially active faults in the region, as is the case in all of Southern California. As a result, the proposed structures are required to be designed, engineered and constructed to meet all applicable local and state seismic safety requirements, including those of the Uniform Building Code. Given compliance with applicable seismic safety requirements, impacts on the proposed development from seismic groundshaking will be less than significant.

Finding:

Based upon the DEIR, the FEIR and the entire record of proceedings, the County finds that any impact to people or structures due to seismic groundshaking, as a result of the Project, will be less than significant. Consequently, no mitigation measures are required for this less-than-significant impact.

2.3. HAZARDS -- LISTED HAZARDOUS MATERIAL SITES.

Please refer to DEIR pages 5.3-33 through 5.3-34 for an analysis of Project impacts related to Hazards – Listed Hazardous Material Sites.

Potential Effects and Rationale Supporting Finding:

The Phase I Environmental Site Assessment (“ESA”) prepared for the proposed Project reviewed a database of government-regulated properties having known and/or recognized environmental conditions that have potential environmental concerns on or in the vicinity of the Project site. Only one listed site is located within the Project boundaries, which was determined not to pose a health risk. No impacts are expected relative to listed hazardous materials sites within the Project boundaries. Moreover, the DEIR concluded that there is only a low probability that listed off-site properties in the search vicinity have impacted or are currently impacting the Project site.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less-than-significant impacts to Hazards – Listed Hazardous Material Sites.

2.4. HAZARDS -- EMERGENCY RESPONSE/EVACUATION PLANS.

Please refer to DEIR pages 5.3-35 to 5.3-36 for an analysis of Project impacts related to Hazards – Emergency Response/Evacuation Plans.

Potential Effects and Rationale Supporting Finding:

The proposed circulation plan for the Project includes two major access points located off of The Old Road. These proposed on-site roadways will provide evacuation routes for the site to The Old Road, Calgrove Boulevard and Interstate 5. Given these evacuation routes, it is not anticipated that the design of the Project will preclude implementation of an evacuation plan, which will provide for the safe movement of future residents. Consequently, no significant impacts are expected to occur with regard to emergency evacuation of the Project site or its surroundings.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less-than-significant impacts related to Hazards – Emergency Response/Evacuation Plans.

2.5. NOISE-STATIONARY NOISE IMPACTS.

Please refer to DEIR page 5.4-20 for an analysis of Project impacts related to stationary noise impacts.

Potential Effects and Rationale Supporting Finding:

The residential development proposed by the Project will likely include stationary noise sources associated with everyday residential activities. However, existing background noise levels associated with vehicle travel along local roadways and the I-5 freeway are anticipated to be much higher than typical household sources of stationary noise. Therefore, stationary noise impacts are considered less than significant.

Finding:

For the foregoing reasons, the Project will have a less-than-significant stationary noise impact.

2.6. AIR QUALITY – OPERATIONS.

Please refer to DEIR pages 5.5-20 through 5.5-23 and for an analysis of the Project's operational air quality impacts.

Potential Effects and Rationale Supporting Finding:

The Project-related increase in CO concentrations at all eight intersections will be 0.2 ppm or less for a one-hour period and 0.1 ppm or less for the eight-hour period. Since no Federal or State standards will be exceeded, no CO "hot spot" will occur. Therefore, no air pollution control measures are necessary or recommended for operational air quality impacts.

Finding:

For the foregoing reasons, the Project will have a less-than-significant operational air quality impact.

2.7. CULTURAL RESOURCES – HISTORIC RESOURCES.

Please refer to DEIR pages 5.7-14 through 5.7-15 for an analysis of the Project's impacts related to historic resources.

Potential Effects and Rationale Supporting Finding:

No archaeological sites or potentially significant resources were identified within the Project site as a result of the field survey.

Finding:

For the foregoing reason, the Project will have a less-than-significant impact upon the site's historic resources.

2.8. MINERAL RESOURCES -- LOSS OF MINERAL RESOURCES AND MINERAL RESOURCE RECOVERY SITES.

Please refer to DEIR pages 5.8-1 through 5.8-3 for an analysis of the Project's impacts related to loss of mineral resources and mineral recourse recovery sites.

Potential Effects and Rationale Supporting Finding:

The Project site is not located in a designated Mineral Resource Zone or other known or potential mineral resource area. Development associated with the proposed Project will not result in permanent loss of -- or loss of access to -- any mineral resource that is located within a designated Mineral Resource Zone or other known or potential mineral resource area.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact with regards to the loss of mineral resources and mineral recourse recovery sites.

2.9. TRAFFIC – CONGESTION MANAGEMENT PROGRAM.

Please refer to DEIR pages 5.10-33 through 5.10-34 for an analysis of the Project's traffic impacts related to the County's Congestion Management Program ("CMP").

Potential Effects and Rationale Supporting Finding:

The County's CMP requires that the Project address certain subject areas with regards to traffic impacts. However, that analysis is not required given the data collected from the County's CMP monitoring locations near the Project site. Moreover, the mainline freeway analysis that was prepared for the Project in accordance with the County's CMP indicated that the proposed Project will not have a significant impact to the I-5 Freeway mainline.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact with regards to the County's CMP.

2.10. TRAFFIC – PUBLIC TRANSIT.

Please refer to DEIR pages 5.10-34 through 5.10-35 for an analysis of the Project's traffic impacts related to public transit.

Potential Effects and Rationale Supporting Finding:

CMP guidelines indicate that no transit trips would ordinarily be generated by the proposed Project on existing transit routes. However, a fixed route bus line is anticipated to be added. Nevertheless, the transit trips expected to be generated by the proposed Project will not be significant and do not require mitigation.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact on public transit.

2.11. WATER AND WASTE WATER - DISTRIBUTION.

Please refer to DEIR pages 5.11-18 through 5.11-19 for an analysis of the Project's impacts to water distribution.

Potential Effects and Rationale Supporting Finding:

Although the Project will utilize water distribution facilities to serve proposed uses, the on-site water system has been designed to meet the pressure and flow performance criteria of each of the potential water purveyors. Moreover, the Project's water system will meet all the design requirements of each respective purveyor, thereby precluding the possibility of adverse impacts on existing off-site water distribution facilities.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact on water distribution.

2.12. WATER AND WASTE WATER - WATER DEMANDS.

Please refer to DEIR page 5.11-20 for an analysis of the Project's impacts to water demand.

Potential Effects and Rationale Supporting Finding:

Based on projected maximum day and peak-hour water demands for the Project, and upon other water supply analysis used or referred to in the DEIR, adequate water supplies will be available to serve the Project during normal years, single dry years, and multiple dry years.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact on water demands.

2.13. SHERIFF SERVICES - OPERATIONAL IMPACTS-COUNTY EMERGENCY/EVACUATION PLANS AND INCREASED DEMAND FOR CALIFORNIA HIGHWAY PATROL.

Please refer to DEIR pages 5.14-6 through 5.14-7 for an analysis of the Project's operational impacts related to County emergency response/evacuation plans and increased demand for California Highway Patrol ("CHP") services.

Potential Effects and Rationale Supporting Finding:

The Project's simple circulation system provides alternative evacuation routes for the site. Given these alternative evacuation routes, it is not anticipated that the Project will preclude

implementation of an evacuation plan, which will provide for the safe movement of future residents.

Moreover, while at build-out the Project may create an increased demand for CHP services in the area, the DEIR determined that such impacts will remain less than significant.

Finding:

For the foregoing reasons, the Project will have a less-than-significant operational impact related to County emergency response/evacuation plans and to increased demand for CHP services.

2.14. ELECTRICITY - PROJECT-SPECIFIC.

Please refer to DEIR pages 5.16-2 through 5.16-4 for an analysis of Project-specific impacts to electricity.

Potential Effects and Rationale Supporting Finding:

Implementation of the Project will incrementally increase demands on electricity supplies and distribution infrastructure and will potentially have a cumulative impact on the same. Project-related electricity demand will only represent a 0.00095% increase of Southern California Edison's ("**SCE**") annual power deliveries. Although the Project and related projects will create additional demands on electricity supplies and distribution infrastructure, these demands are well within the service capabilities of SCE.

Finding:

For the foregoing reasons, the Project will have a less-than-significant Project-specific impact on electricity.

2.15. NATURAL GAS - PROJECT-SPECIFIC.

Please refer to DEIR pages 5.17-3 through 5.17-5 for an analysis of Project-specific impacts on natural gas.

Potential Effects and Rationale Supporting Finding:

Project-related natural gas demand is only projected to represent 0.0014 percent of Southern California Gas Company's ("**SCGC**") annual deliveries. Existing pipelines are adequate to serve the Project's natural gas demands. All on-site natural gas distribution pipelines will be installed to serve proposed uses, at the expense of the applicant. No other improvements related to natural gas are necessary. Although the proposed Project will create additional demands on natural gas supplies and distribution infrastructure, these demands are well within the service capabilities of SCGC.

Finding: For the foregoing reasons, the Project will have a less-than-significant Project-specific impact on natural gas.

2.16. PARKS AND RECREATION - IMPACTS TO REGIONAL PARKS, STATE AND FEDERAL RECREATION AND FORESTS AND LOCAL TRAILS.

Please refer to DEIR pages 5.19-11 through 5.19-12 for an analysis of the Project's impacts upon regional parks, state parks and federal recreation areas and forests, and local trails.

Potential Effects and Rationale Supporting Finding:

The Project proposes a total of 8.25 acres of active and passive park space within 129.5 acres of dedicated open space. It is not expected that the Project residents will, in any appreciable manner, need to use regional parks that are located off-site. It is anticipated that new residents of the Project will use the state and federal recreation areas and forests. In fact, the Lyons Canyon Ranch plan will provide trail linkages to the Santa Monica Mountains Conservancy property located south of the Project site. As such, increased usage will be considered a potentially adverse impact. However, the state and National Forest facilities charge user fees for water sports and overnight camping at the reservoirs and camping areas. Additionally, state and federal taxes, which will be paid by residents and businesses located within the Project site, will be available for maintenance of these facilities.

Finding:

For the foregoing reasons, the Project will have less-than-significant impacts upon regional parks, state parks and federal recreation areas and forests, and local trails.

SECTION 3 - POTENTIAL ENVIRONMENTAL IMPACTS THAT HAVE BEEN MITIGATED TO A LEVEL OF INSIGNIFICANCE.

3.1. GEOLOGY, SOILS AND SEISMICITY - GROUND FAILURE.

Please refer to DEIR pages 5.1-15 through 5.1-16 for an analysis of potential Project impacts related to ground failure.

Potential Effect and Rationale for Finding:

Development associated with the Project could expose people or structures to potential substantial adverse effects from ground failure. These potentially substantial adverse effects are related to the geologic conditions of the Project site, which are potentially subject to soil settlement and collapse, ground lurching, liquefaction, and lateral spreading.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to ground failure to less-than-significant levels because they will help prevent soil settlement and collapse, ground lurching, liquefaction and lateral spreading.

3.1.1. GEO1. All on-site soils that are prone to settlement and collapse in areas proposed for development of structures shall be removed and replaced with engineered fill.

3.1.2. GEO2. If identified during on-site grading by a registered Geotechnical Engineer and/or Geologist, Holocene-age alluvium shall be removed and replaced with engineered fill in areas proposed for development where alluvium directly overlies bedrock, to preclude the possibility of ground lurching.

3.1.3. GEO3. All liquefaction-prone soils identified during on-site grading by a registered Geotechnical Engineer and/or Geologist shall be removed from areas proposed for development and replaced with engineered fill.

Finding:

With regards to impacts related to ground failure, for the foregoing reasons, the Commission adopts Finding 1.

3.2. GEOLOGY, SOILS AND SEISMICITY - LANDSLIDES AND SLOPE STABILITY.

Please refer to DEIR pages 5.1-16 through 5.1-18 for an analysis of potential Project impacts related to landslides and slope stability.

Potential Effects and Rationale for Finding:

Development associated with the Project could expose people or structures to potential substantial adverse effects from landslides or other slope failures. Although the probability of such adverse effects actually occurring is low, it is possible the Project site could experience seismically-induced landslide and rock fall and/or deep landslides and slope failures.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to landslides and slope stability to less-than-significant levels by providing necessary and appropriate set-backs and surface drainage.

3.2.1. GEO4. Setbacks from over-steepened slopes or grading of slopes to a shallower angle, as recommended in the Project's Geotechnical Report, shall be required to minimize rock fall hazards to development along the northern boundary of the Project site.

3.2.2. GEO5. Adequate structural setbacks for homes and commercial sites shall be required, and surface drainage shall be directed away from the toe of the affected steep slopes, in order to prevent landslides or other slope failures in on-site areas susceptible to block- and/or toppling-type failures.

Finding:

With regards to impacts related to landslides and slope stability, for the foregoing reasons, the Commission adopts Finding 1.

3.3. GEOLOGY, SOILS, AND SEISMICITY – SOIL EROSION.

Please refer to DEIR pages 5.1-18 through 5.1-19 for an analysis of potential Project impacts related to soil erosion.

Potential Effects and Rationale for Finding:

Development associated with the Project could result in substantial wind or water soil erosion or the loss of topsoil, either on- or off-site. If it were to occur, this erosion would likely be caused by grading, loss of vegetative cover, construction of cut slopes, run-off from construction of impermeable surfaces and channelization of surface run-off collected from such surfaces and natural drainages.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to soil erosion to less-than-significant levels by providing necessary and appropriate protective cover and surface drainage controls.

3.3.1. GEO6. As soon as grading is completed for each lot, establish a protective vegetative cover in all disturbed areas via planting and/or seeding, then place a temporary protective cover, such as jute netting, mulch, hay or other non-erodible form of ground cover, until a vegetative cover is established.

3.3.2. GEO7. Divert surface drainage from cut-and-fill slopes via brow ditches; collect surface drainage in ditches with relatively shallow gradients; and provide a means to inhibit sediment runoff into natural drainages until a protective vegetative cover effectively mitigates further soil erosion. Place energy-dissipating devices in drainages subject to increased runoff.

3.3.3. GEO8. When grading, attempt to minimize the area of disturbance. A construction staging plan shall accompany the final grading plan and shall clearly delineate the limits of grading and identify any construction staging areas that are located outside of the proposed grading boundary.

Finding:

With regards to impacts related to soil erosion, for the foregoing reasons, the Commission adopts Finding 1.

3.4. GEOLOGY, SOILS AND SEISMICITY – EXPANSIVE SOILS.

Please refer to DEIR pages 5.1-19 through 5.1-20 for an analysis of potential Project impacts related to expansive soils.

Potential Effects and Rationale for Finding:

On-site expansive soils could pose a risk to people and structures associated with the development of the Project.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to expansive soils to less-than-significant levels by using specific foundation designs.

3.4.1. GEO9. Incorporate recommended foundation designs, where applicable, to preclude any adverse effects on proposed structures in areas characterized by expansive soils, including but not limited to, post-tensioned slabs, mat-slabs, or other foundation systems for residential structures.

Finding:

With regards to impacts related to expansive soils, for the foregoing reasons, the Commission adopts Finding 1.

3.5. GEOLOGY, SOILS AND SEISMICITY - PALEONTOLOGICAL RESOURCES.

Please refer to DEIR page 5.1-21 for an analysis of potential Project impacts related to paleontological resources.

Potential Effects and Rationale for Finding:

The Project will move approximately 3.8 million cubic yards of earth, which will be balanced on-site, including cutting and filling of hillside areas and canyon bottoms. Loss of on-site fossil beds, consisting of marine vertebrate and macroinvertebrate fossils will destroy portions of the fossil record. The scientific value of these fossil beds could be lost.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to paleontological resources to less-than-significant levels by protecting and preserving fossil beds, should any be found on-site.

3.5.1. GEO10. Fossil beds impacted by the Project should be excavated by a qualified paleontologist to gather and record which species of vertebrate and macroinvertebrate fauna existed on-site during the Pliocene. The fossil record should be preserved in an appropriate museum, such as the Natural History Museum of Los Angeles County, and the results published for the benefit of the scientific community and general public. (Same as mitigation measure CR6).

Finding:

With regards to impacts related to paleontological resources, for the foregoing reasons, the Commission adopts Finding 1.

3.6. HYDROLOGY AND WATER QUALITY - DRAINAGE.

Please refer to DEIR pages 5.2-17 through 5.2-22 for an analysis of potential Project impacts related to drainage.

Potential Effects and Rationale for Finding:

Development associated with the Project will alter the drainage pattern of the Project site which could result in increased run-off and potential flooding.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to drainage to less-than-significant levels by installing and constructing appropriate and necessary debris and detention basins, culverts, drains, channels and outlets.

3.6.1. HWQ1. Debris/detention basins are planned on the westerly side of the intersection of "A" Street and "F" Street and the northerly side of the intersection of "A" Street and "D" Street. In addition to the debris basins, additional detention basins will be placed in series above each debris basin to prevent the debris basins from becoming jurisdictional dams under the California Division of Safety of Dams. The result of these basins will not only retain the debris that would usually accumulate at the existing double 8-foot by 8-foot box culvert, but they will significantly retard storm water runoff from the Project area.

In addition to these drainage improvements the following items will also be required:

3.6.1.1. The development area adjacent to the double 8-foot by 8-foot culvert shall be raised to reduce the flooding potential. The final elevation shall be determined by the Federal Emergency Management Agency ("**FEMA**") during its review of a Conditional Letter of Map Revision request.

3.6.1.2. In addition, the County shall require the developers to obtain a drainage acceptance letter from the property owner immediately downstream of the double 8-foot by 8-foot culvert (mobile home park) prior to issuance of grading permits.

3.6.1.3. The proposed debris/detention basin shall be cleared/maintained as necessary by the County Department of Public Works Flood Control Division, as appropriate.

3.6.2. HWQ2. Storm drains, culverts, channels and outlets shall be designed per County and FEMA design standards.

3.6.3. HWQ3. Erosion protection (or energy dissipating structures) shall be placed at outlets to natural drainage channels in order to minimize the potential for erosion, subject to approval by the County Department of Public Works Flood Control Division, as appropriate.

Finding:

With regards to impacts related to drainage, for the foregoing reasons, the Commission adopts Finding 1.

3.7. HYDROLOGY AND WATER QUALITY – HYDROLOGY/STORMWATER FLOW RATES.

Please refer to DEIR pages 5.2-23 through 5.2-26 for an analysis of potential Project impacts related to stormwater flow rates.

Potential Effects and Rationale for Finding:

The development associated with the Project could increase storm water flow rates, which could lead to sedimentation and other impacts to surrounding watersheds.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to stormwater flow rates to less-than-significant levels by installing and constructing appropriate and necessary debris and detention basins, culverts, drains, channels and outlets.

3.7.1. Mitigation Measures: See mitigation measures HWQ1 through HWQ3, listed above and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to impacts related to stormwater flow rates, for the foregoing reasons, the Commission adopts Finding 1.

3.8. HYDROLOGY AND WATER QUALITY - FLOODPLAINS.

Please refer to DEIR page 5.2-27 for an analysis of potential Project impacts related to floodplains.

Potential Effects and Rationale for Finding:

The development associated with the Project could place structures in a designated flood hazard zone.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to floodplains to less-than-significant levels by insuring compliance with FEMA and by installing and constructing appropriate and necessary debris and detention basins.

3.8.1. HWQ4. Any construction in the FEMA Zone A shall require a Conditional Letter of Map Revision prior to issuance of grading permits. A Letter of Map Revision shall be required prior to building occupancy.

3.8.2. Other Mitigation Measures: See also, mitigation measure **HWQ1**, listed above and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to impacts related to floodplains, for the foregoing reasons, the Commission adopts Finding 1.

3.9. HYDROLOGY AND WATER QUALITY – WATER QUALITY.

Please refer to DEIR pages 5.2-28 through 5.2-32 for an analysis of potential Project impacts related to water quality.

Potential Effects and Rationale for Finding:

Development associated with the Project will increase pollutant loads in the local storm drain system and receiving water bodies.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to water quality to less-than-significant levels by insuring compliance with the State Water Resources Control Board, implementing the County's Best Management Practices, providing necessary education programs and by implementing and including several other programs and facilities.

3.9.1. HWQ5. Project developers shall prepare and submit a Notice of Intent to comply with the Construction General Permit to the State Water Resources Control Board.

3.9.2. HWQ6. Project developers shall prepare a Stormwater Pollution Prevention Plan ("SWPPP") per requirements of the Construction-General National Pollution Discharge Elimination System ("NPDES") Permit.

3.9.3. HWQ7. Project developers shall comply with post-construction Best Management Practice ("BMP") requirements as detailed in the County Standard Urban Stormwater Mitigation Plan ("SUSMP").

3.9.4. HWQ8. Project developers shall construct and maintain all structural stormwater filtration devices as shown on Figure 5.2-5 of the DEIR. The final location of the proposed structural stormwater filtration systems shall be determined by the County Department of Public Works prior to issuance of building permits.

3.9.5. HWQ9. In order to limit the amount of coliform leaving the site in stormwater runoff, Project developers shall implement public education programs for residents concerning the

clean-up of pet waste. Also, pet waste disposal bags and containers shall be provided around parks and other areas of high pet traffic.

3.9.6. HWQ10. The County Department of Public Works shall be responsible for the operation and maintenance of any debris/detention basins on the site, which include:

- Dispersion of alluvial sediment deposition at inlet structures, thus limiting the extended localized ponding of water.
- Periodic sediment removal to ensure adequate storage and treatment volume.
- Monitoring of the basin to ensure it is completely and properly drained.
- Outlet rise cleaning.
- Vegetation management to prevent marsh vegetation from taking hold, and to limit the growth of habitat for disease-carrying fauna.
- Removal of graffiti, litter, vegetative and other debris.
- Preventative maintenance on monitoring equipment.
- Vegetative stabilization of eroding banks.

3.9.7. HWQ11. The County Department of Public Works shall be responsible for the operation and maintenance of any stormwater filters on the site, to include:

- Providing adequate access for inspection and maintenance.
- Removal of accumulated trash, paper and debris.
- Corrective maintenance, including removal and replacement of top layers of media.
- Complete replacement of filter media every 3 to 5 years.
- Periodic removal of vegetative growth.

3.9.8. HWQ12. The County Department of Public Works shall be responsible for the operation and maintenance of any stormwater clarifiers on the site, which include:

- Inspection prior to the beginning of the storm season.
- Regular inspection following storm events.
- Removal of accumulated sediment, trash and debris.

3.9.9. HWQ13. Pesticide applications shall be managed through educational and other source control efforts, including the installation of efficient landscape irrigation systems in common

areas and the development of guidance on applying these types of chemicals for contractors maintaining landscape areas. Examples of material which may be used for education may include educational pamphlets currently available through the County and/or other sources (i.e., <http://www.americoceans.org/runoff/epa-bro.htm>). Because of the concerns regarding indicators of human pathogens, education programs shall emphasize animal waste management, such as the importance of cleaning up after pets and not feeding wild animals, such as pigeons, seagulls, ducks and geese. The applicant shall create and distribute these pamphlets to landscape contractors prior to on-site planting.

3.9.10. HWQ14. The applicant shall prepare an herbicide/pesticide program to be utilized by landscaping contractors on commonly-owned landscaped areas. This program shall include requirements to minimize the use of herbicides and pesticides in these landscaped areas and shall be prepared and in place prior to on-site planting.

Finding:

With regards to impacts related to water quality, for the foregoing reasons, the Commission adopts Finding 1.

3.10. HAZARDS - HAZARDOUS MATERIALS.

Please refer to DEIR page 5.3-26 for an analysis of potential Project impacts related to hazardous materials.

Potential Effects and Rationale for Finding:

Construction of the Project has the potential to expose people to sources of potential health hazards, as a result of past and future on-site activities. These hazards are identified as Recognized Environmental Conditions (“RECs”) in the Phase 1 ESA and in the DEIR. Hazardous materials will, for the most part, be addressed prior to and during construction, since the Project – as a residential development – does not contemplate routine transportation, use or disposal of hazardous materials.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to hazardous materials to less-than-significant levels by removing such materials, if encountered.

3.10.1. HAZ1. If unknown wastes or suspect materials are discovered during construction by the contractor, which he/she believes may involve hazardous waste/materials, the contractor shall:

- Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area;
- Notify the Project engineer of the implementing agency;
- Secure the areas directed by the Project engineer; and

- Notify the implementing agency's Hazardous Waste/Materials Coordinator.

Finding:

With regards to impacts related to hazardous materials, for the foregoing reasons, the Commission adopts Finding 1.

3.11. HAZARDS - ABANDONED OIL WELLS.

Please refer to DEIR pages 5.3-27 through 5.3-28 for an analysis of potential Project impacts related to abandoned oil wells.

Potential Effects and Rationale for Finding:

Implementation of the Project has the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving explosion or the release of hazardous materials into the environment resulting from existing on-site abandoned oil wells.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to on-site abandoned oil wells to less-than-significant levels by implementing and following California Department of Oil, Gas, and Geothermal Resources ("**DOGGR**") standards.

3.11.1. HAZ2. If deemed appropriate by the Project's geotechnical engineer, the on-site abandoned oil well shall be re-abandoned per current California DOGGR standards prior to issuance of any grading permit.

Finding:

With regards to impacts related to abandoned oil wells, for the foregoing reasons, the Commission adopts Finding 1.

3.12. HAZARDS - DEBRIS PILES.

Please refer to DEIR page 5.3-28 for an analysis of potential Project impacts related to debris piles.

Potential Effects and Rationale for Finding:

Construction and operation of the Project has the potential to expose people to existing sources of potential health hazards resulting from the potential presence of hazardous materials associated with various on-site debris piles. During a 2004 site visit, no evidence was discovered that would indicate the presence of hazardous materials associated with on-site debris. The mitigation measures discussed below shall be implemented to ensure all debris is properly removed and disposed of at an appropriate facility, and that all potentially impacted soils are sampled and remediated as deemed necessary by affected regulatory agencies.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to on-site debris piles to less-than-significant levels by removing and appropriately disposing of such debris.

3.12.1. HAZ3. All miscellaneous debris shall be removed off-site and properly disposed of at an approved landfill facility prior to issuance of building permits. Once removed, a visual inspection shall be completed by a representative from the County Department of Public Works, of the areas beneath the removed materials. Any stained soils observed underneath the removed materials shall be sampled. Based on the results of the sampling, the applicant's consultant and a representative from the County Department of Public Works shall determine the level of remediation efforts that may be required (if any).

Finding:

With regards to impacts related to on-site debris piles, for the foregoing reasons, the Commission adopts Finding 1.

3.13. HAZARDS - ABOVE-GROUND STORAGE TANKS.

Please refer to DEIR page 5.3-29 for an analysis of potential Project impacts related to above-ground storage tanks.

Potential Effects and Rationale for Finding:

Construction and operation of the Project has the potential to expose people to existing sources of potential health hazards resulting from the potential presence of hazardous materials associated with above-ground storage tanks. There is only one known abandoned aboveground storage tank ("AST") located on-site. There is no indication of hazardous materials associated with the on-site AST, however there is a potential for the presence of such materials within and near that tank. As recommended in the Phase I ESA, and included as mitigation below, this tank will be removed prior to construction activities, and visual inspections and sampling (if warranted) will be conducted to determine the need for further remedial action.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to the on-site AST to less than significant levels by removing and properly disposing of that tank.

3.13.1. HAZ4. One 500-gallon abandoned AST was observed atop a hill within the central portion of the Project site. The tank shall be removed and properly disposed of at an appropriate landfill facility prior to issuance of building permits. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining (an indication of contamination migration into the subsurface). If observed, stained soils shall be tested to identify appropriate remedial activities (if necessary).

Finding:

With regards to impacts related to an on-site AST, for the foregoing reasons, the Commission adopts Finding 1.

3.14. HAZARDS - POWER LINES/TRANSFORMERS.

Please refer to DEIR pages 5.3-29 through 5.3-30 for an analysis of potential Project impacts related to power lines/transformers.

Potential Effects and Rationale for Finding:

Construction and operation of the Project has the potential to expose people to existing sources of potential health hazards resulting from the potential presence of polychlorinated biphenyls (PCBs) associated with on-site transformers. Power lines and transformers are located on-site, and one fallen power line, with associated transformer box, was discovered in the central portion of the Project site. The power line/transformer and underlying concrete slab will be removed and properly disposed of, and surrounding soils will be sampled for PCBs prior to construction activities, as recommended in the Phase I ESA. If necessary, nearby soils will be removed or otherwise remediated to the satisfaction of affected regulatory agencies.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to on-site power lines or transformers to less-than-significant levels by removing and properly disposing of such power lines and transformers.

3.14.1. HAZ5. The fallen power line and transformer shall be removed off-site and properly disposed of at an approved landfill facility prior to issuance of building permits. Additionally, other transformers on-site shall be removed/relocated during site construction/demolition. This removal/relocation shall be conducted under the purview of the local utility to identify proper handling procedures regarding potential PCBs. The concrete on which the power line and transformer fell shall be removed and properly disposed of at an approved landfill facility. Any stained soils observed underneath the concrete shall be sampled. Results of the sampling (if necessary) will indicate the level of remediation efforts that may be required.

Finding:

With regards to impacts related to power lines/transformers, for the foregoing reasons, the Commission adopts Finding 1.

3.15. HAZARDS - CONCRETE STORAGE STRUCTURE.

Please refer to DEIR pages 5.3-30 through 5.3-31 for an analysis of potential Project impacts related to an on-site concrete storage structure.

Potential Effects and Rationale for Finding:

There is a concrete storage structure located on-site which contains various debris and equipment, which have not yet been characterized, and which could contain materials that are considered hazardous. The contents of the structure will be removed and properly disposed of, and the interior surfaces will be inspected for evidence of hazardous materials. If necessary, the concrete structure itself may be removed and properly disposed and, if also necessary, sampling and remediation will be conducted to the extent necessary to reduce the associated health risks from hazardous materials to an acceptable level.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to an on-site concrete storage structure to less-than-significant levels by removing and properly disposing of the contents of that structure.

3.15.1. HAZ6. The contents of the concrete structure shall be removed off-site and properly disposed of at an approved landfill location prior to the issuance of building permits. Once removed, a visual inspection of the area beneath the removed materials shall be performed. Any stained concrete or soil (depending on material) observed underneath the removed materials shall be sampled. Results of the sampling (if necessary) will indicate the level of remediation efforts that may be required. If concrete is present and staining is noted, the concrete shall be removed and disposed of at an appropriate permitted facility. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining (an indication of contamination migration into the subsurface). If observed, stained soils shall be tested to identify appropriate remedial activities (if necessary).

Finding:

With regards to impacts related to an on-site concrete storage structure, for the foregoing reasons, the Commission adopts Finding 1.

3.16. HAZARDS – UNDOCUMENTED PIPES.

Please refer to DEIR pages 5.3-31 through 5.3-32 for an analysis of potential Project impacts related to undocumented pipes.

Potential Effects and Rationale for Finding:

Undocumented pipes at the Project site may have been used for agricultural irrigation purposes, but also may indicate the presence of an underground storage tank (“UST”). If part of an irrigation system, the pipes are not expected to pose any hazardous materials risks and will be removed from the site and disposed of at an appropriate facility. If associated with an unrecorded or otherwise unknown UST, the removal of the pipes and UST may involve hazardous materials, depending on the contents of the UST. Although the Phase I ESA government records search and on-site investigations concluded that no USTs are currently located within the Project site, if a UST is discovered during subsequent investigations and/or

site grading, the recommendations contained in the Phase I ESA will be implemented as appropriate.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to undocumented pipes or a possible on-site UST to less-than-significant levels by investigating such pipes and removing and properly disposing of the UST, if any.

3.16.1. HAZ7. The terminus of all undocumented pipes shall be defined. The primary concern with pipes that extend into the ground surface is the potential for the pipe(s) to act as a ventilation apparatus for an undocumented UST. Should a UST be present, the UST shall be removed and properly disposed of at an approved landfill facility prior to issuance of building permits. Once removed, a visual inspection of the areas beneath and around the removed UST shall be performed. Any stained soils observed underneath the UST shall be sampled. Results of the sampling (if necessary) will indicate the level of remediation efforts that may be required.

Finding:

With regards to impacts related to undocumented pipes, for the foregoing reasons, the Commission adopts Finding 1.

3.17. HAZARDS – WATER WELL.

Please refer to DEIR page 5.3-32 for an analysis of potential Project impacts related to an on-site water well.

Potential Effects and Rationale for Finding:

The water well observed on the Project site is not expected to pose a health risk relative to hazardous materials. It was likely used for irrigation purposes associated with former agricultural operations, and therefore it would have a low potential to have resulted in the presence of substantial hazardous materials concentrations. Nonetheless, as recommended in the Phase I ESA, the well and associated structures and any equipment will be removed and disposed of properly, a visual inspection of the areas beneath the removed materials (if present) will be performed, and soil sampling around the well will be performed, as determined appropriate by a qualified Phase II professional. With implementation of the Phase I ESA recommendations, included as mitigation measures, the water well will pose no hazardous materials risk to residents and workers at the Project site.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to the on-site water well to less than significant levels by removing and properly abandoning such well.

3.17.1. HAZ8. The on-site water well shall be properly removed and abandoned prior to issuance of a building permit pursuant to the latest procedures required by the County Department of Health Services with closure responsibilities for the wells. Any associated

equipment (i.e., piping) shall be removed off-site and properly disposed of at a permitted landfill. A visual inspection of the areas beneath the removed materials (if present) shall be performed. Soil sampling around the well shall be performed, as determined appropriate by a qualified Phase II professional.

Finding:

With regards to impacts related to on-site water well, for the foregoing reasons, the Commission adopts Finding 1.

3.18. HAZARDS – PESTICIDES.

Please refer to DEIR pages 5.3-32 through 5.3-33 for an analysis of potential impacts related to past use of pesticides on the Project site.

Potential Effects and Rationale for Finding:

Implementation of the Project could have the potential to expose people to existing sources of potential health hazards resulting from the potential presence of pesticide residues from past agricultural operations at the site.

Required Mitigation Measures:

The following required mitigation measure will reduce impacts related to possible past use of pesticides on the Project site to less-than-significant levels by performing the proper investigations and, if necessary, remediation.

3.18.1. HAZ9. The Project site was utilized for agricultural purposes in the past and may contain pesticide residues in the soil. Soil sampling shall occur throughout the Project site, especially in areas of past development (as identified within the historical aerial photographs) prior to issuance of building permits. The sampling shall determine if pesticide concentrations exceed established regulatory requirements and shall identify proper handling procedures that may be required.

Finding:

With regards to impacts related to pesticides, for the foregoing reasons, the Commission adopts Finding 1.

3.19. HAZARDS – OFF-SITE PETROLEUM PIPELINE.

Please refer to DEIR pages 5.3-32 through 5.3-33 for an analysis of potential impacts related to an off-site petroleum pipeline.

Potential Effects and Rationale for Finding:

Construction and operation of the Project has the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions

involving explosion or the release of hazardous materials into the environment associated with an off-site petroleum pipeline.

Required Mitigation Measures:

The following required mitigation measures will reduce impacts related to an off-site petroleum pipeline to less-than-significant levels by avoiding any disturbance to the same.

3.19.1. HAZ10. Pipeline operators shall be notified in advance of any grading activity in the vicinity of the off-site oil pipeline. Any specific requirements of the operator to avoid disturbance that could create a safety hazard shall be fully implemented. Possible methods to protect underground utilities include dielectric coating, cathodic protection, mortar coating or encasement in cement slurry or concrete.

3.19.2. HAZ11. Prior to grading in the vicinity of the off-site oil pipeline, the location of the pipeline shall be marked. Underground Service Alert shall be notified 48 hours in advance of grading and shall clear the pipeline location prior to grading activity.

Finding:

With regards to impacts related to an off-site petroleum pipeline, for the foregoing reasons, the Commission adopts Finding 1.

3.20. NOISE – LONG TERM TRAFFIC NOISE IMPACTS.

Please refer to DEIR pages 5.4-13 through 5.4-19 for an analysis of long term traffic noise impacts.

Potential Effects and Rationale for Finding:

Development associated with the Project could result in a permanent increase in traffic-related noise in the Project area. Specifically, residential units planned on the exterior portions of the Project fronting The Old Road, and near the I-5, could be exposed to high noise levels. With regards to off-site uses, Project-related traffic noise increase along roadway segments in the Project vicinity will be mostly small and negligible. With regards to on-site uses, the fire station will act as a partial barrier to noise. Moreover, noise barriers will be required along the property lines or along the perimeter of outdoor active use areas of the residential lots (including the fire station) that are along, and directly exposed to, traffic noise from The Old Road and I-5. If no outdoor active use areas are proposed along the eastern edge of these frontline dwelling units or the fire station, no sound walls will be required along the eastern property boundary to attenuate traffic noise. Balconies or decks proposed on the second story of these units are prohibited on the eastern side of single-family dwelling units within Lots 79-90, the fire station, and the attached senior housing units, because they will be directly exposed to The Old Road and I-5 traffic noise. Balconies or decks on Lots 79-90 and the senior housing units are allowed on the side of the building facing away from the street, and on any lots outside of the 65 dBA CNEL impact zone.

With regards to interior noise, facade enhancements, such as double-paned windows with sound transmission class (STC) ratings higher than standard building construction provides, will be required to achieve the 45 dBA CNEL interior noise standard for those units along the far eastern edge of the Project site, Lots 79-83, the fire station and the attached senior housing units.

Required Mitigation Measures:

The following required mitigation measures will reduce long-term noise impacts related to traffic to less-than-significant levels by providing necessary and appropriate sound barriers and by implementing specific designs and using specific materials that will reduce the same.

3.20.1. N3. A sound barrier, with a minimum wall height of six feet, is required for ground-floor frontline outdoor active use areas on the following lots: Lots 79 through 81 and Lots 83-86. Frontline second story balconies or decks are prohibited.

3.20.2. N4. A sound barrier, with a minimum wall height of seven feet, is required for ground-floor frontline outdoor active use areas on Lot 82. Frontline second-story balconies or decks are prohibited.

3.20.3. N5. A sound barrier, with a minimum wall height of five feet, is required for ground-floor frontline outdoor active use areas on the following lots: Lot 87-90. Frontline second-story balconies are prohibited.

3.20.4. N6. Balconies or decks shall be prohibited on walls with direct second story (or higher) exposure for Lots 79 through 90, the fire station or the attached senior housing, which are directly exposed to traffic noise from The Old Road and I-5. Balconies or decks on the side of the building facing away from the street or outside of the 65 dBA CNEL impact zone shall not require sound wall protection and thus are allowed.

3.20.5. N7. Mechanical ventilation, such as an air-conditioning system, for all units in the senior housing lot and the fire station.

3.20.6. N8. Windows with a minimum STC-30 rating are required for bedrooms exposed to I-5 traffic on Lots 79-84, except for Lot 82, where windows with a minimum STC-32 rating are recommended for bedrooms exposed to I-5 traffic.

3.20.7. N9. Windows with a minimum STC-34 rating are required for sleeping quarters associated with the proposed fire station.

Finding:

With regards to impacts related to long-term traffic noise impacts, for the foregoing reasons, the Commission adopts Finding 1.

3.21. AIR QUALITY – OPERATIONAL.

Please refer to DEIR pages 5.5-19 through 5.5-20 for an analysis of operational air quality impacts related to the Project.

Potential Effects and Rationale for Finding:

With regards to area sources emissions, the Project will result in stationary source emissions from natural gas usage and consumer products. The emissions associated with area sources will be small when compared to mobile source emissions.

With regards to mobile sources emissions, the Project is estimated to generate 1,261 vehicular trips per day. Total Project-related emissions for CO, ROC, and NO_x will be less than the South Coast Air Quality Management District's ("SCAQMD") daily emissions thresholds. Therefore, no significant regional air quality impacts will occur as a result of operation of the proposed Project.

Required Mitigation Measures:

The following required mitigation measures will reduce operational air quality impacts to less-than-significant levels by implementing and using more energy-efficient materials and designs:

3.21.1. AQ5 Future on-site buildings shall incorporate design principles of the Energy Star program and/or Leadership in Energy and Environmental Design (LEED) program, and associated energy-saving features, including energy-efficient heating and cooling systems, tight construction and ducts, improved insulation, high-performance windows and built-in energy efficient appliances.

3.21.2. AQ6 All public and private parking areas (i.e. recreational facilities, trailhead parking, senior housing parking) shall be planted with trees to ensure shading and prevent heat buildup.

Finding:

With regards to air quality impacts related to the Project's operation, for the foregoing reasons, the Commission adopts Finding 1.

3.22. AIR QUALITY - ODORS.

Please refer to DEIR page 5.5-24 for an analysis of impacts related to objectionable odors resulting from the Project.

Potential Effects and Rationale for Finding:

Development associated with the Project will create objectionable odors that could adversely affect people in the vicinity of the Project site. Specifically, construction will involve operation of diesel-powered equipment and application of paint and other architectural coatings, which create odorous emissions. However, construction-related odors will be temporary in nature, as they will only occur during the construction period, and will be adequately minimized through implementation of all applicable mitigation measures (below).

The proposed residential uses on the Project site, once constructed, are not anticipated to generate objectionable odors that will be noticeable to surrounding uses. Residential uses typically do not generate objectionable odors. Nonetheless, all such uses will be required to

comply with SCAQMD Rule 402, Nuisance, which will preclude the possibility of impacts to surrounding uses resulting from nuisance odor.

Required Mitigation Measures:

The following required mitigation measures will reduce impacts related to objectionable odors to less-than-significant levels by implementing certain standards that minimize construction-related emissions and by using low emission-producing materials.

3.22.1. Mitigation Measures: See mitigation measures AQ1 through AQ4, discussed below in Section 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to impacts related to objectionable odors, for the foregoing reasons, the Commission adopts Finding 1.

3.23. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO SPECIAL STATUS PLANT SPECIES OBSERVED ON-SITE.

Please refer to DEIR pages 5.6-90 through 5.6-104 for an analysis of direct impacts to special status plant species observed on-site related to the Project.

Potential Effects and Rationale for Finding:

No federal or state listed plant species were observed on the Project site; however, 27 special-status plant species have the potential to occur in the vicinity of the Project site. Of these 27 special-status plant species, only 7 were actually observed on-site. Those 7 species are *Ambrosia confertiflora* (Weakleaf Burweed); *Calochortus clavatus* var. *gracilis* (Slender Mariposa Lily); *Calochortus plummerae* (Plummer's Mariposa Lily); *Calystegia peirsonii* (Peirson's Morning-glory); *Ericameria ericoides* ssp. *ericoides* (Mock Heather); *Juglans californica* var. *californica* (Southern California Black Walnut); and *Navarretia hamata* ssp. *hamata* (Skunk Navarretia). Development associated with the Project could potentially have significant direct impacts on these 7 special status plant species observed on-site. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce direct impacts to special status plant species to less than significant levels by conducting necessary and appropriate surveys, preserving habitat, implementing preserve maintenance programs and by relocating, transplanting and propagating such species.

3.23.1. BIOI Supplemental Surveys. Prior to site disturbance activities associated with the proposed project, supplemental seasonal field surveys for *Ambrosia confertiflora*, and any other special-status plant species, should be conducted to clearly determine and to mark off the exact

locations and numbers of plants onsite in the development footprint as well as those to be preserved. Surveys should be conducted in the spring prior to construction to flag locations of special-status plants within and immediately adjacent to the project site. As many seeds as possible of populations within the grading areas shall be salvaged and planted in preserve areas. Rancho Santa Ana Botanic Garden would be an appropriate facility to conduct the salvage, storage, and ongoing propagation of these special-status plant species.

Avoidance and Protection. Areas with *Ambrosia confertiflora*, and other special-status plant species, outside of the development footprint shall be avoided and preserved in perpetuity through an appropriate recordable legal instrument. The legal document shall be recorded prior to issuance of a grading permit. A qualified botanist shall survey for, and appropriately mark, all populations of special-status plant species at Lyons Canyon Ranch that are to be avoided and preserved. Where avoidance and protection is not possible, mitigation shall be accomplished through seed planting.

Seed Collection and Propagation. A seasonal survey shall be conducted in suitable habitat after the flowering season and shall be obtained from the native trees, shrubs, herbs, and grasses cleared from the project site during construction activities. The survey shall be conducted by a qualified botanist familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned, and stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery experienced with propagating special-status plant species and grown out to 1-gallon container size. The best time to sow seed is in the fall in conjunction with the onset of rain. These plants shall be planted in suitable preserved habitat onsite at a ratio of 10 plants for every 1 plant impacted by the project. The propagated plants shall be maintained and monitored for a period of five (5) years after initial planting, with annual reports submitted to the County.

Determine Final Mitigation Sites. A site analysis plan must be conducted to determine potential planting areas and to identify the most appropriate mitigation site(s) acceptable to the Los Angeles County Department of Regional Planning, which should be conducted prior to seed collection. A detailed mitigation plan shall be prepared and submitted to the appropriate agency(ies) for review prior to implementation. The plan must be prepared by a qualified botanist as determined by Los Angeles County Director of Planning. Potential mitigation areas for special-status plant species onsite are shown above on Exhibit 5.6-21, Potential Special-Status Plant Species Mitigation Areas. The estimated mitigation area available for relocation and plantings of *Ambrosia confertiflora* and other special-status plant species is approximately 5.58 acres.

Prepare Detailed Mitigation Plan. Following seed collection, special-status species plantings shall be planted into suitable mitigation sites in the undeveloped portions of the project site, or in an adjacent undeveloped acreage that shall be preserved in perpetuity. A qualified botanist shall be selected by the applicant that is acceptable to the County to prepare and implement a detailed mitigation plan, which shall include the following requirements:

- Following collection, seeds shall be stored by a qualified nursery, or by an institution with appropriate storage facilities. Then, the upper 12 inches of topsoil

from the special-status plant species locations shall be scraped, stockpiled, and re-spread at the selected mitigation site(s).

- The mitigation site(s) shall be located in dedicated open space on the project site, or at an appropriate offsite location acceptable to the County. The site shall be selected based on the species habitat requirements and to promote growth of the individual plantings and the population as a whole.
- The mitigation site(s) shall be prepared for seeding and plantings as described in a detailed restoration plan.
- The topsoil shall be re-spread in the selected location as approved by the project biologist. Approximately sixty percent (60%) of the seeds shall be planted in the site during the fall, following soil preparation. Forty percent (40%) of the seeds shall be kept in storage by a qualified nursery for subsequent seeding, if necessary.
- A detailed maintenance and monitoring plan for the mitigation site shall be developed by a qualified botanist prior to issuance of the grading permit. The plan shall include descriptions of maintenance activities appropriate for the site, monitoring requirements, and annual reporting requirements. The project botanist shall have the full authority to suspend any operation on the project site that is directly impacting special-status plants outside the approved development footprint, and to suspend any activity related to the special-status plants that is not consistent with the restoration plan. Any dispute regarding the consistency of an action with the restoration plan shall be resolved by the applicant and the County of Los Angeles Department of Regional Planning.
- The performance criteria developed in the maintenance and monitoring plan shall include requirements for a minimum of 60 percent germination of the amount of plant material collected and transferred to the mitigation site. This assumes that there will be a 40 percent mortality of the seed plantings. The performance criteria should also include percent cover created by the established plants, density, and seed production requirements, and shall be developed by the project botanist following habitat analysis of other existing high-quality special-status species habitat. Performance monitoring shall be conducted by a qualified botanist.
- If the seed germination goal of 60 percent is not achieved following the first season, remediation measures shall be implemented prior to planting with the remaining 40 percent of collected seeds. Remedial measures shall include at a minimum: soil testing and amendments, control of invasive species, and physical disturbance of the planted areas by raking (or similar actions) to provide scarification of the seed.
- Potential seed sources from donor sites shall also be identified in case it becomes necessary to collect additional seeds for use on the site, following performance of

remedial measures. The contractor shall provide a list of any materials that must be obtained from other than onsite sources prior to planting. Unacceptable plant material will be rejected, at the contractor's expense, by restoration specialists.

- Site shall be maintained and monitored for five years to ensure that the newly created special-status species populations are self-sustaining, with annual reports submitted to the County.

3.23.2. BIO2. Implement Conditions of Approval Related to Preserve Maintenance. The Project shall provide for the establishment of a Home Owners' Association ("HOA") and the preparation of Conditions, Covenants, and Restrictions ("CC&Rs") prior to the recordation of the final tract map as a condition of Project approval. The HOA shall be governed by CC&Rs that describe all aspects of property maintenance of common area preserves and biological resource mitigation areas under control of the HOA. The HOA shall be fully funded, pursuant to, and consistent with, the recorded CC&Rs.

The HOA shall be responsible to maintain all common areas consistent with the applicable mitigation measures and conditions of approval adopted by the County. The applicable mitigation measures and conditions of approval that fall under the responsibility of the HOA shall be explicitly specified in the CC&Rs, and shall be verified by the County prior to recordation of the final tract map.

Prior to undertaking any activities within preserve areas, the HOA shall retain the services of a wildlands ecologist acceptable to the DRP and familiar with plants and wildlife native to the Santa Clarita region to provide review and approve of the specific activities in preserve parcels. The ecologist shall also oversee HOA maintenance staff, when performing the following maintenance, to ensure compliance with biological mitigation measures applicable to the Project site:

- Fuel modification within common areas;
- Maintenance of privately owned wetlands restoration areas;
- Maintenance of common areas designated as preserves or mitigation areas; and
- Maintenance of privately owned trails.

Said landscape architect and/or HOA shall not be responsible for maintenance or oversight of activities within lands dedicated to the County or any other agency. The HOA shall enforce the CC&Rs at all times through the terms outlined in the recorded CC&Rs.

3.23.3. BIO3. Supplemental Surveys. Prior to site disturbance activities associated with the Project, supplemental seasonal field surveys for *Calochortus plummerae* and *Calochortus clavatus* shall be conducted to clearly determine and to mark off the exact locations and numbers of plants on-site in the development footprint as well as those to be preserved. Surveys shall be conducted in the spring prior to construction to flag locations of *Calochortus* within and immediately adjacent to the Project site. All bulbs and seeds of populations within the grading areas shall be salvaged, translocated, and subsequently planted in preserve areas. Rancho Santa

Ana Botanic Garden would be an appropriate and County-acceptable facility to conduct the translocation, storage and ongoing propagation of these species.

Avoidance and Protection. Areas with *Calochortus* outside of the development footprint shall be avoided and preserved in perpetuity through an appropriate recordable legal instrument. The legal document shall be recorded prior to issuance of a grading permit. A qualified botanist shall survey for, and appropriately mark, all populations of *Calochortus* at Lyons Canyon Ranch that are to be avoided and preserved. Where avoidance and protection is not possible, mitigation shall be accomplished through seed collection, bulb translocation and subsequent planting.

Bulb Translocation. A pre-construction survey during the peak flowering period, approximately March through June, shall be conducted by a qualified botanist, acceptable to the DRP, in the areas of the Project site that will be disturbed, and all individual *Calochortus* plants shall be marked for subsequent relocation. Each impacted *Calochortus* bulb shall be clearly delineated with pin flags for collection by a qualified collector. Bulbs shall be collected after the flowering period when the plants are dormant. Where high lily concentrations exist on-site, the first ten inches or more of topsoil shall be moved in large blocks to the selected re-vegetation site. The salvaged bulbs or bulb-containing topsoil shall be translocated to an appropriate site(s) acceptable to the DRP within the preserved portions of the Project site.

Seed Collection and Propagation. *Calochortus* are typically grown from seed for mitigation purposes (Carol Bornstein, pers. comm. 30 January 2006). A seasonal survey prior to grading shall be conducted in suitable habitat during and after the flowering season to collect seeds. The survey shall be conducted by a qualified botanist acceptable to the DRP and familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned, stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery experienced with propagating *Calochortus* species and grown out to 1-gallon container size. The best time to sow seed is in the fall in conjunction with the onset of rain. *Calochortus* usually takes at least 3 years to achieve flowering size, depending upon the species (Carol Bornstein, pers. comm. 30 January 2006). These plants shall be planted in suitable preserved habitat on-site and acceptable to the DRP at a ratio of 10 plants for every 1 plant impacted by the Project. The propagated plants shall be maintained and monitored for a period of 5 years after initial planting, with annual reports submitted to the County.

Determine Final Mitigation Sites. A site analysis plan must be conducted prior to bulb collection to determine potential planting areas and to identify the most appropriate mitigation site(s) acceptable to the DRP. A detailed mitigation plan shall be prepared and submitted to the DRP for review prior to implementation. The plan must be prepared by a qualified botanist as determined by the County Director of Planning. Potential mitigation areas for *Calochortus* species on-site are shown on Exhibit 5.6-21 to the DEIR, Potential Special-status Plant Species Mitigation Areas. The estimated mitigation area available for relocation and plantings of *Calochortus* is approximately 28.53 acres.

Prepare Detailed Mitigation Plan. Following seed and bulb collection, the *Calochortus* shall be relocated into a suitable mitigation site in the undeveloped portion of the Project site, or in adjacent undeveloped acreage that shall be preserved in perpetuity. A qualified botanist shall be

selected by the applicant that is acceptable to the County to prepare and implement a detailed mitigation plan, which shall include the following requirements:

- Following collection, seeds and bulbs shall be stored by a qualified nursery, or by an institution with appropriate storage facilities. Then, the upper 12 inches of topsoil from the *Calochortus* locations shall be scraped, stockpiled and re-spread at the selected mitigation site(s).
- The mitigation site(s) shall be located in dedicated open space on the Project site, or at an appropriate offsite location acceptable to the County. The site shall be selected based on the species habitat requirements and to promote growth of the individual plantings and the population as a whole.
- The mitigation site(s) shall be prepared for seeding and bulb planting as described in a detailed restoration plan.
- The topsoil shall be re-spread in the selected location as approved by the Project biologist. Approximately 60 percent of the seeds and bulbs shall be planted in the site during the fall, following soil preparation. 40 percent of the seeds and bulbs shall be kept in storage by a qualified nursery for subsequent seeding, if necessary.
- A detailed maintenance and monitoring plan for the mitigation site shall be developed by a qualified botanist prior to issuance of the grading permit. The plan shall include descriptions of maintenance activities appropriate for the site, monitoring requirements, and annual reporting requirements. The Project botanist shall have the full authority to suspend any operation on the Project site that is directly impacting *Calochortus* plants outside the approved development footprint, and to suspend any activity related to the *Calochortus* plants that is not consistent with the restoration plan. Any dispute regarding the consistency of an action with the restoration plan shall be resolved by the applicant and the DRP.
- The performance criteria developed in the maintenance and monitoring plan shall include requirements for a minimum of 60 percent germination and transplantation of the amount of plant material collected and transferred to the mitigation site. This assumes that there will be a 40 percent mortality of the bulbs and seed plantings. The performance criteria should also include percent cover created by the established plants, density and seed production requirements, and shall be developed by the Project botanist following habitat analysis of an existing high-quality lily habitat. Performance monitoring shall be conducted by a qualified botanist.
- If the seed germination and bulb sprouting goal of 60 percent is not achieved following the first season, remediation measures shall be implemented prior to planting with the remaining 40 percent of collected seeds and bulbs. Remedial measures shall include at a minimum: soil testing and amendments, control of

invasive species and physical disturbance of the planted areas by raking (or similar actions) to provide scarification of the seed.

- Potential seed sources from backup donor sites shall also be identified in case it becomes necessary to collect additional seeds for use on the site, following performance of remedial measures.
- The site shall be maintained for 5 years to ensure *Calochortus* populations are self-sustaining.

3.23.4. BIO4. Plant *Juglans californica* var. *californica* On-site. To mitigate for the loss of 0.50 acre of *Juglans californica* Alliance, including the loss of approximately 10 individual Southern California Black Walnut trees, plant locally indigenous seeds (walnuts) of *Juglans californica* var. *californica* in a designated mitigation site. *Juglans californica* var. *californica* fruit (walnuts) shall be collected from locally indigenous (on-site) sources. Seeds shall be gathered when ripe and transferred to a native plant nursery experienced with propagating *Juglans californica* for seed storage and subsequent propagation. Seedlings shall be grown out to 1-gallon container size, preferably in liners rather than 1-gallon pots. Seeds are a viable source for mitigation and will be utilized for some replacement. However, nursery-grown plantings should have higher success. These plants shall be planted in suitable preserved habitat found on-site at a ratio of 10 plants for every 1 plant impacted by the Project. Since approximately 10 individuals of this species will be impacted from the Project, at least 100 trees will be required to mitigate for this species. The seedlings should be monitored and irrigated on a regular basis to ensure survival. *Juglans californica* can also be grown from mature stem cuttings and sprouted in a greenhouse. Rooted cuttings can then be planted at the mitigation site(s). Planting should occur on one or more of the preserve areas on-site on a north-facing slope adjacent to Coast Live Oak Woodland areas. With proper maintenance and monitoring, the impacts should be fully mitigable. No sensitive habitat shall be impacted during *Juglans* mitigation efforts. The planted plants shall be maintained and monitored for a period of 5 years after initial planting, with annual reports submitted to the County.

Potential *Juglans californica* var. *californica* mitigation areas on-site are shown in Exhibit 5.6-21 of the DEIR, Potential Special-status Plant Species Mitigation Areas. The estimated mitigation area available for plantings of *Juglans californica* var. *californica* is approximately 6.96 acres.

Finding:

With regards to direct impacts to special status plant species observed on-site, for the foregoing reasons, the Commission adopts Finding 1.

3.24. BIOLOGICAL RESOURCES - INDIRECT IMPACTS TO SPECIAL STATUS PLANT SPECIES.

Please refer to DEIR pages 5.6-104 through 5.6-107 for an analysis of indirect impacts to special status plant species observed on-site related to the Project.

Potential Effects and Rationale for Finding:

Indirect impacts to special-status plant species occurring on-site include (i) increased dust resulting from grading activities and increased urban pollutants, which will disturb soils and cause accumulation of dust on the surface of the leaves of trees, shrubs and herbs, thereby interrupting the plants' respiratory functions; and (ii) changes in water quality and water velocity resulting from urban runoff from the proposed development site, which could potentially adversely affect these plant species; and (iii) the introduction of invasive plant species. With implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce indirect impacts to special status plant species to less-than-significant levels by (i) complying with grading permit requirements; (ii) implementing conditions of approval for, and requiring County approval on all landscaping; (iii) by implementing certain standards that minimize construction-related emissions; and (iv) using low emission-producing materials.

3.24.1. BIO6. Apply for 401 Certification. Prior to the issuance of a grading permit, the applicant shall obtain coverage under the California Regional Water Quality Control Board's general permit for storm water discharge associated with construction activity and shall comply with all the provisions of the permit, including the development of a storm water pollution prevention plan, which includes provisions for the implementation of best management practices and erosion control measures. Best management practices shall include both structural and non-structural measures.

3.24.2. BIO7. Implement Conditions of Approval Related to Landscaping. The Project shall provide for the establishment of the HOA and the preparation of CC&Rs prior to the recordation of the final tract map as a condition of Project approval. The HOA shall be governed by CC&Rs that describe all aspects of property maintenance of common area landscape, and the overall regulation of aesthetics for the property grounds and buildings. The HOA shall be fully funded, pursuant to, and consistent with, the recorded CC&Rs.

The HOA shall be responsible for maintaining all common areas that are routinely maintained, consistent with the applicable mitigation measures and conditions of approval adopted by the County. The applicable mitigation measures and conditions of approval that fall under the responsibility of the HOA shall be explicitly specified in the CC&Rs, and shall be verified by the County prior to recordation of the final tract map.

Prior to landscaping installation, the HOA shall retain the services of a licensed landscape architect acceptable to the DRP and familiar with plants native to the Santa Clarita region to provide review and approval of the landscaping of individual parcels consistent with the plant list approved by the County Biologist. The landscape architect shall also oversee HOA maintenance staff, when performing the following maintenance, to ensure compliance with biological mitigation measures applicable to the Project site:

- Fuel modification within common areas;

- Maintenance of street or roadway landscaping;
- Maintenance of parks;
- Maintenance of landscaped common areas; and
- Maintenance of roadway landscaping.

The landscape architect and/or HOA shall not be responsible for maintenance or oversight of activities within lands dedicated in fee title to the County or any other agency. The HOA shall enforce the CC&Rs at all times through the terms outlined in the recorded CC&Rs.

3.24.3. BIO8. Submit Project Landscape Design for County Approval. Project landscape design shall be submitted by a qualified botanist to the County Biologist for review and approval. The review shall ensure that no invasive, exotic plant species such as those listed in the CNPS and California Invasive Plant Council 1999 List (CalIPPC 1999) and subsequent (draft) list for 2005 are used in any proposed landscaping, and that suitable substitutes are proposed. Only locally indigenous native species shall be used in landscaping along a boundary bordering open space/significant environmental area ("SEA"). Native plants used shall include coastal sage scrub, chaparral and woodland species that currently occur on the Project site.

3.24.4. BIO9 Comply with CC&R Landscape Plan Review. The CC&Rs shall prohibit planting any invasive exotic species listed by either CNPS or CalIPPC. Homeowner landscaping plans shall be submitted to the DRP for review and approval consistent with this requirement as described in the CC&Rs. The review shall ensure that no invasive exotic plant species are planted on-site in order to reduce the chance of inadvertent introductions or escapes of invasive exotic species into native habitats, including bordering open space areas and SEAs.

3.24.5. Additional Mitigation Measures. Implementing mitigation measures AQ1 through AQ4 (mitigation measures for dust control) will also help mitigate this potentially significant impact to a less-than-significant level. Mitigation measures AQ1 through AQ4 are discussed below in Section 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to indirect impacts to special status plant species observed on-site, for the foregoing reasons, the Commission adopts Finding 1.

3.25. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO GENERAL WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-107 through 5.6-111 for an analysis of Project-specific impacts to general wildlife species related to the Project.

Potential Effects and Rationale for Finding:

Project-specific impacts to general wildlife species include loss of and disturbance to (i) aquatic/semi-aquatic wildlife; (ii) amphibian wildlife, (iii) reptile wildlife; and (iv) mammal wildlife during construction; and loss of and disturbance to breeding and nesting birds during construction. The degree of these impacts is dependent on the use of heavy equipment and temporary and long-term streambed alteration on the Project site, disturbance of habitat as a result of timing of construction, temporary loss of foraging and cover habitat and temporary reductions in food sources. With the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce Project-specific impacts to general wildlife species to less-than-significant levels by implementing appropriate and necessary BMPs, by locating and, if necessary, relocating such species and by complying with the Migratory Bird Act.

3.25.1. BIO10 Implement BMPs. In order to minimize impacts to aquatic (riparian) habitat and aquatic wildlife due to alteration of the riparian habitat on-site, the construction activities shall be conducted during times of no active channel flows (during the dry season, generally June through October). However, if construction must be conducted while active flows are present within the riparian system, the following measures shall be implemented to minimize impacts:

- Equipment contact with the active channel should be avoided, and equipment should enter the active channel only within the permitted and demarcated areas;
- Flows should be diverted from the work area prior to initiating work;
- Sedimentation barriers should be installed downstream of any work areas within the active channel and should be maintained frequently to ensure they are working properly;
- Exposed groundwater should be allowed to settle behind a downstream diversion berm prior to discharge to the primary flow channel;
- Turbidity levels should be monitored and minimized to levels consistent with the Project's regional water quality control board General Permit for storm water discharge requirements (no greater than a 20 percent increase in turbidity downstream of the work areas); and
- All foreign materials and litter should be removed from the channel, including but not limited to trash, concrete, metal, fencing, rebar, Styrofoam, plastic and any dumped materials.

3.25.2. BIO11. Pre-construction Surveys and Relocation. Prior to grading or site-clearing activities, a qualified biologist acceptable to the DRP shall survey the construction areas of the site to determine if wildlife species are foraging, frequenting or nesting on or adjacent to the

construction areas. If any wildlife species are observed foraging, frequenting or nesting during construction activities, the wildlife biologist shall allow the wildlife species to escape or shall relocate the wildlife species to a preserved area with similar required habitat.

3.25.3. BIO12. Comply with Migratory Bird Treaty Act. To avoid violating the Migratory Bird Treaty Act or Fish and Game Code §3503, a qualified ornithologist shall survey the construction site(s) 2 weeks prior to initiation of site disturbance to identify any nests of birds that will be directly or indirectly affected by the construction activities. Bird nesting typically occurs from February through August. Some bird species nest outside this period. To protect any active nest sites, the following restrictions on construction are required between February and August (or until nests are no longer active as determined by a qualified biologist). Clearing limits shall be established a minimum of 300 feet in any direction from any occupied nest (or as otherwise deemed appropriate by the monitoring biologist). Access and land surveying shall not be allowed within 100 feet of any occupied nest (or as otherwise deemed appropriate by the monitoring biologist). On-site nests shall be avoided until vacated. Any encroachment into the 300/100-foot buffer area around the known nest shall only be allowed if it is determined by a qualified biologist that the proposed activity will not disturb the nest occupants. Construction during the non-nesting season shall occur at the site(s) only if a qualified biologist has determined that fledglings have left the nest. Occupied nests adjacent to the construction site(s) may need to be avoided for short durations to ensure nesting success. Any nest permanently vacated for the season need not be protected.

3.25.4. Additional Mitigation Measures. Implementing mitigation measure **BIO6** will also help mitigate these potentially significant impacts to less-than-significant levels. Mitigation measure **BIO6** is discussed below in Section 4 and also listed in the MMRP; which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to Project-specific impacts to general wildlife species, for the foregoing reasons, the Commission adopts Finding 1.

3.26. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO NESTS OF SPECIAL STATUS WILDLIFE SPECIES OBSERVED ON-SITE OR IMMEDIATELY ADJACENT TO THE PROJECT SITE.

Please refer to DEIR pages 5.6-111 through 5.6-118 for an analysis of direct impacts to nests of special status wildlife species observed on-site or immediately adjacent to the Project site.

Potential Effects and Rationale for Finding:

Special status wildlife species observed on-site or immediately adjacent to the Project site include Cooper's Hawk (*Accipiter cooperii*); Barn Owl (*Tyto alba*); Oak Titmouse (*Baeolophus inornatus*); Nuttall's Woodpecker (*Picoides nuttallii*); and the San Diego Desert Woodrat (*Neotoma lepida intermedia*). Potential direct impacts to special status wildlife species observed on-site or immediately adjacent to the Project site include (i) impacts to active nests of such species; (ii) impacts resulting in or related to habitat loss; and (iii) cumulative impacts to such species. There are several impacts to special status wildlife species that have been observed on-

site, or immediately adjacent to the Project site. However, it is important to note that the only impacts to special status wildlife species observed on-site, or immediately adjacent to the Project site, which are capable of mitigation to a less-than-significant level are those associated with the active nests. Impacts resulting in or related to habitat loss and cumulative impacts to such species will remain significant and unavoidable and, as a result, are discussed in Section 4, below. However, with the implementation of the recommended mitigation measures (described below), direct impacts to nests of special status wildlife species observed on-site, or immediately adjacent to the Project site, will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce direct impacts to nests of special status wildlife species observed on-site, or immediately adjacent to the Project site, to less-than-significant levels by performing necessary and appropriate surveys; by avoiding disturbance to sensitive areas; by maintaining buffers; by avoiding contact with such species; and by replacing or compensating habitats of such species.

3.26.1. BIO13. Preconstruction Surveys and Fencing off Sensitive Areas. Prior to grading or site-clearing activities, a qualified biologist acceptable to the DRP shall survey the construction areas of the site to determine if any special-status wildlife species are foraging, frequenting or nesting on or adjacent to the construction areas. If any special-status wildlife species are observed foraging, frequenting or nesting during construction activities, the area in which the special-status species was observed should be flagged or fenced off to protect the wildlife species. In addition, the equipment operators shall be informed of the species' presence and provided with pictures in order to help avoid impacts to this species to the maximum extent possible. As part of the environmental training, contractors and heavy equipment operators shall be provided with photographs of expected special-status wildlife species to identify them, and to avoid harming them during construction.

3.26.2. BIO14. Survey for Nests and Nesting Activity. 30 days prior to the onset of construction activities, a qualified biologist acceptable to the DRP shall survey within the limits of Project disturbance for the presence of any active raptor and bird nests. Any nest found during survey efforts shall be mapped on the construction plans and marked on the ground. If no active nests are found, no further mitigation is required. Results of the surveys shall be provided to the California Department of Fish and Game ("CDFG"). If nesting activity is present at any raptor nest site, the active nest site -- whether on-site or at nearby off-site locations -- shall be protected by maintaining a 100 to 300 foot buffer area away from construction activities, until nesting activity has ended, to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for bird species in the region of the Project site normally occurs from February through August.

3.26.3. BIO15. Avoid Contact or Harm to Special-status Species. To avoid impacts to all special-status wildlife species observed on-site, equipment operators shall avoid contact with or harm to any special-status species and any of their sources of cover (e.g. nest, midden, burrow). If a special-status wildlife species is encountered during construction activities, it shall be allowed to escape any danger that may result from construction work, and the on-site biological

monitor shall be notified in order to implement all measures necessary to protect the sensitive species.

3.26.4. BIO16. Replace Required Habitat of Observed Special-status Species. Existing habitat, required by observed or likely special-status wildlife species, shall be replaced, or compensated for, after all development activities have been completed, as provided in mitigation measures **BIO1**; **BIO2**; **BIO4**; and **BIO24** through **BIO35**, which are provided in this Section 3 and below in Section 4. Compensation for lost habitat on-site shall be accomplished at least in part through improving habitat conditions of preserved on-site habitats, such as through removal of invasive exotic plant species and replacing them with indigenous native species. A residual less-than-significant impact will remain, since there will be a reduction of the total net area of habitat available on-site.

3.26.5. Additional Mitigation Measures. Implementing mitigation measures **BIO11** and **BIO12** will also help mitigate these potentially significant impacts to less-than-significant levels. Mitigation measures **BIO11** and **BIO12** are discussed in this Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to direct impacts to nests of special status wildlife species observed on-site or immediately adjacent to the Project site, for the foregoing reasons, the Commission adopts Finding 1.

3.27. BIOLOGICAL RESOURCES - INDIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-125 through 5.6-130 for an analysis of indirect impacts to special-status wildlife species related to the Project.

Potential Effects and Rationale for Finding:

Potentially significant indirect impacts to special-status wildlife species include (i) noise impacts related to the Project's construction; (ii) impacts related to human activity; and (iii) lighting impacts resulting from the Project's operation. It is important to note, as discussed in Section 2, above, that some less-than-significant indirect impacts to special-status wildlife species will remain.

Required Mitigation Measures:

The following required mitigation measures will reduce indirect impacts to special-status wildlife species to less-than-significant levels by (i) installing protective perimeter fencing; (ii) using designs and materials that will reduce light impacts to such species; and (iii) implementing construction techniques and guidelines which minimize noise impacts.

3.27.1. BIO21. Install Perimeter Fencing. Perimeter fencing at houses on-site, adjacent to open space areas, shall be designed to prevent dogs from accessing open space areas on-site, and

keep wildlife from entering yards and homes as much as feasible. Details of acceptable fencing materials will be included in the CC&Rs.

3.27.2. BIO22 County Review of Project Plans. Prior to issuance of building permits, the County shall ensure that the following elements are included in all Project plans, as appropriate:

- All exterior lighting shall be designed and located as to avoid intrusive effects on adjacent residential properties and undeveloped areas adjacent to the Project site. Motion detectors, low-intensity street lighting, and low-intensity street lighting and low-intensity exterior lighting shall be used throughout the development. Lighting fixtures shall use shielding, if necessary, to prevent spill lighting on adjacent off-site areas;
- Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings and roadways;
- Fixtures and standards shall conform to state and local safety and illumination requirements;
- All trail and park lighting shall provide optimum public safety, while at the same time reducing nighttime light spillover and glare;
- Development projects shall use minimally reflective glass and all other materials used on exterior building and structures shall be selected to minimize reflective glare; and
- Automatic timers on lighting shall be designed to maximize personal safety during nighttime use while saving energy.

These measures will partially mitigate for adverse impacts of landscaping nuisance lighting impacting wildlife in adjacent open space areas of the Project site.

3.27.3. BIO23. Hooded Outdoor Lighting. Require all street and outdoor lighting to be hooded to direct away from, or prevent light from entering, open space areas of the Project site. Light intensity should be set as low as possible while meeting the primary objective of the outdoor lighting.

3.27.4. Additional Mitigation Measures. Implementing mitigation measures **BIO2**, **BIO13**, **BIO14** and **N1** through **N9** will also help mitigate these potentially significant impacts to less-than-significant levels. Mitigation measures **BIO2**, **BIO13**, **BIO14** and **N1** through **N9** are discussed in this Section 3 and below in Section 4 and are also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to indirect impacts to special-status wildlife species, for the foregoing reasons, the Commission adopts Finding 1.

3.28. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO VEGETATION-INCLUDING SENSITIVE HABITATS.

Please refer to DEIR pages 5.6-130 through 5.6-154 for an analysis of Project-specific impacts to vegetation-including sensitive habitats.

Potential Effects and Rationale for Finding:

The potential Project-specific impacts to vegetation – including impacts to sensitive habitats – include impacts to, and potential loss of, Grassland habitats; Lichen-Rock Outcrop habitats; Coastal Sage Scrub; Chaparral habitats; Southern California Black Walnut woodland; Coast Live Oak trees; Valley Oak trees; Scrub Oaks; Oak woodlands; and wetland habitats and plants. Only 3 of these Project-specific impacts concerning vegetation are capable of mitigation to a less-than-significant level. Those are the impacts related to potential loss of Grassland habitats; Coastal Sage Scrub; and Southern California Black Walnut woodland. Those impacts are addressed here in this Section 3. With the successful implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level. The remaining potential impacts to vegetation – including sensitive habitats – will remain significant and unavoidable and, as a result, are discussed below in Section 4.

Required Mitigation Measures:

The following required mitigation measures will reduce Project-specific impacts to vegetation, including those to sensitive habitats, to less-than-significant levels by (i) protecting and enhancing grasslands and coastal scrub brush; (ii) conducting necessary and appropriate surveys; (iii) preserving habitat; (iv) implementing preserve maintenance programs and (v) relocating, transplanting and propagating such vegetation.

3.28.1. BIO24. Protect and Enhance Grassland. The loss of 29.53 acres of Grassland vegetation shall be mitigated by enhancing at an acreage rate of 1.5 acres for each acre lost (1.5:1 replacement ratio), equaling 44.29 acres of required mitigation. Prior to implementation of any restoration, a detailed program shall be developed by the applicant for review and approval by the DRP and shall contain the following items:

- **Responsibilities and Qualifications Specified.** The responsibilities of the landowner, technical specialists, and maintenance personnel that shall supervise and implement the restoration plan shall be specified.
- **Protect Grassland Preserved On-site.** The Project shall preserve 8.43 acres of Grassland on-site in perpetuity by a legal instrument.
- **Enhance Degraded Grassland Preserved On-site.** Habitat enhancement of the required 44.29 acres of Grassland will include eradicating invasive exotics from the remaining Grassland on-site. The areas of Grassland, from which invasive species will be eradicated, will be planted with supplemental native Grassland grasses and herbs. This will increase native ground-layer cover to match desired cover levels, and increase dominance by native species. Approximately 8.43 acres of Grassland vegetation will be avoided by the Project; however, the

Grassland on-site is contaminated with invasive exotic plant species in varying amounts. Enhancement of up to 8.43 acres of degraded Grassland habitat on-site will mitigate for 19% of the area needed, based on the 1.5:1 enhancement ratio. An additional 35.86 acres will need to be preserved and enhanced, for a total of 44.29 acres of Grassland enhanced and protected. The lack of reasonable availability (the offsite component) may render this mitigation measure at least partially infeasible.

- **Mitigation Site Selection.** The site for the mitigation shall be determined in coordination with the applicant and resource agencies. The site shall be located on the proposed development site in a dedicated open space area or dedicated open space area shall be purchased offsite. Appropriate sites shall have suitable hydrology and soils for the establishment of target native species.
- **Site Preparation and Planting Implementation.** A seasonal survey shall be conducted in suitable habitat after the flowering season to collect seeds from the native grasses and wildflowers inhabiting Grassland habitats on-site. The survey shall be conducted by a qualified botanist acceptable to the DRP and familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned and stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery experienced with propagating native herbaceous grassland species and grown out to 1-gallon container size plantings. The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (i.e., duff); soil treatments (i.e., imprinting, de-compacting); temporary irrigation installation; erosion control measures (i.e., rice or willow wattles); seed mix application; and container plantings. The best time to sow seed is in the fall in conjunction with the onset of rain. These native annual and perennial grass and herb plantings shall be planted in suitable preserved habitat on-site. The propagated plants shall be maintained and monitored for a period of 5 years after initial planting, with annual reports submitted to the County. Mitigation measure **BIO1** (discussed in this Section 3) will aid in planting implementation.
- **Schedule.** A schedule shall be developed which includes planting to occur in late fall and early winter between October 1 and January 30.
- **Maintenance Plan/Guidelines.** The maintenance plan shall include: weed control; herbivore control; trash removal; irrigation system maintenance; maintenance training; and replacement planting.
- **Mitigation and Monitoring Plan.** A detailed mitigation plan shall be submitted for approval to the County prior to Project implementation. The mitigation plan shall include specifics regarding grassland enhancement, planting details, timing and monitoring proposed for grassland mitigation. The monitoring plan shall include: qualitative monitoring (i.e., photographs and general observations); quantitative monitoring (e.g. randomly placed transects); performance criteria as approved by the resource agencies; monthly reports for the first year and

bimonthly thereafter; and annual reports for 5 years that shall be submitted to the resource agencies. The site shall be monitored and maintained for 5 years to ensure successful establishment of Grassland habitat within the restored and created areas.

- **Long-term Preservation.** Long-term preservation of the site shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. An appropriate legal instrument over the area to be preserved shall be recorded prior to implementation of site grading to ensure protection in perpetuity.
- **Earth-moving Equipment.** Earth-moving equipment shall avoid maneuvering in any area identified as natural open space areas. Prior to grading, the open space limits shall be marked by the construction supervisor and the Project biologist. These limits shall be identified on the grading plan.

3.28.2. BIO25. Protect and Enhance Coastal Sage Scrub. The loss of 40.39 acres of Coastal Sage Scrub vegetation shall be mitigated by enhancing at an acreage rate of 1.5 acres for each acre lost (1.5:1 replacement ratio), equaling 60.58 acres of required mitigation. Prior to implementation of any restoration, a detailed program prior to issuance of a grading permit shall be developed by the applicant and shall contain the following items:

- **Responsibilities and Qualifications Specified.** The responsibilities of the landowner, technical specialists and maintenance personnel that shall supervise and implement the restoration plan shall be specified.
- **Protect Coastal Sage Scrub Preserved On-site.** The Project shall preserve 17.04 acres of Coastal Sage Scrub on-site in perpetuity by a legal instrument.
- **Enhance Degraded Coastal Sage Scrub Preserved On-site.** Habitat enhancement of the required 60.58 acres of Coastal Sage Scrub will include eradicating invasive exotics from the remaining Coastal Sage Scrub on-site. The areas of Coastal Sage Scrub, from which invasive species will be eradicated, will be planted with supplemental Coastal Sage Scrub species. This will increase native shrub canopy cover to match desired cover levels, and increase dominance by native species. Approximately 17.04 acres of Coastal Sage Scrub vegetation will be avoided by the Project; however, the Coastal Sage Scrub on-site is contaminated with invasive exotic plant species in varying amounts. Specifically, of the 17.04 acres avoided, 7.6 acres of Coastal Sage Scrub vegetation is highly infested with invasive exotic plants (*Salvia leucophylla-Brassica Alliance*). Enhancement of up to 17.04 acres of degraded Coastal Sage Scrub habitat on-site will mitigate for 28% of the area needed, based on the 1.5:1 enhancement ratio. An additional 43.54 acres will need to be preserved and enhanced, for a total of 60.58 acres of Coastal Sage Scrub enhanced and protected. The lack of reasonable availability (the offsite component) may render this mitigation measure at least partially infeasible.

- **Mitigation Site Selection.** The site for the mitigation shall be determined in coordination with the applicant and the lead and resource agencies. The site shall be located on the proposed development site in a dedicated open space area or dedicated open space area shall be purchased offsite. Appropriate sites shall have suitable hydrology and soils for the establishment of target native species.
- **Site Preparation and Planting Implementation.** The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (i.e., duff); soil treatments (i.e., imprinting, de-compacting); temporary irrigation installation; erosion control measures (i.e., rice or willow wattles); seed mix application; and container species.
- **Schedule and Maintenance.** A schedule shall be developed which includes planting to occur in late fall and early winter between October 1 and January 30. The maintenance plan shall include: weed control; herbivore control; trash removal; irrigation system maintenance; maintenance training; and replacement planting.
- **Mitigation and Monitoring Plan.** A detailed mitigation plan shall be submitted for approval to the County prior to Project implementation. The mitigation plan shall include specifics regarding grassland enhancement, planting details, timing, and monitoring proposed for Coastal Sage Scrub mitigation. The monitoring plan shall include: qualitative monitoring (i.e., photographs and general observations); quantitative monitoring (e.g. randomly placed transects); performance criteria as approved by the resource agencies; monthly reports for the first year and bimonthly thereafter; and annual reports for 5 years that shall be submitted to the resource agencies. The site shall be monitored and maintained for 5 years to ensure successful establishment of Coastal Sage Scrub habitat within the restored and created areas.
- **Long-term Preservation.** Long-term preservation of the site shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. An appropriate legal instrument over the area to be preserved shall be recorded prior to implementation of site grading to ensure protection in perpetuity.
- **Earth-moving Equipment.** Earth-moving equipment shall avoid maneuvering in any area identified as natural open space areas. Prior to grading, the open space limits shall be marked by the construction supervisor and the Project biologist. These limits shall be identified on the grading plan.

3.28.3. Additional Mitigation Measures. Implementing mitigation measures **BIO1**, **BIO2** and **BIO4** will also help mitigate these potentially significant impacts to less-than-significant levels. These mitigation measures are discussed in this Section 3 and are also discussed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to Project-specific impacts to vegetation-including sensitive habitats, for the foregoing reasons, the Commission adopts Finding 1.

3.29. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS RESULTING FROM PROJECT LANDSCAPING.

Please refer to DEIR page 5.6-165 for an analysis of Project-specific impacts resulting from Project landscaping.

Potential Effects and Rationale for Finding:

The Project will include landscaping adjacent to the natural vegetation. The landscaping may include ornamental species that are known to be particularly invasive. Subsequent homeowners may also plant invasive plant species in their yards. Seeds or propagules from invasive planted species may escape to natural areas and degrade the native vegetation, particularly along downstream riparian areas. These impacts will be considered adverse and potentially significant considering the two SEAs on the Project site. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measure will reduce Project-specific impacts resulting from Project landscaping to less-than-significant levels by implementing conditions of approval for, and requiring County approval on all landscaping.

3.29.1. Mitigation Measures: See mitigation measures BIO7, BIO8 and BIO9, discussed above in this Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to Project-specific impacts resulting from Project landscaping, for the foregoing reasons, the Commission adopts Finding 1.

3.30. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS RELATED TO INTERFERENCE WITH WILDLIFE CORRIDORS WITHIN LYONS CANYON.

Please refer to DEIR page 5.6-172 for an analysis of Project-specific impacts related to interference with wildlife corridors within Lyons Canyon.

Potential Effects and Rationale for Finding:

The Project potentially creates a physical barrier to terrestrial wildlife movement to the east side of the Project site, and will interfere with movement within Lyons Canyon. Although 57% of the Project site will be preserved, portions of the remaining habitat will be isolated as relatively

small islands surrounded by development. Connected areas will be reduced in value due to edge effects of the new adjacent land use. This loss of habitat will not represent a significant impact to the most common wildlife species that use the Project site habitats. However, the use of these areas by special-status wildlife species could result in a significant adverse impact by preventing or restricting movement on-site. Nevertheless, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce Project-specific impacts upon wildlife corridors within Lyons Canyon to less-than-significant levels by (i) conducting necessary and appropriate surveys, preserving habitat and implementing preserve maintenance programs; (ii) avoiding disturbance to sensitive areas; (iii) maintaining buffers and avoiding contact with wildlife; (iv) replacing or compensating for wildlife habitats; (v) installing protective perimeter fencing; (vi) using designs and materials that will reduce light impacts; and (vii) implementing construction techniques and guidelines which minimize noise impacts.

3.30.1. Mitigation Measures: See mitigation measures BJO1; BJO2; BJO13 through BJO16; BJO21 through BJO23; BJO24 through BJO35; and N1 through N9, all of which are discussed in this Section 3 or below in Section 4, and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to Project-specific impacts related to interference with wildlife corridors within Lyons Canyon, for the foregoing reasons, the Commission adopts Finding 1.

3.31. CULTURAL RESOURCES - ARCHEOLOGICAL.

Please refer to DEIR pages 5.7-15 through 5.7-17 for an analysis of archeological impacts that are related to the Project.

Potential Effects and Rationale for Finding:

Implementation of the Project will have the potential to adversely affect the significance of archaeological resources at the Project site, including significant impacts to undiscovered human remains. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce archeological impacts to less-than-significant levels by (i) receiving instruction from the Project archaeologist regarding protecting and safely removing potentially significant materials; (ii) implementing a cultural resources monitoring program; and (iii) properly handling Native American remains, if any are discovered on-site.

3.31.1. CR1. A pre-grade meeting shall be conducted in which the Project archaeologist shall explain the procedures necessary to protect and safely remove potentially significant cultural materials.

3.31.2. CR2. A cultural resource monitoring program shall be instituted during the initial vegetation clearance and soil disturbance for the Project. The purpose of this monitoring program is to determine if any significant deposits not identified during the Phase I survey exist within the Project boundary. The monitoring shall be limited to the initial vegetation clearance phase of the grading program. If cultural deposits meeting the significance criteria defined in Public Resources Code Section 21083.2(g) are encountered, limited data recovery shall be conducted consistent with present financial and research limitations established in CEQA Guidelines. Native Americans shall be actively involved in the monitoring and any subsequent phases of the Project mitigation program. Participation shall include monitoring of archaeological investigations, construction monitoring and data analysis. The County shall retain control over the selection and participation of Native Americans in any program required for the Project.

3.31.3. CR3. If human remains are discovered during grading activities, the County Coroner's Office shall be notified immediately, per state law, and all activities in the immediate area shall cease, until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are Native American, the Native American Heritage Commission ("**NAHC**") shall also be contacted. The NAHC shall designate a Most Likely Descendent (MLD) who will make recommendations concerning the disposition of the remains in consultation with the property owner and Project archaeologist.

Finding:

With regards to archeological impacts, for the foregoing reasons, the Commission adopts Finding 1.

3.32. CULTURAL RESOURCES - PALEONTOLOGICAL.

Please refer to DEIR pages 5.7-17 through 5.7-18 for an analysis of paleontological impacts that are related to the Project.

Potential Effects and Rationale for Finding:

The Project site is composed of relatively recent alluvium in canyon bottoms and the fossil-bearing Saugus and Pico Formations in adjacent hillsides and ridges. Two fossil localities are recorded in or near the southeast corner of the Project site, and significant fossils have been recovered from the Saugus and Pico Formations at other localities in the general vicinity. Fossilized marine shell material is currently visible in some areas of the Project site, particularly in the south. The Project site has a relatively high potential to contain paleontological resources. As such, hillside, ridge and associated bedrock grading will be monitored so as to reduce such impact to significant fossil resources to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce paleontological impacts to less-than-significant levels by (i) receiving instruction from the Project paleontologist regarding protecting and safely removing potentially significant materials; (ii) carefully monitoring grading; and (iii) properly excavating any fossil beds by a qualified paleontologist.

3.32.1. CR4. A pre-grade meeting shall be conducted in which the Project paleontologist shall explain the procedures necessary to protect and safely remove potentially significant fossil materials for study and curation at the Natural History Museum of Los Angeles County ("**NHMLAC**").

3.32.2. CR5. Monitoring of grading activities shall be conducted and shall include periodic screening of sediment samples to identify potential microfossil materials. Sediment samples may be removed in bulk and screened off-site to minimize interference with grading operations. The monitoring program shall be directed by a qualified paleontologist and shall consist of the recovery, preparation (to a point of identification) and cataloguing of fossil materials.

3.32.3. CR6. Fossil beds impacted by the Project should be excavated by a qualified paleontologist to gather and record which species of vertebrate and macroinvertebrate fauna existed on-site during the Pliocene. The fossil record should be preserved in an appropriate museum, such as the NHMLAC, and the results published for the benefit of the scientific community and general public.

Finding:

With regards to paleontological impacts, for the foregoing reasons, the Commission adopts Finding 1.

3.33. AESTHETICS - SHORT-TERM AESTHETIC IMPACTS RELATED TO CONSTRUCTION.

Please refer to DEIR pages 5.9-12 through 5.9-13 (erroneously referred to as Chapter 3.9 in the DEIR) for an analysis of short-term aesthetic impacts related to construction.

Potential Effects and Rationale for Finding:

The Project will result in grading and construction activities that will temporarily alter the existing character/quality of the Project site. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce short-term aesthetic impacts related to construction to less-than-significant levels by (i) carefully staging construction equipment so as to screen it from view; (ii) carefully aiming construction lighting away from surrounding

residential areas; and (iii) having the Project biologist review the above steps, so as to minimize impacts on wildlife.

3.33.1. AES1. Construction equipment staging areas shall be located a minimum of 500 feet from existing residential uses and appropriate screening (i.e., temporary fencing with opaque material), shall be used to buffer views of construction equipment and material, when feasible. Staging location shall be indicated on Project Final Development Plans and Grading Plans.

3.33.2. AES2. All construction-related lighting shall be located and aimed away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the City for review concurrent with Grading Permit applications for the subdivision of the lots.

3.33.3. AES3. The Project biologist shall review the construction staging and construction safety lighting plans and determine the most appropriate location for the staging of construction equipment and construction lighting so that impacts to wildlife are minimized. The Project biologist shall provide written certification of his/her approval of these plans to the County Biologist prior to issuance of a grading permit.

Finding:

With regards to short-term aesthetic impacts related to construction, for the foregoing reasons, the Commission adopts Finding 1.

3.34. AESTHETICS - LIGHT AND GLARE.

Please refer to DEIR pages 5.9-27 through 5.9-28 (erroneously referred to as Chapter 3.9 in the DEIR) for an analysis of Project-specific aesthetic impacts related to light and glare.

Potential Effects and Rationale for Finding:

The Project will introduce new sources of light and glare into the Project area. With the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce aesthetic impacts related to light and glare to less-than-significant levels by implementing location and design techniques to minimize intrusive effects of the same.

3.34.1. AES5. Prior to issuance of building permits, the County shall ensure that the following elements are included in all Project plans, as appropriate:

- All exterior lighting shall be designed and located as to avoid intrusive effects on adjacent residential properties and undeveloped areas adjacent to the Project site. Low-intensity street lighting and low-intensity exterior lighting shall be used

throughout the development to the extent feasible. Lighting fixtures shall use shielding, if necessary to prevent spill lighting on adjacent off-site uses;

- Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings, and roadways;
- Fixtures and standards shall conform to state and local safety and illumination requirements;
- All trail and park lighting shall provide optimum public safety, while at the same time reducing nighttime light spillover and glare;
- Development projects shall use minimally reflective glass and all other materials used on exterior buildings and structures shall be selected with attention to minimizing reflective glare; and
- Automatic timers on all lighting fixtures within any on-site recreational structures shall be included in the building design to maximize personal safety during nighttime use while saving energy and reducing light pollution. The timers shall be set so that structure lighting within common areas is turned off at 10:00 PM.

Finding:

With regards to impacts related to light and glare, for the foregoing reasons, the Commission adopts Finding 1.

3.35. TRAFFIC - INTERSECTIONS AND ROADWAY SEGMENTS.

Please refer to DEIR pages 5.10-21 to 5.10-33 for an analysis of Project-related traffic impacts to area intersections and roadways.

Potential Effects and Rationale for Finding:

Traffic impacts within the Project study area are based on the cumulative traffic volumes within the study boundaries pursuant to the County methodology. The incremental increase in traffic generated by the Project is compared to the baseline scenario in order to determine the significance of Project-related traffic impacts.

Existing plus Ambient Growth Traffic Conditions

Since occupancy of the Project site is anticipated in 2008, a 2008 horizon year was utilized for analysis purposes to determine Project-only impacts. To derive 2008 conditions, County staff specified a 3.8 percent per year growth rate for this portion of Los Angeles County. Traffic volumes for existing plus ambient growth conditions plus Project conditions within the study area are shown in Exhibit 5.10-9 of the DEIR. The Horizon Year peak hour turning movement volumes for intersections in the study area are illustrated in Exhibits 5.10-10 and 5.10.11 of the DEIR for the AM and PM peak hours, respectively. Table 5.10-7 provides the corresponding intersection capacity utilization ("ICU") values and also lists ICUs for existing conditions. The

ICU tabulations indicate that none of the study area intersections are forecast to exceed the available capacity by the Horizon Year (2008), either with or without the Project.

Interim Year (2015) Traffic Conditions

The cumulative traffic conditions are based on the Interim Year setting. This setting forms the basis for identifying the potential cumulative traffic impacts of the Project together with other planned and pending development projects. The Interim Year traffic volumes represent existing plus ambient growth plus Project plus related Project conditions. Table 5.10-8 of the DEIR provides the corresponding ICU values and also listed for comparison purposes are the ICUs for existing conditions.

The Project will generate approximately 1,261 new vehicle trips per day, with approximately 90 trips in the AM peak hour and approximately 121 trips in the PM peak hour.

Interim Year (2015) volumes that include Project-generated traffic are provided in Exhibits 5.10-12, 5.10-13 and Exhibit 5.10-14 of the DEIR for the AM and PM peak hours, respectively. Peak hour ICU values can be found in Table 5.10-8, which provides a comparison between existing plus ambient growth (no Project) conditions and Interim Year with Project conditions. Table 5.10-8 indicates that several intersections will experience a significant impact due to the cumulative impact of Project traffic and related traffic (refer to Table 5.10-2 for significant impact criteria). The following five intersections are significantly impacted:

Freeway Ramp Intersections

- I-5 SB Ramps/Marriott & Pico Canyon Rd – LOS C (PM Peak Hour);
- I-5 NB Ramps & Lyons Ave – LOS D (PM Peak Hour); and
- I-5 SB Ramps & Calgrove Blvd – LOS D (PM Peak Hour)

County Intersections

- The Old Road & Pico Canyon Rd – LOS C (PM Peak Hour); and
- Chiquella Lane & The Old Road – LOS C (PM Peak Hour)

Although the Project will increase traffic volumes at local intersections and along roadways in the Project area, implementation of recommended mitigation measures will reduce such impacts to a level less than significant. Traffic impacts, before and after implementation of applicable mitigation measures, are summarized in Table 5.10-9.

Traffic Signal Warrants

Two of the study locations are currently stop sign controlled intersections. See Table 4-3, included in Appendix D of the DEIR. This table summarizes peak hour traffic volumes for these locations and evaluates them using the Caltrans peak hour volume warrant.

The following locations meet the peak hour volume warrant for existing plus ambient growth plus Project conditions:

- I-5 SB Ramps & Calgrove Blvd; and
- Chiquella Lane & The Old Road

No additional locations meet the peak hour volume warrant when related projects are included.

The Project will incrementally increase the need for signalization to maintain an adequate level of service at these locations. As such, the applicant will be required to pay a portion (as noted below) of the total improvement fees for these intersections to the County. It is important to note that actual construction of the traffic signals will not be undertaken until such time that each intersection reaches the signalization traffic volume warrant.

Required Mitigation Measures:

Traffic mitigation measures can generally be classified into two categories: (i) measures related directly to Project site access; and (ii) measures related to off-site locations. The following mitigation measures address both Project-specific and off-site roadway and intersection impacts. They will reduce Project-related traffic impacts to area intersections and roadways to less-than-significant levels by implementing the below-described improvements to such intersections, roadways and freeway on/off ramp intersections.

3.35.1. T1. The improvements summarized below shall be implemented to address Project site-specific traffic impacts at the following locations:

3.35.1.1. Roadway Improvements

3.35.1.1.1. The Old Road

The Old Road shall be improved to include four travel lanes and a center turn-lane/median along the Project frontage. Appropriate roadway transitions south of the Project site shall also be constructed by the developer pursuant to the County Department of Public Works roadway design standards.

Project Share – 100%

3.35.1.2. Intersection Improvements

3.35.1.2.1. The Old Road & "A" Street

The developer shall improve the above referenced intersection to include the following lane specifications:

Northbound: 1 Left-turn Lane, 2 Through Lanes
Southbound: 1 Through Lane, 1 Shared Through/Right-turn Lane
Eastbound: 1 Left-turn Lane, 1 Right-turn Lane

Project Share – 100%

3.35.1.2.2. The Old Road & "E" Street

The developer shall improve the above referenced intersection to include the following lane specifications:

Northbound: 2 Through Lanes (left turns prohibited)

Southbound: 1 Through Lane, 1 Shared Through/Right-turn Lane

Eastbound: 1 Right-turn Lane (left turns prohibited)

Project Share – 100%

3.35.2. T2. The improvements summarized below shall be implemented to address off-site traffic impacts. These mitigation measures are required to address cumulative traffic impacts. Thus, the Project developer shall be responsible for providing its "fair-share" contribution towards ultimate implementation of the following roadway improvements:

3.35.2.1. Freeway On/Off Ramp Intersections

3.35.2.1.1. I-5 SB Ramps/Marriott & Pico Canyon Rd.

Add 3rd Eastbound Through Lane (striping)

Project Share – 4%

3.35.2.1.2. I-5 NB Ramps and Lyons Ave.

Add 2nd Eastbound Left-turn lane (striping)

Project Share – 100%

3.35.2.1.3. I-5 SB Ramps & Calgrove Blvd.

Add 2nd Eastbound Through Lane, and
Add 2nd Westbound Through Lane (striping)
Install Traffic Signal

Project Share – 20.3%

3.35.2.1.4. The Old Road & Pico Canyon Rd.

Convert Eastbound Right-turn Lane to 3rd Eastbound Through Lane (striping)

Project Share – 3.3%

3.35.2.1.5. Chiquella Lane and The Old Road

Add Southbound Right-turn Lane (striping)
Install Traffic Signal

Project Share – 48.3%

Finding:

With regards to traffic impacts to area intersections and roadways, for the foregoing reasons, the Commission adopts Finding 1.

3.36. WASTEWATER.

Please refer to DEIR pages 5.11-21 through 5.11-24 for an analysis of impacts related to wastewater.

Potential Effects and Rationale for Finding:

The Project will utilize an on-site wastewater collection system to convey wastewater flow from the site, which will pass through off-site facilities, to County-approved connection points into the County Sanitation District's ("LACSD") trunk sewer lines. Mitigation requiring approval of points of connection and quantification of available capacity, listed below, will ensure that impacts to wastewater conveyance and treatment facilities will be less than significant.

The wastewater generated by the Project will represent only approximately 0.15 percent of the Santa Clarita Valley Sanitary District's ("SCVSD") 28.1 mgd treatment capacity for average day flows. The County will not issue connection permits to the Project's sewer system unless it is first demonstrated that sufficient capacity exists to serve the proposed development. As such, the Project will not cause an exceedance of capacity of the wastewater conveyance system or of SCVSD's treatment plants, since adequate capacity must be demonstrated in order to contribute flows to the system.

Required Mitigation Measures:

The following required mitigation measures will reduce impacts related to wastewater to less-than-significant levels by having LACSD review and approve all points of connection and insure capacity qualification prior to such approval.

3.36.1. WW1. The LACSD shall review and approve the points of connection and quantification of the available capacity in the affected portions of the sewer system serving any project proposed within the SCVSD service area boundary.

Finding:

With regards to impacts related to wastewater, for the foregoing reasons, the Commission adopts Finding 1.

3.37. SCHOOLS – INCREASED ENROLLMENT.

Please refer to DEIR pages 5.12-4 through 5.12-6 for an analysis of the Project's impacts related to increased enrollment in area schools.

Potential Effects and Rationale for Finding:

The Project will impact enrollment in both the Newhall and Hart School Districts. With regards to the Newhall School District, the District has required the applicant to enter into a mitigation agreement that will require payment of fees in excess of the statutory limit, so that space can be constructed at the nearest sites to accommodate the impact of Project-generated students. Project participation in the mitigation agreement will reduce impacts to the Newhall School District to a less-than-significant level.

The Hart School District has required the applicant to enter into a fair share mitigation agreement so that space can be constructed at the nearest sites to accommodate the impact of Project-generated students. Compliance with the fee payment requirements as specified within the fair share mitigation agreement will reduce impacts to the Hart School District to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts related to increased enrollment in area schools by requiring the applicant to enter into a written mitigation agreement with the appropriate school districts. Such written mitigation agreement will require all necessary fees be paid, so as to reduce the Project's impacts related to increased enrollment in area schools to less-than-significant levels.

3.37.1. SE1. Project participation in a mitigation agreement with the Newhall School District fully mitigates Project-specific impacts on this District. This agreement will provide full funding of the costs to construct new facilities necessary to house the additional students generated by the Project. Therefore, the developer shall enter into a School Facilities Funding and Mitigation Agreement with Newhall School District prior to issuing building permits for the first residential unit.

3.37.2. SE2 Project participation in the fair share mitigation agreement with the Hart School District fully mitigates Project-specific impacts on this District. This agreement will provide full funding of the costs to construct new facilities necessary to house the additional students generated by the Project. Therefore, the developer shall enter into a School Facilities Funding and Mitigation Agreement with the William S. Hart School District prior to issuing building permits for the first residential unit.

Finding:

With regards to impacts related to increased enrollment in area schools, for the foregoing reasons, the Commission adopts Finding 1.

3.38. FIRE SERVICES - PROJECT-SPECIFIC IMPACTS TO FIRE SERVICES AND FIRE HAZARDS.

Please refer to DEIR pages 5.13-4 through 5.13-9 for an analysis of the Project's impacts related to fire services and fire hazards.

Potential Effects and Rationale for Finding:

The Project will result in numerous potential impacts related to fire services and fire hazards.

Construction-Related Impacts

First, construction of the Project will result in an increased demand for fire services. However, mitigation measures, such as brush clearance prior to the initiation of construction activities; availability of adequate water to service construction activities; and construction-related requirements of the Fuel Modification Plan, landscape plan and irrigation plan, as approved by the Fire Department, will reduce these impacts. During build-out, the Project will comply with all applicable Building and Fire Code requirements for such items as types of roofing materials, building construction, brush clearance, water mains, fire hydrant flows, hydrant spacing, access and design and other hazard reduction programs for Very High Fire Hazard Severity Zone, as set forth by the County Forester and Fire Warden.

Operational Impacts

Second, with regards to operational impacts, the applicant is voluntarily proposing to dedicate a 1.26-acre site to improve fire and emergency services in the area. A new 8,000-square-foot fire station will be located on the 1.26-acre site, located at the northeast corner of subject site. The Project shall also meet County codes and requirements relative to providing adequate fire protection services to the site during both the construction and operational stages of the Project.

Wildland Fire Hazards

Finally, with regards to wildland fire hazards, the Project will establish residential uses in areas that have been designated as Very High Fire Hazard Severity Zones. Characteristics of the Project site that contribute to this designation include: access, lack of adequate water supplies, topography and vegetative cover. However, the Project shall (i) comply with all circulation and access requirements imposed upon it by the County Fire Department; (ii) implement a water supply system that includes water mains and fire hydrants and provides fire flows sufficient to meet County standards; (iii) during development, remove fire hazards associated with the natural vegetative cover and replace the same with urban landscape vegetation, which is irrigated and less combustible than the existing vegetation; and (iv) prepare a Fuel Modification Plan consistent with existing County Fire Department standards.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts related to fire services and fire hazards to less-than-significant levels by (i) insuring compliance with all applicable fire protection codes; (ii) dedicating an on-site parcel to the County for the

construction of a future fire station; (iii) implementing a Fuel Modification Plan; (iv) clearing brush; (v) insuring adequate access to all on-site buildings; and (vi) providing for adequate fire-flow water availability.

Construction-Related Impacts

3.38.1. FS1. All proposed development on the site must comply with applicable state and County code and ordinance requirements for fire protection.

3.38.2. FS2. Prior to the issuance of a certificate of occupancy, the Applicant shall dedicate to the County Fire Department, a 1.26-acre fire station site at the northeast corner of the Project. The fire station site must be constructed and dedicated to the County Fire Department in accordance with the provisions of the AGREEMENT BETWEEN THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY AND WESTERN PACIFIC HOUSING – LYONS CANYON PARTNERS, LLC. That agreement is found in Appendix P of the DEIR.

3.38.3. FS3. The Project shall prepare a Fuel Modification Plan (which includes a landscape plan and irrigation plan) as required for projects located within a Very High Fire Hazard Severity Zone. The Fuel Modification Plan shall be submitted and approved by the County Fire Department and the DRP prior to issuance of a grading permit. The Fuel Modification Plan shall depict a fuel modification zone in conformance with the Fuel Modification Ordinance in effect at the time of subdivision. The Fuel Modification Plan shall not conflict with the revegetation plan which is directed by the mitigation measures concerning biological impacts.

3.38.4. FS4. Brush clearance shall be conducted prior to initiation of construction activities in accordance with County Fire Department requirements.

3.38.5. FS5. Adequate access to all buildings on the Project site shall be provided for emergency vehicles during the building construction process.

3.38.6. FS6. Adequate water availability shall be provided to service construction activities.

Operational Impacts

3.38.7. FS7. The Project shall comply with the County Fire Department development standards with respect to access roadways, building orientation, brush clearance and fire flows.

Wildland Fire Hazards

3.38.8. Mitigation Measures: See mitigation measures FS1 through FS7, discussed above in this Section 3.38 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to the Project's impacts related to fire services and fire hazards, for the foregoing reasons, the Commission adopts Finding 1.

3.39. SHERIFF SERVICES – CONSTRUCTION & OPERATIONAL DEMANDS FOR INCREASED SHERIFF SERVICES

Please refer to DEIR pages 5.14-3 through 5.14-4 for an analysis of the Project's impacts to sheriff services related to construction and operations which will create an additional demand for such services.

Potential Effects and Rationale for Finding:

Construction and operation of the Project could result in an increased demand for sheriff services. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts to sheriff services - related to construction and operations -- to less-than-significant levels by (i) requiring private security during construction; (ii) incorporating Sheriff Department design requirements into building designs; (iii) incorporating landscaping and lighting designed to avoid concealment of criminal activity; (iv) requiring clearly visible address and building number signs; and (v) incorporating doors and windows that are visible from the street.

3.39.1. SS1. During construction, private security patrols shall be utilized to protect the Project site.

3.39.2. SS2. As final building plans are submitted to the County for approval in the future, Sheriff's Department design requirements which reduce demands for service and ensure adequate public safety (such as those pertaining to site access, site security lighting), shall be incorporated into building designs.

3.39.3. SS3. Project design shall landscape the Project site with low-growing groundcover and shade trees, rather than a predominance of shrubs which could conceal potential criminal activity around buildings and parking areas.

3.39.4. SS4. Project design shall provide lighting, to the satisfaction of the Sheriff's Department, around and throughout the development to enhance crime prevention and enforcement efforts.

3.39.5. SS5. Project design shall provide clearly visible (during the day and night) address signs and/or building numbers for easy identification during emergencies.

3.39.6. SS6. Project design shall provide visibility of doors and windows from the street and between buildings.

Finding:

With regards to construction- and operations-related impacts to sheriff services, for the foregoing reasons, the Commission adopts Finding 1.

3.40. SOLID WASTE - CONSTRUCTION-RELATED IMPACTS.

Please refer to DEIR pages 5.15-3 through 5.15-4 for an analysis of the Project's impacts to solid waste generation related to construction.

Potential Effects and Rationale for Finding:

Construction of the Project will generate solid waste, which will incrementally decrease the capacity and lifespan of landfills. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measure will reduce the Project's impacts to solid waste generation related to construction to less-than-significant levels by requiring adherence to all existing source reduction programs.

3.40.1. 1. SW1. The Applicant/individual Project applications shall adhere to all existing source reduction programs for the disposal of construction materials and solid waste, as required by the County. Prior to issuance of building permits, a source reduction program shall be prepared and submitted to the Director of Public Works for each future structure constructed on the subject properties to achieve a minimum 50 percent reduction in waste disposal rates, including green waste.

Finding:

With regards to impacts to solid waste generation related to construction, for the foregoing reasons, the Commission adopts Finding 1.

3.41. PROJECT-SPECIFIC LIBRARY IMPACTS.

Please refer to DEIR pages 5.18-4 through 5.18-5 for an analysis of the Project's impacts to libraries.

Potential Effects and Rationale for Finding:

The Project will create additional demand for library services, facilities and materials within the Santa Clarita Valley. Nonetheless, as previously discussed, the Commission considers payment of fees for new residential development projects adequate mitigation for library service impacts. Based on the amount of residential development associated with the Project, the County will require payment of \$665 per dwelling unit to mitigate library service impacts. The Project shall pay requisite library fees to the County, and as a result, impacts to library facilities and services will be less than significant.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts to libraries to less-than-significant levels by requiring the Applicant to pay the necessary and appropriate library mitigation fees.

3.41.1. LIB1 The Applicant shall pay the standard County Public Library mitigation fee of \$665 per dwelling unit, or other amount determined to be appropriate by the County Public Library at the time of building permit issuance.

Finding:

With regards to impacts to area libraries, for the foregoing reasons, the Commission adopts Finding 1.

3.42. PARKS AND RECREATION -- NEIGHBORHOOD AND COMMUNITY PARKS.

Please refer to DEIR page 5.19-10 for an analysis of the Project's impacts to neighborhood and community parks.

Potential Effects and Rationale for Finding:

Development of the Project will increase usage of neighborhood and community parks. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measure will reduce the Project's impacts to neighborhood and community parks to less-than-significant levels by requiring the Applicant to comply with County Ordinance and/or the Quimby Act.

3.42.1. 1. PR1. The Project shall comply with the County Ordinance and/or Quimby Act by paying the in-lieu fees totaling \$364,931 to the County.

Finding:

With regards to the Project's impacts to neighborhood and community parks, for the foregoing reasons, the Commission adopts Finding 1.

3.43. LAND USE - CONDITIONAL USE PERMITS.

Please refer to DEIR pages 5.20-6 through 5.20-14 for an analysis of the Project's impacts to land use, in the context of conditional use permits.

Potential Effects and Rationale for Finding:

In order to be found consistent with the goals and policies of the Santa Clarita Valley Area Plan, the Project needs to demonstrate consistency with the Burden of Proof statements required for a

general Conditional Use Permit; a Conditional Use Permit for development within the Hillside Management land use designation; a Conditional Use Permit for development within Significant Ecological Areas; and a Conditional Use Permit for a Density Bonus. These Burden of Proof Statements have been provided to and accepted by the County.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts to land use, in the context of conditional use permits, to less-than-significant levels by requiring the Applicant to comply with the County's Burden of Proof requirements.

3.43.1. Consistency Determination for Conditional Use Permit Burden of Proof. The Applicant is required to provide a statement proving the Project's consistency with the County's Burden of Proof for the Conditional Use Permit requested in the context of this Project. The Applicant has previously provided the County with this statement and the County has previously accepted and certified such statement.

3.43.2. Consistency Determination for Density Bonus Conditional Use Permit Burden of Proof. The Applicant is required to provide a statement proving the Project's consistency with the County's Burden of Proof for the Density Bonus Conditional Use Permit requested in the context of this Project. The Applicant has previously provided the County with this statement and the County has previously accepted and certified such statement.

3.43.3. Consistency Determination for Hillside Management Conditional Use Permit Burden of Proof. The Applicant is required to provide a statement proving the Project's consistency with the County's Burden of Proof for the Hillside Management Conditional Use Permit requested in the context of this Project. The Applicant has previously provided the County with this statement and the County has previously accepted and certified such statement.

3.43.4. Consistency Determination for Significant Ecological Areas Conditional Use Permit Burden of Proof. The Applicant is required to provide a statement proving the Project's consistency with the County's Burden of Proof for the Significant Ecological Areas Conditional Use Permit requested in the context of this Project. The Applicant has previously provided the County with this statement and the County has previously accepted and certified such statement.

Finding:

With regards to the Project's impacts to land use, in the context of conditional use permits, for the foregoing reasons, the Commission adopts Finding 1.

SECTION 4 - UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

Implementation of the Project will result in unavoidable significant environmental impacts that cannot be mitigated to a less-than-significant level.

4.1. GEOLOGY, SOILS, AND SEISMICITY - GRADING.

Please refer to DEIR page 5.1-20 for an analysis of the Project's impacts related to grading activities.

Potential Effect and Rationale for Finding:

Development associated with the Project will result in a change in topography and ground surface relief features, earth movement of 10,000 cubic yards or more and development and/or grading on slopes greater than 10 percent natural grade. Only through avoidance of disruption to such topographic features could grading-related impacts to topography be reduced to a less-than-significant level. There are no other feasible mitigation measures or acceptable Project alternatives that would substantially lessen or avoid this remaining impact because any development on the Project site necessitates substantial grading to the site's topography.

Required Mitigation Measures:

No mitigation measures or acceptable Project alternatives are proposed or recommended that could feasibly reduce the Project's significant impacts related to grading activities.

Finding:

The Commission adopts Finding 3. The Project's impacts related to grading activities will remain significant and unavoidable, because the physical impact of grading can not be avoided. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.2. GEOLOGY, SOILS, AND SEISMICITY - UNIQUE GEOLOGIC OR PHYSICAL FEATURES.

Please refer to DEIR pages 5.1-20 through 5.1-21 for an analysis of the Project's impacts to unique geologic or physical features.

Potential Effect and Rationale for Finding:

The Project will move approximately 3.8 million cubic yards of earth, which will be balanced on-site, including cutting and filling of hillside areas and canyon bottoms. Although the Project will preserve on-site primary and secondary ridgelines, grading for proposed development will permanently alter on-site natural drainages and slope areas. This will result in an adverse significant and unavoidable impact. There are no feasible mitigation measures or acceptable Project alternatives that would substantially lessen or avoid this remaining significant and unavoidable impact because any development on the Project site necessitates substantial grading, cutting and filling and alteration of the site's natural drainages and slope areas.

Required Mitigation Measures:

No mitigation measures or acceptable Project alternatives are proposed or recommended that could feasibly reduce the Project's significant impacts to unique geologic or physical features.

Finding:

The Commission adopts Finding 3. The Project's impacts to unique geologic or physical features will remain significant and unavoidable, because the physical impact of grading cannot be avoided. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.3. CONSTRUCTION-RELATED NOISE.

Please refer to DEIR pages 5.4-10 through 5.4-12 for an analysis of the Project's construction-related noise impacts.

Potential Effect and Rationale for Finding:

Project-related grading and construction activities could result in temporary noise impacts to nearby noise-sensitive receptors.

Construction noise related to worker commutes and equipment transport will not be significant, as the Project-specific construction traffic responsible for such noise will be small compared to existing noise cause by area traffic volumes. Moreover, there will not be any significantly perceptible noise-level change over the long term. However, noise associated with the actual construction of the Project (i.e., excavation, grading, etc.) will be temporarily significant and unavoidable since it will exceed the County's exterior noise level threshold.

There are no other feasible mitigation measures or acceptable Project alternatives that would substantially lessen or avoid this remaining impact because any development on the Project site requires construction, excavation, grading, etc. and each of these activities would generate noise in excess of the appropriate County standards.

Required Mitigation Measures:

The Project's construction-related noise impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) limiting construction to reasonable times; and (ii) implementing noise-reduction measures and practices to and with construction equipment.

Notwithstanding the foregoing, the implementation of the mitigation measure described below will not be sufficient to reduce all construction-related noise impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable construction-related noise impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR because, under that alternative, there would be no construction whatsoever. However, that Alternative is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.3.1. N1. Construction shall be limited to the hours of 7:00 A.M. to 7:00 P.M. on any working day except Sundays and holidays, in accordance with the County's Noise Control Ordinance (County Code Section 12.080.440).

4.3.2. N2. The following measures shall be implemented to reduce potential construction noise impacts on nearby sensitive receptors:

- During all site excavation and grading, the construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's construction-related noise impacts to the greatest extent feasible. However, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.4. AIR QUALITY - CONSTRUCTION

Please refer to DEIR pages 5.5-14 through 5.5-18 for an analysis of the Project's air quality impacts related to construction.

Potential Effect and Rationale for Finding:

Construction of the Project will increase air pollutant concentrations in the Project area.

It is anticipated that such increases will be significant, in that they will likely contribute to continuing violations of federal and state maximum concentration standards.

Required Mitigation Measures:

The Project's construction-related air quality impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by implementing certain standards that minimize construction-related emissions and by using low emission-producing materials.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all construction-related air quality impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable construction-related air quality impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR because, under that alternative, there would not be any construction whatsoever. However, that Alternative is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.4.1. AQ1. The construction contractor shall be responsible for ensuring that all measures listed in Table 5.5-7, Standard Measures for Construction-Related Emissions, of the DEIR are implemented. To achieve the particulate control efficiencies shown, it is assumed that finished surfaces will be stabilized with water and/or soy-based, or other non-chloride-based, dust palliatives and isolated from traffic flows to prevent emissions of fugitive dust from these areas. In addition, the following water application rates are assumed:

- Roads traveled by autos, rock trucks, water trucks, fuel trucks and maintenance trucks: up to twice per hour;
- Roads traveled by scrapers and loaders; active excavation area: up to three times per hour; and
- Finish grading area: up to once every two hours.

4.4.2. AQ2. All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained.

4.4.3. AQ3. The construction contractor shall utilize, as much as possible, precoated/natural colored building materials, water-based or low-VOC coating on all interior and exterior walls, and coating transfer or spray equipment with high transfer efficiency, such as HVLP spray method, or manual coatings application, such as paint brush, hand roller, trowel, spatula, dauber, rag or sponge.

4.4.4. AQ4. Low-emitting paints and solvents shall be used on all future on-site structures.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's air quality impacts related to construction to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.5. AIR QUALITY MANAGEMENT.

Please refer to DEIR page 5.5-24 for an analysis of the Project's impacts related to air quality management.

Potential Effect and Rationale for Finding:

The development associated with the Project will conflict with the SCAQMD's adopted Air Quality Management Plan ("AQMP"). Specifically, the Project will not require amendments to the projections of the County's General Plan, but will conflict with the SCAQMD's 1997 AQMP due to Project-related air emissions above SCAQMD thresholds of significance. The Project is considered inconsistent with the most recently adopted AQMP, and is therefore significant and unavoidable.

Required Mitigation Measures:

No mitigation measures or acceptable Project alternatives are proposed or recommended that could feasibly reduce the Project's significant impacts related to air quality management.

Finding:

The Commission adopts Finding 3. The Project's impacts related to air quality management will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.6. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO RARE PLANTS POTENTIALLY OCCURRING ON-SITE.

Please refer to DEIR pages 5.6-90 through 5.6-104 for an analysis of the Project's direct impacts to rare or special-status plant species potentially occurring on-site.

Potential Effect and Rationale for Finding:

Several (i.e., 6) special-status plant species are likely to occur on-site but have not been detected during the field surveys conducted on-site. These special-status plant species include: *Aster greatae* (Greata's Aster); *Erodium macrophyllum* (Round-leaved Filaree); *Horkelia cuneata ssp.*

puberula (Mesa Horkelia); *Lepidium virginicum* var. *robinsonii* (Robinson's Pepper-grass); *Nolina cismontana* (Chaparral Nolina); and *Senecio aphanactis* (Rayless Ragwort). Impacts to these species are potentially significant; that is, since they have not yet occurred on-site -- and are only likely to occur -- there can be no actual impact. Nevertheless, both direct and indirect impacts to these species could be significant if (i) these species actually occurred on-site; and (ii) implementation of the mitigation measures described below fail. Despite the fact that there cannot be any impact, let alone a significant impact, until these two conditions are met, out of an abundance of caution, the potential impacts to these special-status species are included in this Section 4 as significant and unavoidable impacts.

Required Mitigation Measures:

The Project's direct impacts to rare or special-status plant species potentially occurring on-site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by conducting surveys, propagating seeds and, once propagated, planting such rare plant species on-site and by preserving habitat and implementing preserve maintenance programs.

Notwithstanding the foregoing, the implementation of the mitigation measure described below will not be sufficient to reduce all direct impacts to rare or special-status plant species potentially occurring on-site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable direct impacts to rare or special-status plant species potentially occurring on-site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps with the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.6.1. BIO5 Conduct Survey, Propagate Seeds, and Plant On-site. Since the location or presence of these special-status plant species likely to occur on-site is not actually confirmed, seasonal surveys shall be conducted in suitable habitat at a time when positive identifications can be made. The surveys shall be conducted by a qualified botanist acceptable to the DRP and familiar with the flora of the Santa Susana Mountains. If any of these plants are found to be within the Project impact area, then, prior to grading, seeds shall be gathered when ripe and transferred to a native plant nursery experienced with propagating sensitive or similar species, and grown out to 1-gallon container size. These plants shall be propagated in suitable preserved habitat found on-site at a ratio of 10 plants for every 1 plant of each species impacted by the Project.

The mitigation plantings shall be maintained and monitored for a period of 5 years after initial planting, with annual reports submitted to the County. Seeding may require several seed sowing events to establish viable reproducing populations at the mitigation site.

4.6.2. Additional Mitigation Measures. Implementing mitigation measures **BIO1** and **BIO2** will also mitigate these significant and unavoidable impacts. However, these additional mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable. Mitigation measures **BIO1** and **BIO2** are discussed in this Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's direct impacts to rare or special-status plant species potentially occurring on-site, to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.7. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES OBSERVED ON-SITE OR IMMEDIATELY ADJACENT TO THE PROJECT SITE.

Please refer to DEIR pages 5.6-111 through 5.6-118 for an analysis of the Project's direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site.

Potential Effect and Rationale for Finding:

Direct impacts to the habitat of special-status wildlife species observed on-site, or immediately adjacent to the Project site, are expected to remain significant and unavoidable. Such species include Cooper's Hawk (*Accipiter cooperii*); Barn Owl (*Tyto alba*); Oak Titmouse (*Baeolophus inornatus*); Nuttall's Woodpecker (*Picoides nuttallii*); and San Diego Desert Woodrat (*Neotoma lepida intermedia*). The direct impacts to such species will also be cumulatively significant and unavoidable (as discussed below in Section 7). Note, however, that such impacts to active nests will be less than significant after mitigation. As such, those impacts are discussed above in Section 3.

Required Mitigation Measures:

The Project's direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) performing necessary and appropriate surveys; (ii) avoiding disturbance to sensitive areas; (iii) maintaining buffers; (iv) avoiding contact with such species; and (v) replacing or compensating habitats of such species.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site to less-than-significant levels. Even with the

implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.7.1. BIO13. Preconstruction Surveys and Fencing off Sensitive Areas. Prior to grading or site-clearing activities, a qualified biologist acceptable to the DRP shall survey the construction areas of the site to determine if any special-status wildlife species are foraging, frequenting or nesting on or adjacent to the construction areas. If any special-status wildlife species are observed foraging, frequenting or nesting during construction activities, the area in which the special-status species was observed should be flagged or fenced off to protect the wildlife species. In addition, the equipment operators shall be informed of the species' presence and provided with pictures in order to help avoid impacts to this species to the maximum extent possible. As part of the environmental training, contractors and heavy equipment operators shall be provided with photographs of expected special-status wildlife species to identify them, and to avoid harming them during construction.

4.7.2. BIO14. Survey for Nests and Nesting Activity. 30 days prior to the onset of construction activities, a qualified biologist acceptable to the DRP shall survey within the limits of Project disturbance for the presence of any active raptor and bird nests. Any nest found during survey efforts shall be mapped on the construction plans and marked on the ground. If no active nests are found, no further mitigation is required. Results of the surveys shall be provided to the CDFG. If nesting activity is present at any raptor nest site, the active site shall be protected, by providing a 100 to 300 foot buffer, until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for bird species in the region of the Project site normally occurs from February through August.

4.7.3. BIO15. Avoid Contact or Harm to Special-status Species. To avoid impacts to all special-status wildlife species observed on-site, equipment operators shall avoid contact with or harm to any special-status species and any of their sources of cover (e.g. nest, midden, burrow). If a special-status wildlife species is encountered during construction activities, it shall be allowed to escape any danger that may result from construction work, and the on-site biological monitor shall be notified in order to implement all measures necessary to protect the sensitive species.

4.7.4. BIO16. Replace Required Habitat of Observed Special-status Species. Existing habitat, required by observed or likely special-status wildlife species, shall be replaced, or compensated for, after all development activities have been completed, as presented in mitigation measures **BIO1**; **BIO2**; **BIO4**; and **BIO24** through **BIO35**, which are provided in Section 3 above and in this Section 4. Compensation for lost habitat on-site shall be accomplished at least

in part through improving habitat conditions of preserved on-site habitats, such as through removal of invasive exotic plant species and replacing them with indigenous native species. A residual impact will remain since there will be a reduction of the total area of habitat available on-site.

4.7.5. Additional Mitigation Measures. Mitigation measures **BIO11** and **BIO12** will also help mitigate these significant and unavoidable impacts. However, these other mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable. Mitigation measures **BIO11** and **BI12** are discussed in Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.8. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES LIKELY TO OCCUR ON-SITE.

Please refer to DEIR pages 5.6-118 through 5.6-125 for an analysis of the Project's direct impacts to special-status wildlife species likely to occur on-site.

Potential Effect and Rationale for Finding:

Several (i.e., 19) special-status wildlife species are likely to occur on-site but have not been detected during the field surveys conducted on-site. These special-status wildlife species include: Silvery Legless Lizard (*Anniella pulchra pulchra*); Coastal Western Whiptail (*Aspidoscelis tigris stejnegeri*); Rosy Boa (*Charina trivirgata*); San Diego Banded Gecko (*Coleonyx variegates abbotti*); San Diego Horned Lizard (*Phrynosoma coronatum*); Coast Patch-nosed Snake (*Salvadora hexalepis virgulata*); Southern California Rufous-crowned Sparrow (*Aimophila ruficeps canescens*); Grasshopper Sparrow (*Ammodramus savannarum*); Bell's Sage Sparrow (*Amphispiza belli ssp. belli*); Long-eared Owl (*Asio otus*); Costa's Hummingbird (*Calypte costae*); Lawrence's Goldfinch (*Caroluelis lawrencei*); Lark Sparrow (*Chondestes grammacus*); Northern Harrier (*Circus cyaneus*); Loggerhead Shrike (*Lanius ludovicianus*); California Thrasher (*Toxostoma redivivum*); Ring-tailed Cat (*Bassariscus astutus*); Western Mastiff Bat (*Eumops perotis californicus*); and the Mountain Lion (*Puma concolor*). Direct impacts to these species are potentially significant. (However, indirect impacts to these species are either significant, but mitigated to a level of less than significant, or are less than significant, and, as a result, are discussed above in Section 3 or Section 2, respectively.)

Since these species are not known to have actually occurred on-site, and are only likely to occur, there cannot be any actual impact found at this time. Nevertheless, both direct and cumulative impacts to these species could be significant if these species *actually occurred on-site*. However, in all events, and regardless of whether any of these species are found on-site, the Project will have a significant and unavoidable cumulative impact on these species, since the Project will destroy up to 118.74 acres of foraging and nesting habitat.

Required Mitigation Measures:

The Project's direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting surveys; (ii) implementing wildlife relocation programs; (iii) controlling invasive species; (iv) creating replacement habitat and (v) replacing or compensating habitats of such species.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all direct impacts to special-status wildlife species likely to occur on-site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable direct impacts to special-status wildlife species likely to occur on-site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.8.1. BIO17. Conduct Focused Surveys. Prior to grading, focused surveys shall be conducted on the proposed development site for special-status reptile species that have a high potential to occur on-site. The survey results shall be submitted within 45 days after completion of the last survey to the CDFG and DRP for concurrence. If it is determined that special-status wildlife species are not present on the proposed development site, then no further mitigation is necessary.

4.8.2. BIO18. Implement Relocation Program. If Silvery Legless Lizard, Coastal Western Whiptail, Rosy Boa, San Diego Banded Gecko, San Diego Horned Lizard and/or Coast Patch-nosed Snake (the 6 special-status reptile species that are likely to occur on-site) is/are found on-site, then a capture and relocation program shall be implemented. Prior to implementation of the relocation program, the program and the biologist(s) implementing the program shall be subject to approval of the CDFG and the County Biologist. A relocation program shall be prepared to include a detailed methodology for locating, safely capturing and successfully relocating individuals prior to construction. The program shall identify a suitable location for relocation of each species prior to capture. A qualified biologist with the necessary permits (if required by CDFG) shall be required for handling the specific special-status wildlife species. The adopted relocation program shall be implemented.

4.8.3. BIO19. Control Argentine Ants. The control of Argentine Ant from the Project site is necessary to prevent the loss of forage resources for the San Diego Horned Lizard, which cannot survive on consumption of Argentine Ant. The landscaping plan, within 300 feet of any natural areas containing San Diego Horned Lizard, shall be designed to utilize native plant species that do not require supplemental irrigation in an attempt to keep invading Argentine Ant populations as low as possible. In addition, an Argentine Ant control plan shall be developed and implemented in perpetuity by the homeowners association or other responsible party.

4.8.4. BIO20. Install Bat Boxes. If the Western Mastiff Bat, or other special-status bat species, is found to forage or nest on-site, then bat boxes shall be installed at appropriate locations within preserved land on-site to replace lost nesting habitat. A mitigation plan designed specifically to provide nesting and foraging habitat for special-status bat species shall be prepared and submitted to CDFG and the County Biologist for approval, and after approval, it shall be implemented.

4.8.5. Additional Mitigation Measures. Implementing mitigation measures BIO11 and BIO16 will also mitigate these significant and unavoidable impacts. However, these other mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable. Mitigation measures BIO11 and BIO16 are discussed in Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's direct impacts to special-status wildlife species likely to occur on-site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.9. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO VEGETATION-INCLUDING SENSITIVE HABITATS.

Please refer to DEIR pages 5.6-130 through 5.6-154 for an analysis of the Project's impacts related to vegetation, including those impacts to sensitive habitats.

Potential Effect and Rationale for Finding:

The potential Project-specific impacts to vegetation – including impacts to sensitive habitats – includes impacts to, and potential loss of, Grassland habitats; Lichen-Rock Outcrop habitats; Coastal Sage Scrub; Chaparral habitats; Southern California Black Walnut woodland; Coast Live Oak trees; Valley Oak trees; Scrub Oaks; Oak woodlands; and wetland habitats and plants. Three of these Project-specific impacts concerning vegetation are *potentially significant, but mitigated to a less-than-significant level*. Those are impacts related to potential loss of Grassland habitats; Coastal Sage Scrub; and Southern California Black Walnut woodland, and they are discussed above in Section 3. The remainder of the potential Project-specific impacts to

vegetation – including impacts to sensitive habitats – will remain significant and are discussed here in this Section 4.

Required Mitigation Measures:

The Project's impacts related to vegetation, including those impacts to sensitive habitats, will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) preserving on-site oaks; (ii) planting additional oaks on-site and relocating certain mature oaks; and (iii) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all impacts related to vegetation, including those impacts to sensitive habitats, to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable impacts related to vegetation, including those impacts to sensitive habitats, would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.9.1. BJO26. Preserve and Protect Avoided On-site Oak Trees. The 1,179 oak trees to be avoided by the Project shall be protected on-site in perpetuity by establishing on-site preserves that are permanently protected from future development and managed for conservation purposes. Management of the preserved trees shall be minimal, focused on facilitating the natural growth and condition of the protected trees and associated habitat. Prior to the issuance of a grading permit, the Applicant shall have prepared an oak resource management plan to be reviewed and approved by the DRP and County Forester. Only oak trees and oak resource habitat not in private lots will be credited as preserved habitat.

4.9.2. BJO27. Plant 15-gallon Young Oaks On-site. To mitigate for the loss of 162, and the encroachment of 54, mature oak trees by the Project, young oak trees of all three species impacted shall be planted at a 2:1 ratio for non-heritage trees impacted, and at a 10:1 ratio for heritage trees impacted, per the County Oak Tree Ordinance replacement criteria. Specifically, to mitigate for impacted non-heritage oak trees, an overall mitigation ratio of two 15-gallon oaks shall be planted for each tree impacted. To mitigate for impacted heritage oak trees, an overall mitigation ratio of ten 15-gallon oaks shall be planted for each tree impacted. Therefore, at a 2:1 ratio, 298 15-gallon young oak individuals (including 282 *Q. agrifolia*, 4 *Q. berberidifolia*, and 12 *Q. lobata*) will be required for mitigation for the impacts to 216 non-heritage oak trees (including 162 non-heritage lost and 54 non-heritage encroached) on-site. In addition, 130 15-gallon young oak individuals (all *Q. agrifolia*) will be required for mitigation for the impacts to 19 heritage oak trees (including 13 heritage lost and 6 heritage encroached) on-site. A total of

428 15-gallon oaks will be required to mitigate for impacts to 216 oak trees, including 19 heritage trees. No existing sensitive habitat shall be impacted as a result of any planting activities. The planted trees shall be maintained and monitored for a period of seven years after planting. Success of this mitigation measure will be achieved if 100 percent of the acorns or seedlings survive after seven years.

- **Contribute Funds to the Oak Species Forest Fund.** If the success criteria for this mitigation measure are not met, the Applicant shall contribute to the Oak Species Forest Fund. The compensation rate shall be set at 50 percent of the assessed economic value of the trees lost, less the estimated economic value of the trees successfully covered under mitigation measures **BIO26** and **BIO27**. The economic value of the 164 oak trees to be lost is approximately \$4,211,730. In addition, the economic value of the 54 trees to be encroached is approximately \$2,125,400, totaling \$6,337,130 (including \$4,090,830 for 154 *Q. agrifolia* lost; \$1,865,700 for 49 *Q. agrifolia* encroached, \$12,000 for 2 *Q. berberidifolia* lost, \$90,900 for 6 *Q. lobata* lost, and \$252,600 for *Q. lobata* encroached).
- **Transplant Selected Mature Oak Trees On-site.** As part of the Project, the Applicant proposes to transplant several mature and heritage oak trees, that will be impacted from the Project, to on-site open areas and landscaped areas. Even though transplanting mature oak trees is expensive and may have a low success rate, the Applicant desires to transplant selected mature oak trees to potentially help mitigate the loss of oak habitat. A detailed transplantation plan shall be developed by a qualified arborist and submitted to the County for approval. Maintenance and monitoring of all transplanted oak trees shall be required for a period of 10 years after transplantation. No sensitive habitat shall be impacted as a result of any transplanting activities.

4.9.3. BIO28. Plant Acorns or Oak Seedlings On-site. To mitigate for the loss of 162, and the encroachment of 54, mature oak trees by the Project, sprouted oak acorn seedlings of the species impacted shall be planted in appropriate ratios. To mitigate for impacted oak trees, an overall mitigation ratio of 5 seedlings planted for each tree impacted (a 5:1 replacement ratio) shall be implemented. Therefore, 1,080 container seedlings will be required for mitigation for the impacts to 216 oak trees on-site. The planted seedlings shall be maintained and monitored for a period of 7 years after planting. Success of this mitigation measure will be achieved if 75 percent of the acorns or seedlings survive after 7 years.

4.9.4. BIO29. Replace Oak Woodland Habitat On-site. Oak woodland impacts are estimated at 8.82 acres (including 7.87 acres of upland Coast Live Oak Woodland impacted, 0.92 acres of Coast Live Oak Riparian Woodland impacted, and 0.03 acre of Valley Oak Woodland impacted); Oak woodland habitat will be replaced on-site at a 2:1 ratio within preserved portions of the Project site, or at an off-site location. The oak woodland habitat will partially be replaced with the implementation of mitigation measures **BIO26** through **BIO28**. Based on the 2:1 ratio, a total of 16.4 acres of oak woodland shall be created on-site, off-site, or a combination of on-site and off-site locations. The oak woodland habitat shall be monitored and maintained for a period of 7 years.

- **On-site Oak Mitigation Implementation Plan.** In addition to the above, a full oak tree report with the health, diameter at breast height (dbh) and canopy diameter of each tree within the impact area and fuel modification zone shall be submitted to the County prior to grading. The report shall also outline the mitigation for removal of oak trees. The mitigation shall include the following measures:
 - Prior to grading, orange construction or chain-link fencing shall be installed around trees (10 feet outside the drip-line of each tree or groups of trees) that should not be impacted by construction. Fencing shall be in place and inspected prior to commencement of grading. This fencing shall remain in place throughout the entire period of construction.
 - The County-required 15-gallon oak tree replacement shall be implemented on-site at a 2:1 ratio for non-heritage trees impacted and at a 10:1 ratio for heritage trees impacted. Or, the preferred replacement with tree seedlings shall be planted directly on-site as sprouted seedlings in liner tubes. Such plants are better able to become established and healthy trees that are adapted to site conditions. For each oak tree removed, the mitigation shall require replacement trees of indigenous oak species in the ratio of at least 5:1 for container seedling planting.
 - The landscape architect/designer for the Project shall design these replacement trees into the landscape to replace the habitat of removed woodlands. The habitat shall be reviewed by a qualified botanist and shall be comparable to the removed woodland.
- Planting specifications shall consider the following:
 - Newly planted trees shall be planted above grade and maintained for 7 years, including irrigation, weed control, herbivore protections and replacement.
 - Amending the backfill soil with wood shavings, oak-leaf mold, etc. is not recommended when existing soil is high in natural organic matter with a sandy loam texture.
 - Recommendations for the need of planting amendments and drainage systems shall be based on soil tests of the Project and approved by the County.
 - Any County-approved work within the drip-lines of saved trees, including branch removal, shall be under the inspection of a qualified arborist.

4.9.5. BIO30. Landscape Irrigation Out of Oak Drip-lines. Landscaping requiring irrigation shall not be planted within the drip-line of oaks due to the susceptibility of native oaks to root rot caused by excessive unseasonable irrigation. The design and installation of landscape irrigation systems outside the drip-line of the oaks shall be such that the area within the drip-line

is not wetted during operation of the system. In addition, surface runoff from impermeable surfaces shall be directed away from oaks; where natural topography has been altered, provisions shall be made for drainage away from trunks of oaks so that water shall not pond or collect within the drip-line of any oak. If any existing oak trees are damaged or impacted by the effects of irrigation of mitigation plantings, additional plantings shall be implemented as replacement.

4.9.6. BIO31. Implement Best Management Practices (BMPs) During Construction In/Near Wetlands to Minimize Impacts. Impacts to riparian habitat shall be minimized to the maximum extent possible by implementing the following BMPs:

- Construction equipment shall only cut back or cut down riparian habitat that is absolutely necessary for construction equipment access;
- All construction activities, within the banks of Lyons Creek and tributaries, should be conducted during seasons of no, or minimal, channel flows (summer/early fall);
- A path through the creek channel shall be selected that minimizes impacts to the existing riparian vegetation;
- A fence shall be placed around any (mature) trees, which are less efficiently replaced by mitigation/restoration efforts;
- All active wildlife nests existing within the Project site riparian vegetation shall be protected and avoided by construction equipment; and
- A biological monitor shall be present during all construction activities within or adjacent to the drainages of Lyons Canyon that are not to be impacted.

4.9.7. BIO32. Protect Existing Wetlands On-site. 6.85 acres of existing wetlands, not to be impacted by the Project, shall be protected in perpetuity through a prohibition from any development. The wetland preserve area(s) shall be clearly marked with signs, and a public education program shall be developed for future residences of the Project site and visitors.

4.9.8. BIO33. Enhance Existing Disturbed Wetlands On-site. Existing wetlands not impacted by the Project currently are degraded by past activities on the Project site (e.g. road crossings, fill, culverts, berms, dumping and invasion by exotic plants). A 1/3 credit shall be allowed for every acre of existing protected wetland habitat that is enhanced on-site and shall be credited towards the 10.20 acres required for mitigation. Therefore, 1/3 of the protected 10.20 acres equals 3.37 acres to be enhanced. Enhancement activities shall include: removing all foreign materials from wetland areas; eradicating and controlling invasive exotic plant species; and planting native riparian plant species in disturbed areas. Nearly all the wetland areas on-site are currently in a degraded condition, to varying degrees, and are available for habitat enhancement. Approximately 10.20 acres are required for mitigation based on the 2:1 ratio. The 10.20 acres of required mitigation area minus the 3.37 acres of enhanced wetlands habitat equals 6.83 acres of mitigation that is still required to be created. Since the County will not permit riparian mitigation within the detention basins on-site, the Applicant shall be required to implement one of the following measures: (1) make a payment to an in-lieu fee mitigation

program; (2) contribute to a mitigation bank; or (3) create offsite mitigation for 6.83 acres of remaining required mitigation after enhancement of 3.37 acres on-site (totaling the required 10.20 acres based on the 2:1 mitigation ratio).

4.9.9. BIO34. Prepare Disturbed Wetland Areas for Replanting. After efforts to minimize the impacts to the riparian vegetation are implemented, appropriate areas of the Project site shall be restored and lost habitat mitigated. This shall be accomplished by implementing the following mitigation measures:

- Re-grading portions of the drainages to accommodate on-site re-vegetation and to accomplish natural sinuosity of the creek channel;
- Replacing and planting selected portions of the site with indigenous riparian plant species;
- Maintaining and irrigating the restored area;
- Removing invasive exotic plants, such as *Centaurea melitensis* (Tocalote), and replacing them with native species to increase species diversity and habitat function; and
- Monitoring the site for at least 5 years after restoration plantings have been completed.

4.9.10. BIO35. Design and Implement a Wetlands Restoration Plan. Prior to implementation of any restoration, a detailed program shall be developed by the Applicant and shall be approved by the Corps and CDFG as part of the 404 and 1600 et seq. permitting process. The program shall contain the following items:

- **Responsibilities and qualifications of the personnel to implement and supervise the plan.** The responsibilities of the landowner, technical specialists and maintenance personnel that shall supervise and implement the restoration plan shall be specified.
- **Site selection.** The site for the mitigation shall be determined in coordination with the Applicant and resource agencies. The site shall either be located on the proposed development site in a dedicated open space area or dedicated open space area shall be purchased off-site. Appropriate sites shall have suitable hydrology and soils for establishment of riparian species.
- **Site preparation and planting implementation.** The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (i.e., duff); soil treatments (i.e., imprinting, de-compacting); temporary irrigation installation; erosion control measures (i.e., rice or willow wattles); seed mix application; container plantings.
- **Schedule.** A schedule shall be developed which includes planting to occur in late fall and early winter between October and January.

- **Maintenance plan/guidelines.** The maintenance plan shall include: weed control; herbivore control; trash removal; irrigation system maintenance; maintenance training; and replacement planting.
- **Monitoring plan.** The monitoring plan shall include 1) qualitative monitoring (i.e. photographs and general observations), 2) quantitative monitoring (i.e. randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monthly reports for the first year and bimonthly thereafter, and 5) annual reports for five years that shall be submitted to the resource agencies on an annual basis. The site shall be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the Project applicant may request to be released from the monitoring requirements from USACE and CDFG.
- **Long-term preservation.** Long-term preservation of the site through an appropriate recordable legal instrument shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.
- **Earth-moving equipment.** Earth-moving equipment shall avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas that will remain undeveloped. Prior to grading, the open space limits shall be marked by the construction supervisor and the Project biologist. These limits shall be identified on the grading plan. No earth-moving equipment shall be allowed within the open space area.
- **If work must be conducted when surface water flows are present, specific actions should be taken to avoid increasing water turbidity downstream.** Surface water flows should be diverted around all construction activities, and no equipment should be allowed to actively work in flowing water without sedimentation and turbidity control measures in place. In order to minimize impacts to aquatic habitat and aquatic wildlife due to alteration of the Riverine habitat on-site, construction shall be conducted during times of no active channel flows. However, if construction must be conducted while active flows are present within the Riverine system, these measures should be implemented to minimize impacts:
 - o Equipment contact with the active channel should be minimized to a maximum extent;
 - o Flows should be diverted from the work area, and sedimentation barriers should be installed and maintained;
 - o Arising groundwater should be allowed to settle behind a downstream diversion berm prior to discharge to the primary flow channel;

- o Turbidity levels should be monitored and minimized (kept below a 20 percent increase over background turbidity);
- o Employ BMPs for avoiding fuel leaks in or near active flows; and
- o All foreign materials and litter should be removed from the channel.

4.9.11. Additional Mitigation Measures. Implementing mitigation measures BIO1, BIO2 and BIO4 will also mitigate these significant and unavoidable impacts. These mitigation measures are discussed in Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference. These other mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's impacts related to vegetation, including those impacts to sensitive habitats, to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.10. BIOLOGICAL RESOURCES – PROJECT-SPECIFIC IMPACTS TO LOSS OF WILDLIFE FORAGING AND COVER HABITATS

Please refer to DEIR pages 5.6-155 through 5.6-156 for an analysis of the Project-specific impacts related to loss of wildlife foraging and cover habitats.

Potential Effect and Rationale for Finding:

The wildlife habitats observed on-site include those sensitive habitats discussed; Grassland, Lichen-Rock Outcrop; Coastal Sage Scrub, Chaparral, Coast Live Oak, Southern California Black Walnut Woodland, Southern Riparian Scrub and wetland habitats. These habitats observed at Lyons Canyon Ranch are used for nesting and foraging habitat for several species of birds, and cover and foraging habitat for small and large mammals. The function of the wetland habitat on-site is improved by the presence of natural upland vegetation and habitats creating cumulative high species richness for the Lyons Canyon area.

When functional wildlife habitat, consisting of ample foraging and cover resources, is degraded or negatively impacted, a temporary reduction in various food sources for aquatic, semi-aquatic, and terrestrial wildlife species typically follows. Furthermore, damaging or clearing plants contributing to a functional wildlife habitat will result in a shortage of cover, nesting and breeding resources vital for several wildlife species' survival. Therefore, impacts to foraging and cover habitats, contributing to the function of a region's ecosystem, should be minimized and avoided as much as possible.

A total of approximately 118.74 acres of natural vegetation (including the loss of 98.86 acres resulting from direct grading impacts and the loss of an additional 19.88 acres resulting from indirect fuel modification impacts) will be impacted on-site, including sensitive plant communities and wetlands. These impacts are considered a significant.

Required Mitigation Measures:

Project-specific impacts related to loss of wildlife foraging and cover habitats will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) protecting and enhancing grasslands and coastal scrub brush; (iv) preserving on-site oaks, planting additional oaks on-site and relocating certain mature oaks; and (v) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands;

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all Project-specific impacts related to loss of wildlife foraging and cover habitats to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable Project-specific impacts related to loss of wildlife foraging and cover habitats would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.10.1. Mitigation Measures: See mitigation measures BIO1 and BIO2 and BIO24 through BIO35. These mitigation measures are discussed in Section 3 and this Section 4 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce Project-specific impacts to loss of wildlife foraging and cover habitats to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.11. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO FUEL MODIFICATION.

Please refer to DEIR pages 5.6-156 through 5.6-164 for an analysis of Project-specific impacts to fuel modification.

Potential Effect and Rationale for Finding:

Development associated with the Project will have significant and unavoidable impacts associated with fuel modification. "Fuel modification" refers, in part, to the County Fire Department's Fuel Modification Program, which provides for defensible space necessary for fire protection in newly constructed and/or remodeled homes within the Department's Very High Fire Hazard Severity Zones. The fuel modification plans identify one or more of the following zones: A-Setback Zone; B-Irrigated Zone; C-Thinning Zone; and/or D-Interface Thinning Zone, based upon preliminary plan review by the Forestry Division of the Fire Department.

The Project will result in a loss of 98.86 acres of natural vegetation and habitats resulting from the grading envelope and, as a result of the Fuel Modification Program, an additional loss (or degradation) of approximately 19.88 acres (not including protected oak woodlands) to 30.70 acres (including protected oak woodlands) of natural vegetation.

Brush clearance affects plants, animals and ecological cycles, and is significant since the habitat is altered to the extent that wildlife species and sensitive plant species requiring such habitats are unable to utilize such areas for foraging, hunting and shelter. The modified habitats are thinned to the extent that no habitat functions remain and ecological cycles are not completed or are significantly reduced, depending on the species. Ultimately, the habitat function is completely lost within the first 100 feet of fuel modification due to the severe clearing of natural vegetation and habitat function is significantly reduced (to approximately 50 percent) within the second 100 feet of fuel modification.

Required Mitigation Measures:

The Project-specific impacts to fuel modification will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) transplanting and propagating certain plant species; (iii) protecting and enhancing grasslands and costal scrub brush; (iv) preserving on-site Oaks, planting additional oaks on-site and relocating certain mature oaks; and (v) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all Project-specific impacts to fuel modification to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable Project-specific impacts to fuel modification would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any

construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.11.1. Mitigation Measures: See mitigation measures **BIO1**, **BIO2** and **BIO4**; and **BIO24** through **BIO30**, discussed above in Section 3 and in this Section 4 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce Project-specific impacts to fuel modification to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.12. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO SURROUNDING SIGNIFICANT ENVIRONMENTAL AREAS.

Please refer to DEIR pages 5.6-165 through 5.6-167 for an analysis of Project-specific impacts to surrounding SEAs.

Potential Effect and Rationale for Finding:

Development associated with the Project will have significant and unavoidable impacts to the SEAs surrounding the Project area. Specifically, portions of the Project property are located within two County SEAs: Santa Susana Mountains and Lyons Canyon (SEA Nos. 20 and 63, respectively), which have been established to protect biological resources within the County. Development within or adjacent to an SEA requires specific procedures and reporting before considering any development. The County Significant Ecological Areas Technical Advisory Committee (SEATAC), established by the County's Board of Supervisors, reviews all projects within or adjacent to SEAs for consistency with County resource protection policies.

Required Mitigation Measures:

The Project-specific impacts to surrounding SEAs will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures provided in this section by (i) implementing all of the biological mitigation measures discussed above; (ii) implementing all of the air quality mitigation measures discussed above; and (iii) implementing all of the hydrology and water quality mitigation measures discussed above.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all Project-specific impacts to surrounding SEAs to less-than-

significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable Project-specific impacts to surrounding SEAs would be reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. Yet, as noted in Section 9, none of the alternatives (other than the No Project Alternative) wholly avoid all impacts to SEA No. 63. This is because one detention/debris basin site must be located entirely within SEA No. 63, and this must occur under each of the alternatives (other than the No Project Alternative). Moreover, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.12.1. Mitigation Measures: See mitigation measures BIO1 through BIO35 (discussed above in Section 3 and in this Section 4); AQ1 through AQ4 (discussed in this Section 4); N1 through N9 (discussed above in Section 3 and in this Section 4); and HWQ1 through HWQ14 (discussed above in Section 3). These mitigation measures are also discussed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project-specific impacts to surrounding SEAs to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.13. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO NATURAL OPEN AREAS.

Please refer to DEIR pages 5.6-168 through 5.6-169 for an analysis of Project-specific impacts to natural open areas.

Potential Effect and Rationale for Finding:

Development associated with the Project will have Project-specific, significant and unavoidable impacts on natural open areas. Specifically, the 235-acre Project site is currently natural open space, consisting of approximately 226.79 acres of natural vegetation and 8.71 acres of roads and disturbed areas. Of the 226.79 acres of natural vegetation on-site, approximately 118.74 acres of those habitats (including sensitive plant communities) will be impacted on-site (52 percent) and approximately 108.05 on-site acres of natural habitats will be preserved.

Required Mitigation Measures:

The Project-specific impacts to natural open areas will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures provided in this section by (i) establishing a open area protection and management plan; (ii) implementing all of the biological mitigation measures discussed above; (iii) implementing all of the air quality mitigation measures discussed above; and (iv) implementing all of the hydrology and water quality mitigation measures discussed above.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all Project-specific impacts to natural open areas to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable Project-specific impacts to natural open areas would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.13.1. BIO36. Open Area Protection and Management Plan. An open area protection and management plan, for all preserve areas designated on-site, shall be prepared to ensure the implementation by the HOA of the mitigation and to aid in the protection of the remaining preserved open areas after the development on-site.

4.13.2. Additional Mitigation Measures. Implementing mitigation measures **BIO1** through **BIO35** (discussed above in Section 3 and in this Section 4); **AQ1** through **AQ4** (discussed in this Section 4); **N1** through **N9** (discussed above in Section 3 and in this Section 4); and **HWQ1** through **HWQ14** (discussed above in Section 3) will also help mitigate these significant and unavoidable impacts. These mitigation measures are also discussed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference. These other mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce Project-specific impacts to natural open areas to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.14. PROJECT-SPECIFIC IMPACTS TO ON-SITE WILDLIFE TRAVEL ROUTES.

Please refer to DEIR pages 5.6-169 through 5.6-171 for an analysis of Project-specific impacts to on-site wildlife travel routes.

Potential Effect and Rationale for Finding:

Most wildlife travel routes existing on-site represent local movement paths between on-site habitats. A loss of a large number of localized paths is expected due to the Project; however, habitat to be retained on-site will still be accessible to wildlife from adjacent habitats.

The actual number of paths impacted on-site can only be estimated. Wildlife will be able to use the remaining habitats within the periphery of the developed portion of the Project site after construction; however, wildlife movement will be limited within the fuel modification zone since significant vegetation will be removed or thinned from that zone (up to 200 feet from all structures). Wildlife may be reluctant to use the fuel modification zones since much of the vegetation will be removed in these areas, with very little cover and/or shelter resources. This may mean that wildlife could only use the outside edge of the fuel modification zone, adjacent to intact natural vegetation.

Required Mitigation Measures:

The Project's impacts to on-site wildlife travel routes will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) avoiding disturbance to sensitive areas; (iv) maintaining buffers; (v) avoiding contact with certain wildlife species; (vi) replacing or compensating habitats of certain wildlife species; (vii) implementing construction techniques and guidelines which minimize noise impacts; (viii) protecting and enhancing grasslands and coastal scrub brush; (ix) preserving on-site oaks; (x) planting additional oaks on-site and relocating certain mature oaks; (xi) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands; (xii) limiting construction to reasonable times; (xiii) implementing noise-reduction measures and practices to and with construction equipment; (xiv) constructing sound barriers; (xv) utilizing building designs and layouts that minimize exposure of noise sources to noise-sensitive receptors; and (xvi) using building materials that help reduce noise impacts..

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all impacts to on-site wildlife travel routes to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable impacts to on-site wildlife travel routes would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The

DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.14.1. Mitigation Measures: See mitigation measures BIO1; BIO2; BIO13 through BIO16; BIO21 through BIO23 and BIO24 through BIO35 (discussed above in Section 3 and in this Section 4); and N1 through N9 (discussed above in Section 3 and in this Section 4). These mitigation measures are also discussed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project-specific impacts to on-site wildlife travel routes to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.15. AESTHETICS - LONG-TERM AESTHETIC IMPACTS.

Please refer to DEIR pages 5.9-13 through 5.9-26 (erroneously referred to as Chapter 3.9 in the DEIR) for an analysis of the Project's long-term aesthetic impacts.

Potential Effect and Rationale for Finding:

The Project will have a substantial effect on scenic vistas, will permanently alter the existing visual character and viewshed from surrounding locations, and will degrade other scenic resources, including but not limited to, primary/secondary ridgelines, trees and rock outcroppings.

Required Mitigation Measures:

The Project's long-term aesthetic impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measure described below by preparing and implementing a landscape plan that is subject to the review and approval of the County and which shall be incorporated into the Project's CC&Rs.

Notwithstanding the foregoing, the implementation of the mitigation measure described below will not be sufficient to reduce all of the Project's long-term aesthetic impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's significant and unavoidable long-term aesthetic impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these

alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.15.1. AES4. The Applicant/developer/builder shall prepare and implement a Landscape Plan that provides planting and maintenance guidance for common landscaped areas, slopes and undeveloped building pads. The Applicant/developer/builder shall be responsible for the Plan's implementation until such time as a homeowners' association is prepared to take over landscape maintenance responsibilities. The Landscape Plan shall be subject to the review and approval by the County Departments of Public Works and Regional Planning, prior to issuance of the grading permit. To ensure its implementation, the Landscape Plan shall be incorporated into the Project's Conditions, Covenants, and Restrictions (CC&Rs) to be recorded prior to final map recordation.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measure described in the above paragraphs will reduce the Project's long-term aesthetic impacts related to construction to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.16. SOLID WASTE - OPERATIONAL IMPACTS.

Please refer to DEIR pages 5.15-4 through 5.15-6 for an analysis of the Project's operational solid waste impacts.

Potential Effect and Rationale for Finding:

At build-out, projected solid waste generation for the Project (no recycling) will be approximately 1,695 pounds of solid waste per day, or 309 tons per year. Pursuant to County requirements, the proposed Project shall provide adequate areas for collecting and loading of recyclable materials in concert with County-wide efforts and programs to reduce the volume of solid waste entering landfills.

The DEIR provides that it can be assumed the Project will meet current recycling goals of the community and, in actuality, will only generate approximately 154.5 tons per year due to County diversion rates and a mandate to divert at least 50 percent of potential waste disposal.

Regardless, as a consequence of the finite resources associated with solid waste disposal, and despite the implementation of the recommended mitigation measures, long-term operational impacts will be significant.

Required Mitigation Measures:

The Project's operational solid waste impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i)

placing recycling containers and areas in practical and convenient locations; (ii) reducing yard waste via landscaping design; (iii) utilizing home design techniques that will accommodate recycling; (iv) distributing educational material regarding recycling to home-buyers; and (v) complying with all applicable regulations regarding use, collection and disposal of solid and hazardous waste.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all operational solid waste impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable operational solid waste impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

General

4.16.1. SW2. The location of recycling/separation areas shall be in close proximity to dumpsters for non-recyclables, elevators, loading docks, and primary internal and external access points.

4.16.2. SW3. The location of recycling/separation areas shall not be in conflict with any applicable federal, state or local laws relating to fire, building, access, transportation, circulation, or safety.

4.16.3. SW4. The location of recycling/separation areas shall be convenient for those persons who deposit, collect, and load the recyclable materials.

4.16.4. SW5. Recycling containers/bins shall be located so that they do not block access to each other.

4.16.5. SW6. Yard waste shall be reduced through the use of drought-tolerant and native vegetation in common area landscaping where possible.

Residential

4.16.6. SW7. Kitchen, garage or garden design shall accommodate trash and recyclable components to assist in the City's recycling efforts.

4.16.7. SW8. Property buyers shall receive educational material on the City's waste management efforts.

4.16.8. SW9. The Applicant shall comply with all applicable state and County regulations and procedures for the use, collection and disposal of solid and hazardous wastes.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's operational solid waste impacts to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

SECTION 5 - POTENTIAL CUMULATIVE IMPACTS THAT ARE NOT SIGNIFICANT (NO MITIGATION REQUIRED)

5.1. CUMULATIVE IMPACTS RELATED TO GEOLOGY, SOILS & SEISMICITY.

Please refer to DEIR pages 5.1-21 through 5.1-22 for an analysis of the Project's contribution to cumulative impacts related to geology, soils and seismicity.

Potential Cumulative Effects and Rationale for Finding:

Although the Project will result in significant unavoidable impacts related to geology, soils and seismicity, these impacts are site-specific and each development site is subject to, at minimum, uniform site development and construction standards relative to seismic and other geologic conditions that are prevalent within the locality and/or region. Because the development of each cumulative Project site will have to be consistent with the requirements of the County Department of Public Works for project sites in unincorporated Los Angeles County, and the Uniform Building Code, as they pertain to protection against known geologic hazards, impacts of cumulative development will be less than significant, given known geologic considerations.

Finding:

The Project and related projects will not result in significant cumulative Geology, Soils or Seismicity impacts.

5.2. CUMULATIVE IMPACTS ASSOCIATED WITH HAZARDS AND HAZARDOUS MATERIALS.

Please refer to DEIR pages 5.3-33 through 5.3-34 for an analysis of the Project's contribution to cumulative impacts associated with hazards and hazardous materials.

Potential Cumulative Effects and Rationale for Finding:

Because hazards and hazardous materials issues are site-specific, any impact resulting from implementation of the Project and any related projects in the vicinity will not be cumulatively considerable.

Even though the Project's contribution to cumulative impacts associated with hazards and hazardous materials is less than significant, the applicant will be required to comply with mitigation measures HAZ1 through HAZ8 (which are provided above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference) to further reduce the Project's contribution to such cumulative impacts.

Finding:

The Project's contribution to cumulative impacts associated with hazards and hazardous materials is not considerable and is therefore less than significant.

5.3. BIOLOGY - CUMULATIVE INDIRECT IMPACTS TO SPECIAL-STATUS PLANT SPECIES.

Please refer to DEIR pages 5.6-104 through 5.6-107 for an analysis of the Project's contribution to cumulative indirect impacts to special-status plant species.

Potential Cumulative Effects and Rationale for Finding:

The DEIR provides that the Project will not have any cumulatively considerable indirect impacts to special-status plant species.

Finding:

The Project's contribution to cumulative indirect impacts to special-status plant species is not considerable and is therefore less than significant.

5.4. BIOLOGY - CUMULATIVE IMPACTS TO GENERAL WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-107 through 5.6-111 for an analysis of the Project's contribution to cumulative indirect impacts to general wildlife species.

Potential Cumulative Effects and Rationale for Finding:

Cumulative impacts to the loss of and disturbance to (i) aquatic/semi-aquatic wildlife during construction; (ii) amphibian wildlife during construction; (iii) reptile wildlife during construction; (iv) mammal wildlife during construction; and (v) cumulative impacts to the loss of and disturbance to breeding and nesting birds during construction are described on pages 5.6-107 to 5.6-111 of the DEIR. As described below in Section 6, cumulative impacts to the loss of and disturbance to aquatic/semi-aquatic wildlife during construction will be less than significant following mitigation. As described below in Section 7, cumulative impacts to the loss of and disturbance to amphibian wildlife during construction and cumulative impacts to the loss of and disturbance to breeding and nesting birds during construction will remain significant and unavoidable despite mitigation. However, cumulative impacts to the loss of and disturbance to reptile wildlife and mammal wildlife during construction will be less than significant.

Finding:

The Project's contribution to cumulative indirect impacts to reptile wildlife and mammal wildlife during construction will be less than significant.

5.5. BIOLOGY - CUMULATIVE INDIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-125 through 5.6-130 and for an analysis of the Project's cumulative indirect impacts to special-status wildlife species.

Potential Effects and Rationale Supporting Finding:

As discussed above in Section 3, some of these indirect impacts to special-status wildlife species are potentially significant, but will be mitigated to a less-than-significant level. However, the cumulative indirect impacts to special-status wildlife species, including cumulative noise impacts, cumulative light impacts and cumulative impacts from human activity related to the Project will remain less than significant.

Finding:

For the foregoing reasons, the Project will have a less-than-significant cumulative indirect impact to special-status wildlife species.

5.6. BIOLOGY - CUMULATIVE IMPACTS TO VEGETATION - INCLUDING THOSE TO SENSITIVE HABITAT.

Please refer to DEIR pages 5.6-130 to 5.6-154 and for an analysis of the Project's cumulative impacts to vegetation, including those to sensitive habitat.

Potential Effects and Rationale Supporting Finding:

Most of the Project's cumulative contribution to impacts upon vegetation, including sensitive habitat, will remain significant and unavoidable and, as a result, are discussed below in Section 7. Specifically, as explained in Section 7, development associated with the Project, and with other cumulative projects, is expected to have a cumulative, significant and unavoidable contribution on impacts to Grassland habitats; Lichen-Rock Outcrop habitats; Coastal Sage Scrub; Chaparral habitats; Coast Live Oak trees; Valley Oak trees; Oak woodlands; and wetland habitats and plants. However, cumulative impacts to Southern California Black Walnut woodlands and Scrub Oaks will not be cumulatively considerable, because the Project-specific impacts to those species are not considered significant after mitigation and/or those species do not occur on-site in large quantities. As a result, cumulative impacts to Southern California Black Walnut woodlands and Scrub Oaks are not considerable.

Finding:

The Project will have a less-than-significant cumulative impact to Southern California Black Walnut woodlands and Scrub Oaks.

5.7. BIOLOGY - CUMULATIVE IMPACTS TO WATER QUALITY.

Please refer to DEIR page 5.6-155 for an analysis of the Project's cumulative impacts to water quality.

Potential Effects and Rationale Supporting Finding:

As discussed in Section 3.9 (Water Quality), the Project's on-site impacts to water quality will be mitigated to a less-than-significant level. (See mitigation measures HWQ5 through HWQ14 in Section 3.9 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference). As a result, the Project will not have a considerable cumulative contribution to water quality impacts.

Finding:

The Project will have a less-than-significant cumulative impact upon water quality.

5.8. BIOLOGY - CUMULATIVE IMPACTS RESULTING FROM PROJECT LANDSCAPING.

Please refer to DEIR page 5.6-165 for an analysis of the Project's cumulative impacts resulting from Project landscaping.

Potential Effects and Rationale Supporting Finding:

As discussed in Section 3.29 (Project-Specific Impacts Resulting from Project Landscaping), the Project's on-site impacts related to landscaping will be mitigated to a less-than-significant level. (See mitigation measures BIO7, BIO 8 and BIO9 in Section 3.24 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference). As a result, the Project will not have a considerable cumulative impact related to landscaping.

Finding:

The Project will have a less-than-significant cumulative impact with regards to landscaping.

5.9. BIOLOGY - CUMULATIVE IMPACTS TO SURROUNDING SIGNIFICANT ENVIRONMENTAL AREAS.

Please refer to DEIR pages 5.6-165 through 5.6-167 for an analysis of the Project's cumulative impacts to surrounding SEAs.

Potential Effects and Rationale Supporting Finding:

As of the date of the Notice of Preparation, no other projects were proposed that would degrade the SEAs that surround the Project site.

Finding:

For the forgoing reason, the Project will have a less than significant cumulative impact upon the SEAs that surround the Project site.

5.10. BIOLOGY - CUMULATIVE IMPACTS RELATED TO INTERFERENCE WITH WILDLIFE CORRIDORS WITHIN LYONS CANYON.

Please refer to DEIR page 5.6-172 for an analysis of the Project's cumulative impacts related to interference with wildlife corridors within Lyons Canyon.

Potential Effects and Rationale Supporting Finding:

As discussed in Section 3.30 (Project-Specific Impacts Related to Interference with Wildlife Corridors Within Lyons Canyon), the Project's on-site impacts related to interference with wildlife corridors within Lyons Canyon will be mitigated to a less-than-significant level. (See mitigation measures BIO1; BIO2; BIO13 through BIO16; BIO21 through BIO23; BIO24 through BIO35; and N1 through N9, in Section 3 and Section 4 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference). As a result, the Project will not have a cumulatively considerable impact on the same.

Finding:

For the forgoing reason, the Project will have a less-than-significant cumulative impact related to interference with wildlife corridors within Lyons Canyon.

5.11. MINERAL RESOURCES - CUMULATIVE IMPACTS.

Please refer to DEIR page 5.8-3 for an analysis of the Project's cumulative impacts related to mineral resources.

Potential Effects and Rationale Supporting Finding:

Based on the fact that there are no designated Mineral Resource Zones or other known or potential mineral resource areas in or near the Project site, including those noted in the *City of Santa Clarita General Plan Open Space and Conservation Element* or in the *County of Los Angeles Santa Clarita Valley Area Plan* as being of local importance, implementation of the Project, in conjunction with all related projects, will not result in a permanent loss of, or loss of access to, mineral resources within such areas.

Finding:

For the forgoing reasons, the Project will have a less-than-significant cumulative impact on mineral resources.

5.12. FIRE SERVICES - CUMULATIVE IMPACTS RELATED TO FIRE SERVICES AND FIRE HAZARDS.

Please refer to DEIR pages 5.13-9 through 5.13-10 for an analysis of the Project's cumulative impacts related to fire services and fire hazards.

Potential Effects and Rationale Supporting Finding:

Future development within surrounding incorporated and unincorporated areas of the County, and related projects, will be required to provide funds to the Fire Department Developer Fees program, as deemed appropriate by the County Fire Department, which will provide the tax revenues for the operation and staffing of local fire service facilities and help off-set future cumulative impacts. Moreover, as discussed in Section 3.38, the Project is expected to mitigate all Project-specific impacts related to fire services and fire hazards to less-than-significant levels. See mitigation measures FS1 through FS7 in Section 3.38 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

For the forgoing reasons, the Project will have a less-than-significant cumulative impact on fire services and fire hazards.

5.13. SHERIFF SERVICES – EMERGENCY RESPONSE/EVACUATION PLANS.

Please refer to DEIR page 5.14-8 for an analysis of the Project's cumulative impacts on emergency response/evacuation plans.

Potential Effects and Rationale Supporting Finding:

The resident and daytime populations of the cumulative project sites will increase above current levels upon build-out of the Project and related projects. These populations will be subject to potential emergencies (e.g., earthquake, fire, etc.). However, all development projects in the Santa Clarita Valley are subject to review and approval by the County Fire Department, which requires that, among other conditions, adequate access exists for emergency vehicles. Given that the Project and related projects will be required to provide adequate emergency vehicle access, cumulative development will not adversely affect or prevent implementation of any emergency response or evacuation plans. As such, impacts will be less than significant in this regard.

Note, however, that the Project's contribution to the incremental demand for police protection services may remain significant and unavoidable. As such, those impacts are addressed in Section 7.

Finding:

For the forgoing reasons, the Project will have a less-than-significant cumulative impact to evacuation plans.

5.14. ELECTRICITY.

Please refer to DEIR pages 5.16-2 through 5.16-4 for an analysis of the Project's cumulative impacts related to electricity.

Potential Effects and Rationale Supporting Finding:

As explained in Section 2.14, implementation of the Project will incrementally increase demands on electricity supplies and distribution infrastructure and could potentially have a cumulative impact on the same. Specifically, Project-related electricity demand will represent a 0.00095% increase of SCE's annual power deliveries.

Although the Project and related projects will create additional demands on electricity supplies and distribution infrastructure, it is expected that the electrical loads of the Project and related projects are within the parameters of projected load growth, which SCE is planning to meet in the area. All electricity lines and other system improvements would be installed, in whole or in part, at the expense of the Project applicant and other development project applicants, and would serve to avoid adverse impacts to the electricity distribution system.

Although the Project and related projects will create additional demands on electricity supplies and distribution infrastructure, these demands are well within the service capabilities of SCE. As a result, cumulative impacts would be less than significant.

Finding:

For the forgoing reasons, the Project's contribution to cumulative electrical impacts will be less than significant.

5.15. NATURAL GAS.

Please refer to DEIR pages 5.17-3 through 5.17-5 for an analysis of the Project's cumulative impacts on natural gas.

Potential Effects and Rationale Supporting Finding:

As explained above in Section 2, all Project-specific impacts to natural gas will be mitigated to a less-than-significant level. As a result, the Project will not have any cumulatively considerable impacts to natural gas.

Finding:

For the forgoing reasons, the Project's contribution to cumulative natural gas impacts will be less than significant.

5.16. PARKS AND RECREATION – CUMULATIVE IMPACTS.

Please refer to DEIR pages 5.19-12 through 5.19-13 for an analysis of the Project's cumulative parks and recreation impacts.

Potential Effects and Rationale Supporting Finding:

The County's park dedication requirements for new subdivisions are applicable to the Project and related projects in the County that include residential development. Per the Quimby Act, the County requires that land be dedicated, or equivalent fees be paid, for neighborhood and community parks or recreational purposes. The Project already includes the development of a 1.39-acre neighborhood park and the dedication of 129.5 acres for open space and trail usage, while the related projects include 28 acres of parks, some or all of which will count toward park dedication requirements, as applicable. As previously discussed, fees may also be used to satisfy parkland requirements in lieu of the dedicated parkland. The actual park dedication calculations and credit determinations will be based on the subdivision maps submitted for each residential development among the cumulative projects.

Finding:

For the forgoing reasons, the Project will have less-than-significant cumulative impacts upon parks and recreation.

5.17. CUMULATIVE IMPACTS TO WATER DEMAND AND SUPPLY.

Please refer to DEIR page 5.11-24 for an analysis of the Project's contribution to cumulative impacts related to water demand and supply.

Potential Effects and Rationale Supporting Finding:

According to the conclusions of the *Water Supply Study* completed for the Project, adequate water supplies will be available to serve the Project and other development within the Castaic Lake Water Agency service area (including related projects) through 2030 (the planning horizon in the CLWA's 2005 Urban Water Management Plan ("2005 UWMP")), during normal years, single dry years, and multiple dry years. Stated differently, while the Project will have some incremental impact on water demand and supply, those impacts have already been planned for by the Castaic Lake Water Agency. As a result, cumulative impacts will be less than significant.

Finding:

For the forgoing reasons, the Project's contribution to cumulative impacts related to water demand and supply will be less than significant.

SECTION 6 - POTENTIAL CUMULATIVE IMPACTS THAT HAVE BEEN MITIGATED TO A LEVEL OF INSIGNIFICANCE.

6.1. CUMULATIVE IMPACTS TO HYDROLOGY AND WATER QUALITY.

Please refer to DEIR pages 5.2-33 through 5.2-34 for an analysis of the Project's cumulative impacts to hydrology and water quality.

Potential Cumulative Effects and Rationale for Finding:

Development associated with the Project and other cumulative projects will contribute to cumulative hydrology and water quality impacts.

Required Mitigation Measures

The following required mitigation measures will reduce the Project's contribution to cumulative impacts related to hydrology and water quality, associated with implementation of the Project, to less-than-significant levels by insuring compliance with the State Water Resources Control Board, implementing the County's BMPs, providing necessary education programs and by implementing and including several other programs and facilities.

6.1.1. Mitigation Measures: See mitigation measures HWQ1 through HWQ14, which are listed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative impacts to hydrology and water quality, for the foregoing reasons, the Commission adopts Finding 1.

6.2. BIOLOGY - CUMULATIVE DIRECT IMPACTS TO SPECIAL-STATUS PLANT SPECIES.

Potential Cumulative Effects and Rationale for Finding:

Please refer to DEIR pages 5.6-90 through 5.6-104 for an analysis of the Project's contribution to cumulative direct impacts to the 7 special-status plant species observed on-site. That section of the DEIR provides that populations of the special-status plant species occurring on-site will be directly impacted by the Project. However, the DEIR also provides that the proposed mitigation measures are designed to compensate for such direct and indirect impacts to this species. As a result, the cumulative impacts will be less than significant if the proposed mitigation measures of re-establishment and preservation of the special-status plant species are successful.

Required Mitigation Measures

The following required mitigation measures will reduce the Project's contribution to cumulative impacts to special-status plant species associated with implementation of the Project to less-than-significant levels by conducting necessary and appropriate surveys, preserving habitat, implementing preserve maintenance programs and by relocating, transplanting and propagating such species.

6.2.1. Mitigation Measures: See mitigation measures BIO1 through BIO4, which are listed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative direct impacts to special-status plant species, for the foregoing reasons, the Commission adopts Finding 1.

6.3. BIOLOGY - CUMULATIVE IMPACTS TO GENERAL WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-107 through 5.6-111 for an analysis of the Project's contribution to cumulative indirect impacts to general wildlife species.

Potential Cumulative Effects and Rationale for Finding:

Cumulative impacts to the loss of and disturbance to (i) aquatic/semi-aquatic wildlife during construction; (ii) amphibian wildlife during construction; (iii) reptile wildlife during construction; (iv) mammal wildlife during construction; and (v) cumulative impacts to the loss of and disturbance to breeding and nesting birds during construction are described on pages 5.6-107 to 5.6-111 of the DEIR. As described above in Section 5, cumulative impacts to the loss of and disturbance to reptile wildlife and mammal wildlife during construction will be less than significant. As described below in Section 7, cumulative impacts to the loss of and disturbance to amphibian wildlife during construction and cumulative impacts to the loss of and disturbance to breeding and nesting birds during construction will remain significant and unavoidable despite mitigation. However, cumulative impacts to the loss of and disturbance to aquatic/semi-aquatic wildlife during construction will be less than significant following mitigation.

Required Mitigation Measures

The following required mitigation measures will reduce the Project's contribution to cumulative impacts to the loss of and disturbance to aquatic/semi-aquatic wildlife to less-than-significant levels by (i) complying with grading permit requirements; (ii) implementing appropriate and necessary BMPs; (iii) locating and, if necessary, relocating such species; and (iv) complying with the Migratory Bird Act.

6.3.1. Mitigation Measures: See mitigation measures **BIO6** and **BIO10** through **BIO12**, which are listed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative impacts to the loss of and disturbance to aquatic/semi-aquatic wildlife, for the foregoing reasons, the Commission adopts Finding 1.

6.4. CULTURAL RESOURCES – CUMULATIVE IMPACTS.

Please refer to DEIR page 5.7-18 for an analysis of the Project's contribution to cumulative cultural impacts.

Potential Effects and Rationale for Finding:

Impacts related to cultural resources are limited to physical changes to such resources on the Project site. Accordingly, since cultural resources impacts are site-specific, impacts to resources located off-site could not occur as a result of Project implementation. Therefore, impacts resulting from the Project and other related projects will not be cumulatively considerable.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's contribution to cumulative cultural impacts to less-than-significant levels by (i) receiving instruction from the Project archaeologist regarding protecting and safely removing potentially significant materials; (ii) implementing a cultural resources monitoring program; (iii) properly handling Native American remains, if any are discovered on-site; (iv) receiving instruction from the Project paleontologist regarding protecting and safely removing potentially significant materials; (v) carefully monitoring grading; and (vi) properly excavating any fossil beds by a qualified paleontologist.'

6.4.1. Mitigation Measures: See mitigation measures **CR1** through **CR6**, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative cultural impacts, for the foregoing reasons, the Commission adopts Finding 1.

6.5. CUMULATIVE TRAFFIC IMPACTS.

Please refer to DEIR page 5.10-35 for an analysis of Project's potential contribution to cumulative traffic impacts.

Potential Effects and Rationale for Finding:

Due to the nature of traffic-related impacts and the location of the Project site (i.e., along the southwestern edge of the Santa Clarita Valley), the Project's traffic study focused on all cumulative projects located within the Santa Clarita Valley. The cumulative projects relevant to the traffic impact analysis were taken directly from the valley-wide traffic model, as is standard practice in the County and in the City of Santa Clarita for evaluation of traffic network impacts.

The evaluation of the Project's traffic impacts is based on a comparison of cumulative traffic conditions (including the Project) to existing traffic conditions (without the Project). The Interim Year scenario, utilized as a basis for calculating the Project's traffic impacts, incorporates all cumulative development in the Santa Clarita Valley. Therefore, cumulative impacts of the Project and other related projects have been addressed. With implementation of applicable mitigation measures for on- and off-site traffic system improvements, cumulative impacts associated with implementation of the Project will be less than significant.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's potential contribution to cumulative traffic impacts to less-than-significant levels by implementing improvements to such intersections, roadways and freeway on/off ramp intersections.

6.5.1. Mitigation Measures: See mitigation measures T1 through T2, which are discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative traffic impacts, for the foregoing reasons, the Commission adopts Finding 1.

6.6. CUMULATIVE WASTEWATER IMPACTS.

Please refer to DEIR pages 5.11-24 through 5.11-26 for an analysis of the Project's contribution to cumulative wastewater impacts.

Potential Effects and Rationale for Finding:

As explained above in Section 3, the County will not issue connection permits to the sewer system if it cannot be demonstrated that sufficient capacity exists to serve a proposed development project. Moreover, new users must pay connection fees, which are deposited into a restricted Capital Improvement Fund (CIF) used solely to capitalize the future expansion of affected system facilities. As a result of the foregoing, wastewater flows from the Project and other related projects could not cause an exceedance of capacity of the wastewater conveyance system or SCVSD treatment plants, since adequate capacity must be demonstrated in order to contribute flows to the system. With implementation of applicable mitigation, which requires approval of points of connection and quantification of the available capacity in the affected portions of the sewer system serving the City of Santa Clarita and the County, impacts will be less than significant.

Required Mitigation Measures:

The following required mitigation measures will reduce cumulative wastewater impacts to less-than-significant levels by having the LACSD review and approve all points of connection and insure capacity qualification prior to such approval.

6.6.1. Mitigation Measures: See mitigation measure WW1, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative wastewater impacts, for the foregoing reasons, the Commission adopts Finding 1.

6.7. CUMULATIVE IMPACTS TO SCHOOLS.

Please refer to DEIR page 5.12-7 for an analysis of the Project's contribution to cumulative impacts upon area schools.

Potential Effects and Rationale for Finding:

A significant cumulative impact could occur if the Project did not contribute its fair share to mitigate adverse effects on school facilities. However, as explained above in Section 3, the school funding agreements into which the Applicant has entered with the respective school districts will mitigate the Project's specific impacts. Cumulative impacts on schools may be mitigated through similar school facilities funding agreements between the respective districts and future project applicants, or through other mechanisms, such as SB 50, the Valley-Wide Joint Fee Resolution, and/or other future facilities funding agreements between the districts and the developers of new residential projects.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's contribution to cumulative impacts upon area schools to less-than-significant levels by requiring the applicant to enter into a written mitigation agreement with the appropriate school districts. Such written mitigation agreement will require all necessary fees be paid, so as to reduce the Project's impacts related to increased enrollment in area schools to less-than-significant levels.

6.7.1. Mitigation Measures: See mitigation measures SE1 and SE2, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative impacts to area schools, for the foregoing reasons, the Commission adopts Finding 1.

6.8. CUMULATIVE LIBRARY IMPACTS.

Please refer to DEIR page 5.18-5 for an analysis of cumulative library impacts.

Potential Effect and Rationale for Finding:

The Project and related projects will create additional demand for library services, facilities and materials within the Santa Clarita Valley. Nonetheless, as previously discussed, the Commission considers payment of fees for new residential development projects adequate mitigation for library service impacts. Based on the amount of residential development proposed as part of the Project and related projects, the County will require payment of \$665 per dwelling unit to mitigate library service impacts. Given that the Project and related projects will pay requisite library fees to the County, cumulative impacts to library facilities and services will be less than significant.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's contribution to cumulative library impacts to less-than-significant levels by requiring the Applicant to pay the necessary and appropriate library mitigation fees.

6.8.1. Mitigation Measures: See mitigation measure LIB1, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative impacts to area libraries and materials, for the foregoing reasons, the Commission adopts Finding 1.

SECTION 7 - CUMULATIVE IMPACTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

7.1. CUMULATIVE NOISE IMPACTS RELATED TO TRAFFIC.

Please refer to DEIR page 5.4-20 for an analysis of the Project's contribution to cumulative noise impacts related to traffic.

Potential Effect and Rationale for Finding:

Development associated with the Project and other cumulative projects could result in cumulatively considerable traffic-related noise impacts. Traffic-related noise impacts related to the Project are expected to be cumulatively considerable, when considered with traffic noise generated by or related to other area projects.

Since the existing noise environment experienced by residential development in the Project vicinity exceeds the County's exterior noise thresholds (primarily due to I-5 freeway noise), the Project's minimal contribution to exterior noise levels is considered a significant and unavoidable cumulative impact despite the implementation of the mitigation measures referenced below.

Required Mitigation Measures:

The Project's contribution to cumulative noise impacts related to traffic will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measure described below by (i) constructing sound barriers; (ii) utilizing building designs and layouts that minimize exposure of noise sources to noise-sensitive receptors; and (iii) using building materials that help reduce noise impacts.

Notwithstanding the foregoing, the implementation of the mitigation measure described below will not be sufficient to reduce the Project's contribution to cumulative noise impacts related to traffic to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative noise impacts related to traffic would be somewhat reduced under the No Project Alternative discussed in the DEIR, because, under the No Project Alternative, there would not be any construction whatsoever and, as a result, no noise-sensitive receptors would be added to the Project site. However, that alternative is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.1.1. Mitigation Measures: See mitigation measures N3 through N9, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative noise impacts related to traffic to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.2. CUMULATIVE AIR QUALITY IMPACTS.

Please refer to DEIR page 5.5-25 for an analysis of the Project's contribution to cumulative air quality impacts.

Potential Effect and Rationale for Finding:

Construction of the Project will contribute cumulatively to the local and regional air pollutants together with other projects under construction. Emissions associated with operations of the Project will contribute to long-term regional air pollutants. Therefore, even though mitigation measures will be implemented to reduce impacts to the maximum extent practicable, implementation of the Project will contribute to significant cumulative air quality impacts.

Required Mitigation Measures:

The Project's contribution to cumulative air quality impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) implementing certain standards that minimize construction-related emissions; (ii) using low emission-producing materials; (iii) incorporating energy efficient elements to building designs; and (iv) providing shade trees to prevent heat build-up in parking areas.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative air quality impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative air quality impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR, because, under the No Project Alternative, there would not be any construction whatsoever. However, that alternative is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.2.1. Mitigation Measures: See mitigation measures AQ1 through AQ6, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative air quality impacts to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.3. BIOLOGICAL RESOURCES – CUMULATIVE, DIRECT IMPACTS TO RARE PLANTS POTENTIALLY OCCURRING ON-SITE.

Please refer to DEIR pages 5.6-90 through 5.6-104 for an analysis of the Project's contribution to cumulative, direct impacts to rare or special-status plant species potentially occurring on-site.

Potential Effect and Rationale for Finding:

As explained above in Section 4, several (i.e., 6) special-status plant species are likely to occur on-site but have not been detected during the conducted field surveys. These special-status plant species include: *Aster greatae* (Greata's Aster); *Erodium macrophyllum* (Round-leaved Filaree); *Horkelia cuneata* ssp. *puberula* (Mesa Horkelia); *Lepidium virginicum* var. *robinsonii* (Robinson's Pepper-grass); *Nolina cismontana* (Chaparral Nolina); and *Senecio aphanactis* (Rayless Ragwort). Cumulative impacts to these species are potentially significant; that is, since they have not yet occurred on-site -- and are only likely to occur -- there can be no actual cumulative impact. Nevertheless, both direct and indirect cumulative impacts to these species could be significant if (i) these species actually occurred on-site; and (ii) implementation of the mitigation measures described below fail. Despite the fact that there cannot yet be any cumulative impacts -- let alone cumulatively considerable impacts -- until these two conditions are met, out of an abundance of caution, the potential cumulative impacts to these special-status species are included in this Section 7 as significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative, direct impacts to rare or special-status plant species potentially occurring on-site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by conducting necessary

and appropriate surveys, preserving habitat, implementing preserve maintenance programs and by relocating, transplanting and propagating such species..

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative, direct impacts to rare or special-status plant species potentially occurring on-site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative, direct impacts to rare or special-status plant species potentially occurring on-site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.3.1. Mitigation Measures: See mitigation measures BIO1, BIO2 and BIO5, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative, direct impacts to special-status plant species potentially occurring on-site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.4. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO GENERAL WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-107 through 5.6-111 for an analysis of the Project's contribution to cumulative impacts to general wildlife species.

Potential Effect and Rationale for Finding:

The cumulative impacts relating to the loss of and disturbance to amphibian wildlife during construction and the cumulative impacts relating to the loss of and disturbance to breeding and nesting birds during construction will be significant and unavoidable. The habitat for these species has decreased significantly in the County, as urban development has increased in the last decade in the Santa Clarita Valley region. Currently, proposed and permitted projects will further reduce habitat in the near future. The cumulative loss of amphibian habitats will contribute to the incremental and cumulative loss of amphibian wildlife, and is considered a

cumulatively significant impact. The loss of occupied bird nests is also considered a significant impact. Currently proposed and permitted projects will reduce existing bird nests and habitat for nesting birds in the near future. The cumulative loss of bird nests and nesting habitat will contribute to the incremental and cumulative loss of such habitat, and is also considered a cumulatively significant impact. Note that the remaining cumulative impacts to general wildlife species are projected to be mitigated to a less-than-significant level, or are projected to be less than significant and, as a result, such impacts are discussed (respectively) in Sections 5 and 6, above.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to general wildlife species will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) complying with grading permit requirements; (ii) implementing appropriate and necessary BMPs; (iii) by locating and, if necessary, relocating such species; and (iv) complying with the Migratory Bird Act.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to general wildlife species to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to general wildlife species would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.4.1. Mitigation Measures: See mitigation measures BIO6, BIO10, BIO11 and BIO12, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative impacts to general wildlife species to the greatest extent feasible. Nevertheless, after mitigation, these cumulative impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.5. BIOLOGICAL RESOURCES – DIRECT CUMULATIVE IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES OBSERVED ON-SITE OR IMMEDIATELY ADJACENT TO THE PROJECT SITE.

Please refer to DEIR pages 5.6-111 through 5.6-118 for an analysis of the Project's contribution to cumulative direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site.

Potential Effect and Rationale for Finding:

Special-status wildlife species observed on-site or immediately adjacent to the Project site include Cooper's Hawk (*Accipiter cooperii*); Barn Owl (*Tyto alba*); Oak Titmouse (*Baeolophus inornatus*); Nuttall's Woodpecker (*Picoides nuttallii*); and the San Diego Desert Woodrat (*Neotoma lepida intermedia*). Cumulative direct impacts to each of these special-status wildlife species will be significant and unavoidable, except for the Barn Owl, which is highly adaptable and routinely utilizes man-made structures, and is little affected by human activities.

Required Mitigation Measures:

The Project's contribution to cumulative, direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) locating and, if necessary, relocating such species; (ii) complying with the Migratory Bird Act; (iii) performing necessary and appropriate surveys; (iv) avoiding disturbance to sensitive areas; (v) maintaining buffers; (vi) avoiding contact with such species; and (vii) replacing or compensating habitats of such species.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative, direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.5.1. Mitigation Measures: See mitigation measures BIO11 through BIO16, discussed above in Section 3) and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the direct, cumulative impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding, economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.6. BIOLOGICAL RESOURCES - CUMULATIVE DIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES LIKELY TO OCCUR ON-SITE.

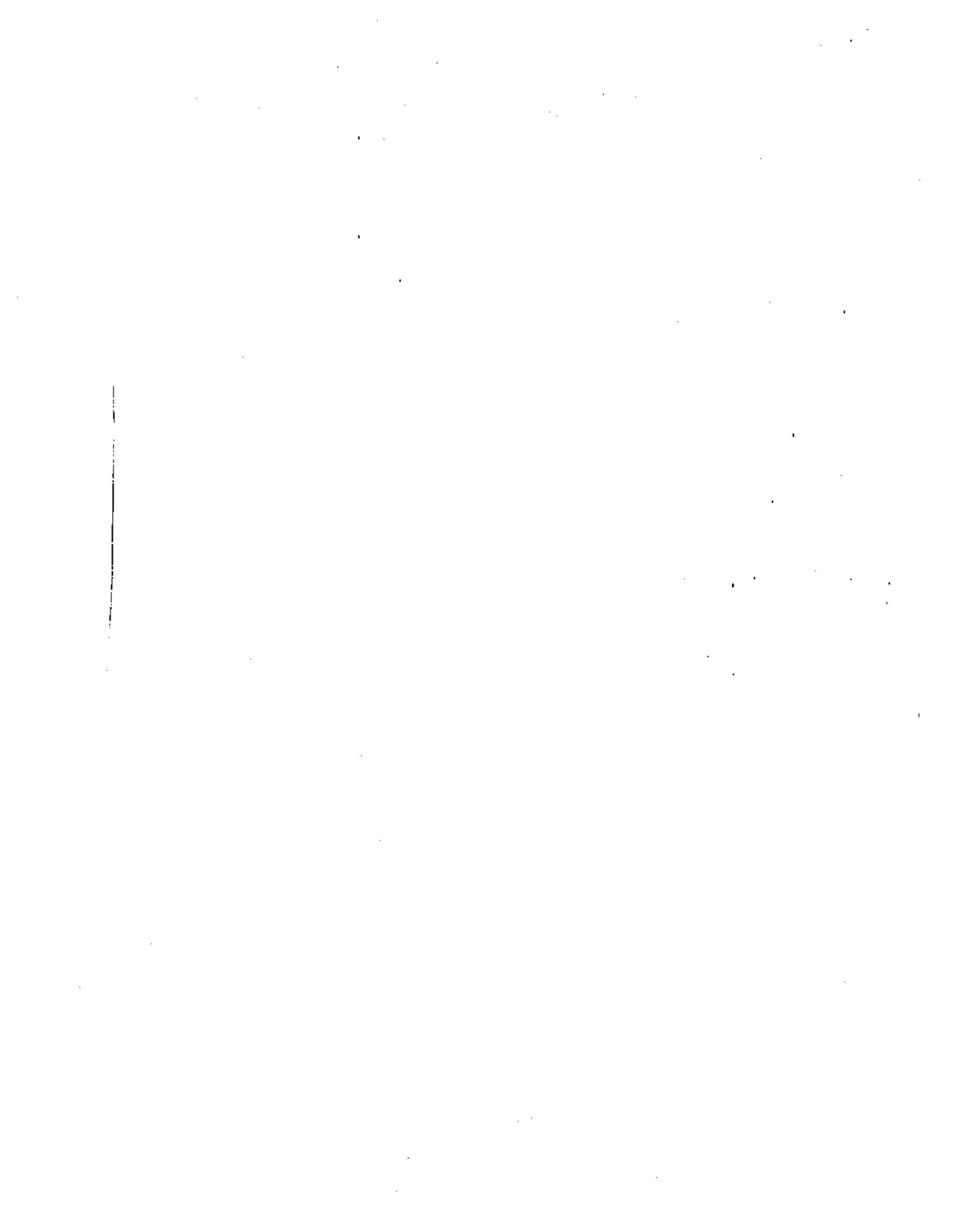
Please refer to DEIR pages 5.6-118 through 5.6-125 for an analysis of the Project's contribution to cumulative, direct impacts to special status wildlife species likely to occur on-site.

Potential Effect and Rationale for Finding:

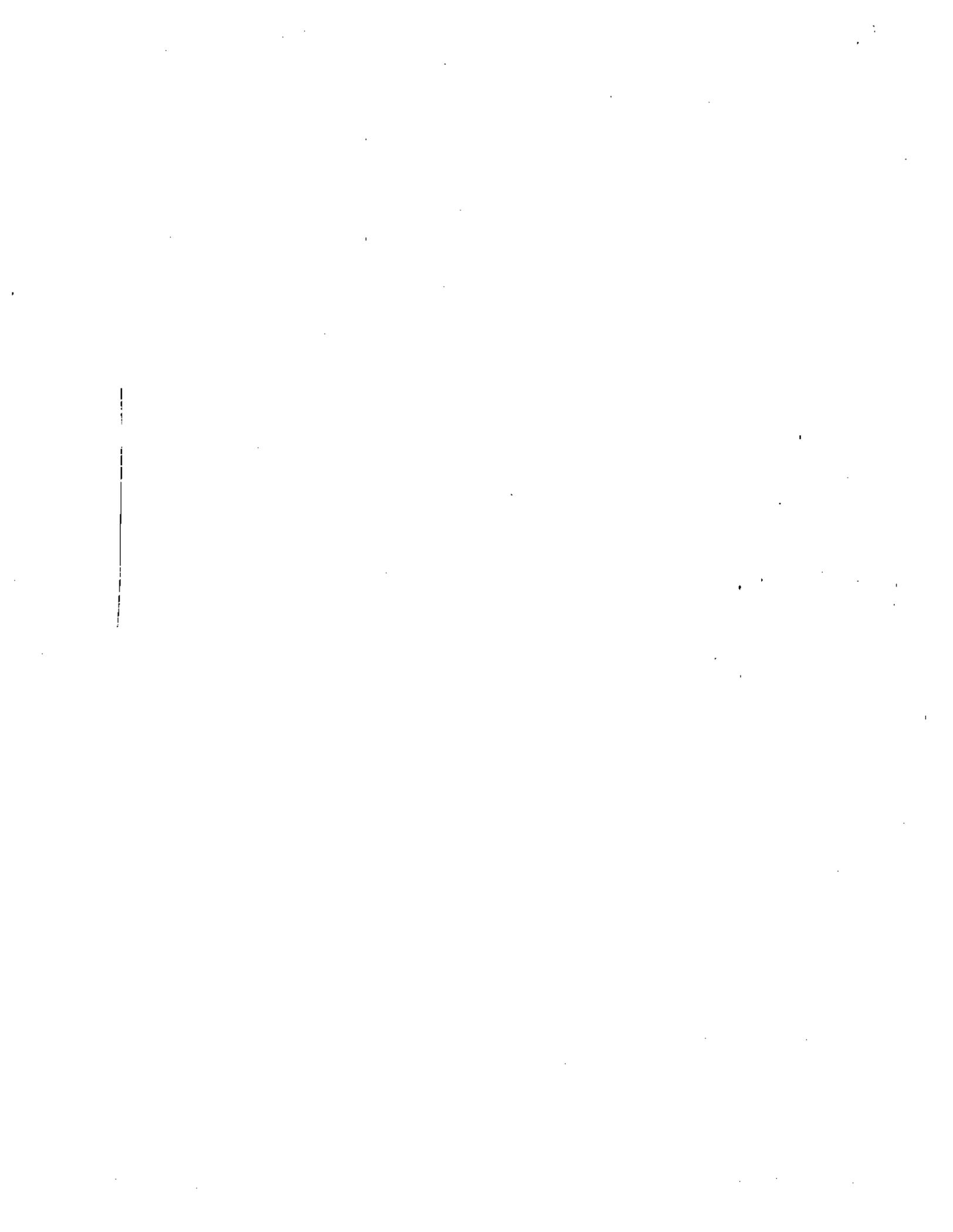
As discussed above, several (i.e., 19) special-status wildlife species are likely to occur on-site but have not been detected during several field surveys conducted on-site. These special-status wildlife species include: Silvery Legless Lizard (*Anniella pulchra pulchra*); Coastal Western Whiptail (*Aspidoscelis tigris stejnegeri*); Rosy Boa (*Charina trivirgata*); San Diego Banded Gecko (*Coleonyx variegates abbotti*); San Diego Horned Lizard (*Phrynosoma coronatum*); Coast Patch-nosed Snake (*Salvadora hexalepis virgulata*); Southern California Rufous-crowned Sparrow (*Aimophila ruficeps canescens*); Grasshopper Sparrow (*Ammodramus savannarum*); Bell's Sage Sparrow (*Amphispiza belli ssp. belli*); Long-eared Owl (*Asio otus*); Costa's Hummingbird (*Calypte costae*); Lawrence's Goldfinch (*Caroluelis lawrencei*); Lark Sparrow (*Chondestes grammacus*); Northern Harrier (*Circus cyaneus*); Loggerhead Shrike (*Lanius ludovicianus*); California Thrasher (*Toxostoma redivivum*); Ring-tailed Cat (*Bassariscus astutus*); Western Mastiff Bat (*Eumops perotis californicus*); and the Mountain Lion (*Puma concolor*). Should they indeed occur on-site, cumulative, direct impacts to these species will be significant and unavoidable. In all events, and regardless of whether any of these species are found on-site, the Project will have a significant and unavoidable cumulative impact on these species, since the Project will clear and grade up to 118.74 acres of foraging and nesting habitat.

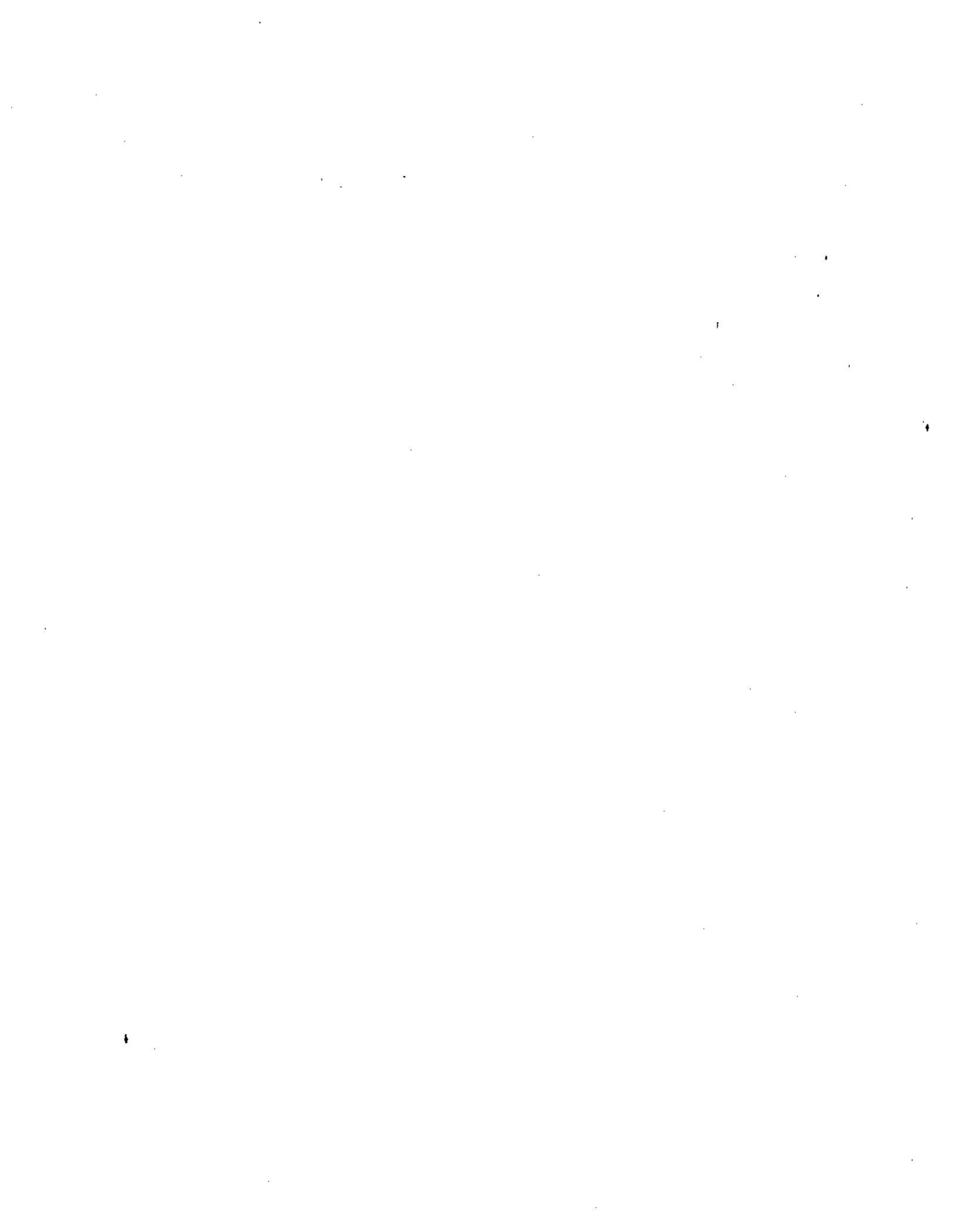
Required Mitigation Measures:

The Project's contribution to cumulative, direct impacts to special status wildlife species likely to occur on-site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) locating and, if necessary, relocating such species; (ii) complying with the Migratory Bird Act; (iii) performing necessary and appropriate surveys; (iv) avoiding disturbance to sensitive areas; (v) maintaining buffers; (vi) avoiding contact with such species; (vii) replacing or compensating habitats of such species; (viii) implementing wildlife relocation programs; (ix) controlling invasive species; and (x) creating replacement habitat.









Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative, direct impacts to special status wildlife species likely to occur on-site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative, direct impacts to special status wildlife species likely to occur on-site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.6.1. Mitigation Measures: See mitigation measures **BIO11** through **BIO20**, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the direct, cumulative impacts to special-status wildlife species likely to occur on-site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.7. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO VEGETATION - INCLUDING SENSITIVE HABITATS.

Please refer to DEIR pages 5.6-130 through 5.6-154 for an analysis of the Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats.

Potential Effect and Rationale for Finding:

Development associated with the Project and other cumulative projects will result in cumulatively considerable impacts to vegetation - including impacts to sensitive habitats. Specifically, the Project is expected have a cumulative contribution to impacts on Grassland habitats; Lichen-Rock Outcrop habitats; Coastal Sage Scrub; Chaparral habitats; Coast Live Oak trees; Valley Oak trees; Oak woodlands; and wetland habitats and plants. It is important to note, however, that cumulative impacts to Southern California Black Walnut woodlands and Scrub Oaks *will not be cumulatively considerable* (i.e., no mitigation necessary), and as a result, those impacts are discussed above in Section 5.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats, will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) protecting and enhancing grasslands and costal scrub brush; (iv) preserving on-site oaks; (v) planting additional oaks on-site and relocating certain mature oaks; and (vi) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats, to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats, would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.7.1. Mitigation Measures: See mitigation measures **BIO1** and **BIO2**; and **BIO24** through **BIO35**, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats, to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.8. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO LOSS OF WILDLIFE FORAGING AND COVER HABITATS.

Please refer to DEIR pages 5.6-155 through 5.6-156 for an analysis of the Project's contribution to cumulative impacts to wildlife foraging and cover habitats.

Potential Effect and Rationale for Finding:

Development associated with the Project, together with other cumulative projects, will have a cumulative, significant and unavoidable impact associated with the loss of wildlife foraging and cover habitats.

The wildlife habitats observed on-site include those sensitive habitats discussed, including Grassland, Coastal Sage Scrub, Chaparral, Coast Live Oak, California Black Walnut Woodland, and Southern Riparian Scrub. These habitats observed at Lyons Canyon Ranch are used for nesting and foraging habitat for several species of birds, and cover and foraging habitat for small and large mammals. Several wildlife species use the habitats on-site as a movement corridor where the site vegetation provides cover from predators and food and water resources. The function of the wetland habitat on-site is improved by the presence of natural upland vegetation and habitats creating cumulative high species richness for the Lyons Canyon area.

A total of approximately 118.74 acres of natural vegetation (including the loss of 98.86 acres resulting from direct grading impacts and the loss of an additional 19.88 acres resulting from indirect fuel modification impacts) will be impacted on-site, including sensitive plant communities and wetlands. Collectively, impacts to these wildlife habitats, including impacts that break their connectivity and increase habitat fragmentation, are considered a cumulatively significant and unavoidable impact.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to wildlife foraging and cover habitats will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) relocating, transplanting and propagating certain plant species; (iv) protecting and enhancing grasslands and coastal scrub brush; (v) preserving on-site oaks; (vi) planting additional oaks on-site and relocating certain mature oaks; and (vii) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to wildlife foraging and cover habitats to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to wildlife foraging and cover habitats would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.8.1. Mitigation Measures: See mitigation measures BIO1, BIO2, BIO4, BIO24 and BIO25, discussed above in Section 3, and BIO26, BIO27, BIO28, BIO29, BIO30, BIO31, BIO32, BIO33, BIO34 and BIO35, discussed above in Section 4. Each of these mitigation measures are also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative impacts to wildlife foraging and cover habitats to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.9. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO FUEL MODIFICATION.

Please refer to DEIR page 5.6-163 for an analysis of the Project's contribution to cumulative impacts to fuel modification.

Potential Effect and Rationale for Finding:

In addition to the Project resulting in the loss of 98.86 acres of natural vegetation, fuel modification, required by the County Fire Department Fuel Modification Unit, will also result in the loss of -- or significant degradation to -- an additional 36.14 acres of natural vegetation. More specifically, the implementation of the required 200-foot-wide fire protection zone around each building constructed at the Project site will result in the additional loss of at least 36.14 acres of natural vegetation. The 36.14 acres is the portion of the fuel modification zone that extends beyond the Project grading limits, which will contribute additionally to the cumulative loss of natural vegetation in the region. Currently proposed and permitted projects in the region will further reduce the total area of natural vegetation in the near future. This will contribute to the cumulative loss of natural vegetation and is considered cumulatively significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to fuel modification will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) preserving habitat; (ii) implementing conditions of approval for, and requiring County approval on all landscaping; (iii) protecting and enhancing grasslands and coastal scrub brush; (iv) preserving on-site oaks; (v) planting additional oaks on-site and relocating certain mature oaks; and (vi) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to fuel

modification to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to fuel modification would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.9.1 Mitigation Measures: See mitigation measures BIO2, BIO7 and BIO24 through BIO35, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce cumulative impacts resulting from fuel modification to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.10. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO NATURAL OPEN AREAS.

Please refer to DEIR page 5.6-168 for an analysis of the Project's contribution to cumulative impacts to natural open areas.

Potential Effect and Rationale for Finding:

Development associated with the Project will have cumulatively considerable, significant and unavoidable impacts on natural open areas. Specifically, the 235-acre Project site is currently natural open space, consisting of approximately 226.79 acres of natural vegetation and 8.71 acres of roads and disturbed areas. Of the 226.79 acres of natural vegetation on-site, approximately 118.74 acres of those habitats (including sensitive plant communities) will be impacted (52 percent) and approximately 108.05 acres of natural habitats will be preserved. When considering these impacts, together with similar impacts to other proposed area projects, the Project will have a cumulatively considerable, significant and unavoidable impact to natural open areas.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to natural open areas will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures

provided in this section by implementing (i) all the biological mitigation measures discussed above; (ii) all the air quality mitigation measures discussed above; (iii) all the hydrology and water quality mitigation measures discussed above; and (iv) implementing an open area protection and management plan.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to natural open areas to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to natural open areas would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.10.1. BIO36. Open Area Protection and Management Plan. An open area protection and management plan, for all preserve areas designated on-site, shall be prepared to ensure the implementation by the HOA of the mitigation and to aid in the protection of the remaining preserved open areas after the development on-site.

7.10.2. Additional Mitigation Measures. Implementing mitigation measures **BIO1** through **BIO35** (discussed above in Sections 3 and 4); **AQ1** through **AQ4** (discussed above in Section 4); **N1** through **N9** (discussed above in Sections 3 and 4); and **HWQ1** through **HWQ14** (discussed above in Section 3) will also help mitigate these significant and unavoidable impacts. Each of these mitigation measures are also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce cumulative impacts to natural open areas to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.11. CUMULATIVE IMPACTS TO ON-SITE WILDLIFE TRAVEL ROUTES.

Please refer to DEIR pages 5.6-169 through 5.6-171 for an analysis of the Project's contribution to cumulative impacts to on-site wildlife travel routes.

Potential Effect and Rationale for Finding:

Most wildlife travel routes existing on-site represent local movement paths between on-site habitats. A loss of a large number of localized paths is expected due to the Project; however, habitat to be retained on-site will still be accessible to wildlife from adjacent habitats.

The actual number of paths impacted on-site can only be estimated. Wildlife will be able to use the remaining habitats within the periphery of the developed portion of the Project site after construction; however, wildlife movement will be limited within the fuel modification zone since significant vegetation will be removed or thinned from that zone (up to 200 feet from all structures). Wildlife may be reluctant to use the fuel modification zones since much of the vegetation will be removed in these areas, with very little cover and/or shelter resources. This means that wildlife will most likely use only the outside edge of the fuel modification zone, adjacent to intact natural vegetation. Therefore, the Project will contribute to the cumulative impacts to wildlife paths within the Project site, and those impacts are considered cumulatively significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to on-site wildlife travel routes will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) performing necessary and appropriate surveys; (ii) avoiding disturbance to sensitive areas; (iii) maintaining buffers; (iv) avoiding contact with certain plant species; (v) replacing or compensating habitats of certain plant species; (vi) installing protective perimeter fencing; (vii) using designs and materials that will reduce light impacts; (viii) implementing construction techniques and guidelines which minimize noise impacts; (ix) protecting and enhancing grasslands and coastal scrub brush; (x) preserving on-site oaks; (xi) planting additional oaks on-site and relocating certain mature oaks; (xii) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands; (xiii) limiting construction to reasonable times; (xiv) implementing noise-reduction measures and practices to and with construction equipment; (xv) constructing sound barriers; (xvi) utilizing building designs and layouts that minimize exposure of noise sources to noise-sensitive receptors; and (xvii) using building materials that help reduce noise impacts.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to on-site wildlife travel routes to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to on-site wildlife travel routes would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons

explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.11.1. Mitigation Measures: See mitigation measures **BIO1; BIO2; BIO13 through BIO16; BIO21 through BIO23 and BIO24 through BIO35** (discussed above in Sections 3 and 4); and **N1 through N9** (discussed above in Sections 3 and 4). These mitigation measures are also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the cumulative impacts to on-site wildlife travel routes to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.12. CUMULATIVE IMPACTS TO VISUAL AND AESTHETIC RESOURCES.

Please refer to DEIR page 5.9-28 for an analysis of the Project's contribution to cumulative impacts to visual and aesthetic resources.

Potential Effect and Rationale for Finding:

The Project, in combination with other area development, will contribute to the alteration of the aesthetic character of the southern end of the Santa Clarita Valley from rural to more suburban. The Project and other development in the unincorporated portions of the County and the City of Santa Clarita will transform the character of the area by adding urban uses in currently undeveloped hillside areas. The aesthetic impacts of individual development projects can often be mitigated through careful site design, avoidance of significant visual features and appropriate building and landscape standards. Despite the mitigation that can be applied to individual development projects, the overall change in visual character associated with the Project and cumulative projects is considered an unavoidable significant cumulative impact.

Required Mitigation Measures:

There are no other feasible mitigation measures or acceptable Project alternatives that would substantially lessen or avoid the Project's contribution to cumulative impacts to visual and aesthetic resources because any development on the Project site will alter the site's existing visual character.

Finding:

The Commission adopts Finding 3. Cumulative impacts to visual and aesthetic resources will remain significant and unavoidable. There are no feasible mitigation measures available that will reduce this significant and cumulatively considerable impact to a less-than-significant level. These significant adverse impacts of the Project are determined to be acceptable due to the

overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.13. CUMULATIVE IMPACTS TO SHERIFF SERVICES.

Please refer to DEIR pages 5.14-7 through 5.14-8 for an analysis of the Project's contribution to cumulative impacts to police protection services.

Potential Effect and Rationale for Finding:

Development of the Project and related projects will increase demands for police protection services in the Santa Clarita Valley. As the Project and related projects are developed, tax revenues from property will be generated and accrued by the County and the City of Santa Clarita. Under status-quo conditions, the Project's contribution to cumulative impacts to police protection services will be mitigated to a level of insignificance. However, the County's Board of Supervisors controls funding for the County Sheriff Department and, if such funding is reduced in the future, the Project's contribution to cumulative impacts to police protection services will be significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to police protection services will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) requiring private security during construction; (ii) incorporating Sheriff Department design requirements into building designs; (iii) incorporating landscaping and lighting designed to avoid concealment of criminal activity; (iv) requiring clearly visible address and building number signs; and (v) incorporating doors and windows that are visible from the street..

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to police protection services to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to police protection services would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.13.1. Mitigation Measures: See mitigation measures SS1 through SS6, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce cumulative impacts to police protection services to the greatest extent feasible. However, as explained above, after mitigation, these impacts could still remain significant and unavoidable, depending upon how the County allocates funding to the County Sheriff's Department. These potentially significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.14. CUMULATIVE SOLID WASTE IMPACTS.

Please refer to DEIR pages 5.15-6 through 5.15-7 for an analysis of the Project's contribution to cumulative solid waste impacts.

Potential Effect and Rationale for Finding:

Assuming a worst-case scenario, without any recycling activities, development associated with the Project and related projects will likely generate approximately 100.68 tons of solid waste per day, or 36,748 tons per year. As explained above, the Project and related projects are required to comply with County recycling requirements.

The DEIR provides that it is anticipated the Project and related projects will meet current recycling goals and are assumed, in actuality, to only generate approximately 18,374 tons per year of cumulative solid waste for landfill disposal.

The Project and related development projects within the Santa Clarita Valley Area Plan planning area will not produce an amount of solid waste that exceeds available landfill capacity or trash hauler service capabilities in the short term. However, future effects of regional growth and the corresponding increase in solid waste disposal needs within the County will contribute to a significant adverse cumulative impact on solid waste disposal capacity. The DEIR provides that a landfill shortfall will ultimately occur within the County within the 15-year planning period (ending in 2010) unless all proposed landfills become operational and all Class III landfills are expanded (this includes expansions of the Antelope Valley, Chiquita Canyon, Lancaster, Scholl Canyon and Sunshine Canyon landfills). Based on past and current experience in siting new or expanded capacity, many (or all) of new or expanded landfill sites may encounter strong opposition during the permitting process and not all new sites or expansion plans are likely to be approved. Therefore, cumulative solid waste impacts are considered significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative solid waste impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) requiring adherence to all existing source reduction programs; (ii) placing recycling containers and areas in practical and convenient locations; (iii) reducing yard waste via landscaping design; (iv) utilizing home design techniques that will accommodate recycling; (v) distributing educational material regarding recycling to home-buyers; and (vi) complying with all applicable regulations regarding use, collection and disposal of solid and hazardous waste.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative solid waste impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative solid waste impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.14.1. Mitigation Measures: See mitigation measures SW1 through SW9, discussed above in Sections 3 and 4 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce cumulative solid waste impacts to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

SECTION 8 GROWTH-INDUCING IMPACTS OF THE ACTION.

Section 15126.2(d) of the CEQA Guidelines requires that an EIR "discuss the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Please refer to DEIR Section 7 for an analysis of the potential growth-inducing impacts of the Project.

Population

Implementation of the Project will involve the development of a total of 93 single-family residential units and 93 senior condominium units. The Project does not have any components that would be considered substantially growth-inducing (such as regional commercial uses or regional infrastructure). However, the subject site is encumbered with existing access easements benefiting the adjacent property owners to the west. Therefore, two "tap" streets ("H" Street and "I" Street) are proposed along the subject site's southwesterly property boundary to provide two future points of ingress and egress to the westerly property owners. If the property to the west is ever proposed for development, it is likely that vehicle traffic from such development will utilize the roadway system proposed for the Project. The existing land use designations on this westerly property are similar to those present on the subject site. Therefore, it is anticipated that future development will consist of relatively low-density residential uses. The population growth attributable to a low-density residential subdivision will not be considered substantial on a regional basis. Therefore, impacts from Project-related future population growth are considered less than significant.

Housing

The site is currently undeveloped and the Project will result in approximately 186 new dwelling units, but will not displace existing housing or require the construction of replacement housing elsewhere. Therefore, the Project will have a less-than-significant housing impact.

Cumulative Growth-Inducing Impacts

Implementation of all cumulative projects, including the Project, will result in additional population, housing development and employment in undeveloped portions of the Santa Clarita Valley. The combination of the Project and other cumulative projects listed in the DEIR will produce a potential population of 133,632 persons based on the listed 43,374 single-family and multi-family dwelling units multiplied by the population per dwelling unit ratio of 3.081. The potential employment developed from that population is derived by using the Southern California Association of Governments (SCAG) jobs/housing ratio for the 6-county SCAG Region of 1.21:1. The potential employment produced will be approximately 52,482 jobs. The Project's anticipated growth of 585 persons and 190 dwelling units will represent 0.4 percent of the cumulative population growth and 1.3 percent of the cumulative housing growth. Therefore, the Project's contribution to population and housing impacts in the Santa Clarita Valley is not cumulatively considerable.

However, after considering the cumulative population and housing impacts of all related projects the DEIR determined that:

- It is not possible to evaluate total cumulative population growth impact significance relative to official regional or local population projections because General Plan build-out is expected to occur well beyond the build-out of the Project and related projects. It is therefore assumed that all growth management goals and policies necessary to reduce cumulative population and housing impacts to a less-than-significant level

throughout the County will be incorporated into the Updated Los Angeles County General Plan and General Plan Environmental Impact Report.

- The build-out of the Project and related projects will create jobs and there will be no net loss of jobs. Cumulative development will not result in a significant impact relative to the net loss of jobs.
- In the course of Santa Clarita Valley ("SCV") area build-out, existing housing (including affordable housing) could possibly be displaced. This may occur to make way for new development that may be more compatible with local land use designations, to replace aging housing, or for other reasons. Overall, however, the housing stock in the County is expected to grow considerably as the SCV Area Plan states; it can be reasonably assumed that any loss of affordable housing that may occur will be replaced. Therefore, cumulative development will not result in a significant impact relative to loss of existing affordable housing stock.

SECTION 9 - FINDINGS REGARDING ALTERNATIVES.

Under CEQA Guidelines Section 15126.6, a description of a range of reasonable alternatives to the Project or location of the Project, which would feasibly attain most of the objectives of the Project, but would avoid or substantially lessen any of the significant effects of the Project, and evaluate the comparative merits of the alternatives, must be included in an EIR. The alternative analysis shall focus on alternatives to the Project, or its location, which are capable of avoiding or substantially lessening any significant effects associated with the Project. A No Project alternative must be evaluated along with its impact. The alternatives included in the DEIR are (1) a No Project/No Development Alternative; (2) a No Density Bonus Alternative; (3) a Reduced Density Alternative; and (4) a SEA/Oak Tree Avoidance Alternative. The DEIR compares the Project to these four alternatives.

In addition to specifying that the EIR evaluate "a range of reasonable alternatives" to the Project, Section 15126.6(c) also requires that an EIR identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process.

9.1. Project Objectives

The following represent the objectives of the Project:

- 9.1.1.** Develop a high-quality mix of residential components, including single-family residences and senior housing, with a focus on natural open space conservation and orderly development of the Project site;
- 9.1.2.** Create a semi-rural, non-suburban residential community utilizing a clustered development footprint as envisioned by the Santa Clarita Valley Area Plan;
- 9.1.3.** Conserve sensitive habitat areas through avoidance, restoration, and native landscaping;
- 9.1.4.** Provide a range of housing types, including large lot single-family detached, smaller lot single-family detached and multi-family housing for seniors;

9.1.5. Improve public safety in the region by dedicating a site for the construction of a new County Fire Station; and

9.1.6. Provide opportunities for local and regional recreation through the dedication of open space, trails and recreational facilities.

In addition, Lyons Canyon Ranch will achieve consistency with the following policies described in the Santa Clarita Valley Area Plan:

9.1.7. Permit appropriate land uses that are compatible with existing adjacent uses, and with the resource values present in identified SEAs;

9.1.8. Encourage the appropriate mix of land use types to prevent disharmony and degradation;

9.1.9. Encourage development of convenient services to meet the needs of the Santa Clarita Valley including health; education; welfare; police and fire protection; governmental operations; recreation and cultural facilities; and public utilities;

9.1.10. Provide an efficient local circulation pattern, both motorized and pedestrian; and

9.1.11. Encourage appropriate aesthetic (landscaping, signage, street furniture, design themes, etc.) measures so that each community can be clearly distinguished from neighboring ones.

9.2. Alternatives Rejected As Infeasible.

An offsite alternative (the "Offsite Alternative"), located on the Prentice-Taylor property to the south and east of the Project site, was initially considered as a possible alternative to the Project. However, after careful review for its potential as an alternative, the Offsite Alternative was ultimately rejected, because it could not avoid or substantially lessen the significant effects of the Project. As explained above, CEQA Guideline 15126.6 only requires that an EIR describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." That section also provides that an "EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation."

With regards to the Offsite Alternative, its development -- at a similar residential density and a similar configuration as the Project -- would require substantial site disturbance and grading in excess of what is required for the Project. This is a result of the Offsite Alternative's steep topography. Such substantial grading requirements, as expected, would significantly impact biological resources, including oak trees and wetland areas, at the Offsite Alternative location. Moreover, limitations on existing roadway and flood control infrastructure in and around the Offsite Alternative location would likely require that a residential project of similar density to the Project complete substantial roadway improvements to The Old Road/Calgrove Boulevard interchange and improve the existing flood control infrastructure beneath The Old Road and the adjacent I-5 Freeway. Perhaps the Offsite Alternative could have feasibly attained some of the basic objectives of the Project, but it could not avoid or substantially lessen the significant effects

of the Project. For that reason, and for the reasons explained above, the Offsite Alternative was rejected. Please refer to DEIR, Section 6.6, pages 6-23 through 6-29, for additional analysis of the Offsite Alternative.

9.3. Alternative 1: The No Project/No Development Alternative.

The No Project/No Development Alternative assumes the Project would not be implemented and other improvements would not be constructed. The existing Project site would remain unaltered and in its current condition. No infrastructure improvements (including water, wastewater, drainage and circulation facilities) identified in the Project would be constructed.

The following is a discussion of environmental impacts anticipated as a result of the No Project/No Development Alternative and a comparison of those environmental impacts versus those associated with the Project. Please refer to DEIR pages 6-2 through 6-7 for an analysis of the No Project Alternative/No Development Alternative's environmental impacts.

9.3.1. Hazards

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hazards. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hazards-related impacts associated with the Project, since there are none.

Under the No Project/No Development Alternative, impacts associated with hazardous materials, abandoned wells, debris piles, above ground storage tanks, power lines/transformers, the concrete storage structure, undocumented pipes, water wells, pesticides and offsite petroleum lines would not be remediated. Therefore, the reduction of impacts related to hazardous materials would not occur in a timely manner. The No Project/No Development Alternative would be considered environmentally inferior to the Project since the existing hazardous conditions identified on the subject site would not be remediated in the short term.

9.3.2. Geology, Soils and Seismicity

The No Project/No Development Alternative would not involve the construction of residential units in a seismically active region of Southern California. Therefore, this Alternative will not expose additional people and structures to potential adverse effects associated with seismic activity, adverse soils or geologic conditions. This Alternative would not involve construction activities, and thus potential soil erosion impacts would not occur.

The Project will result in significant and unavoidable impacts relative to modification of topography and relief features, grading and development on slopes greater than 25 percent natural grade and the modification of unique geologic or physical features on-site. This Alternative would avoid or substantially lessen the significant and unavoidable impacts to geology, soils and seismicity associated with the Project.

9.3.3. Noise

Under the No Project/No Development Alternative, no new residences would be constructed within the Project site. Nearby sensitive receptors would not be subjected to construction noise. New stationary and mobile noise sources would not occur and ambient noise levels would not increase. The Project will result in unavoidable significant impacts with regards to (i) ambient noise levels in the Project vicinity resulting from Project-related construction; and (ii) the Project's contribution to cumulative traffic-related noise.

This Alternative would avoid or substantially lessen these significant and unavoidable noise impacts associated with the Project.

9.3.4. Hydrology and Water Quality

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hydrology and water quality. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hydrology and water quality-related impacts associated with the Project, since there are none.

Under this Alternative, there would not be any impacts to water quality since development of the Project would not occur. With regards to hydrology, the existing quality and quantity of storm water and urban runoff would not change, since the Project site would not be developed. However, since the Project will actually reduce the volume of storm water runoff currently passing through the Property, by way of extensive flood control improvements, the No Project Alternative is not superior to the Project with respect to Hydrology impacts.

9.3.5. Air Quality

Demolition, grading and construction activities associated with the Project would not occur with this Alternative. Emissions associated with construction equipment, which have been concluded to exceed SCAQMD construction thresholds for CO, ROC, NO_x, and PM₁₀, would not occur. In addition, operational emissions would not exceed SCAQMD thresholds for CO, ROC, and NO_x. Therefore, implementation of the No Project/No Development Alternative would be consistent with the regional air quality plan and would not result in significant cumulative air quality impacts.

This Alternative would avoid the significant and unavoidable air quality impacts associated with the Project.

9.3.6. Biological Resources

The No Project/No Development Alternative would preserve the Project site in its current condition, and therefore would not disturb existing plant and animal habitats or individual plants and animals. This Alternative would avoid the significant and unavoidable impacts to biological resources associated with the Project. However, the substantial habitat enhancement and mitigation ratios well in excess of 1:1 would not occur under the No Project Alternative.

9.3.7. Archeological/Historical Resources

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to archeological/historical resources. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable impacts related to archeological/historical resources and associated with the Project, since there are none.

However, the No Project/No Development Alternative would not result in any grading or construction on-site. Potential impacts associated with the disturbance or destruction of undocumented archaeological, human remains or paleontological resources would not occur since the site would remain in its natural state.

9.3.8. Aesthetics and Visual Resources

The No Project/No Development Alternative would maintain the Project site in its natural condition. Therefore, scenic resources such as oak trees, unique topographic features and rock outcroppings would not be affected. The No Project/No Development Alternative would not obstruct views of any on-site ridgelines with the development of residential uses. Under the No Project/No Development Alternative no new light sources would be created.

As a result, this Alternative would avoid the significant and unavoidable impacts related to aesthetics and visual resources associated with the Project.

9.3.9. Traffic and Circulation

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to traffic and circulation. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable impacts related to traffic and circulation associated with the Project, since there are none.

Under the No Project/No Development Alternative, all study intersections are operating at an acceptable Level of Service (LOS). This existing condition would continue with the No Project/No Development Alternative. Existing conditions may be affected by additional growth in the area since the study intersections are forecast to operate at a deficient LOS for forecast year 2015 without Project conditions.

The projected increase in average daily traffic (ADT) that is expected to occur with implementation of the Project (1,300 ADT) would not occur with this Alternative. Therefore, the No Project/No Development Alternative would have incrementally fewer traffic-related impacts compared to the Project.

9.3.10. Public Services and Utilities

9.3.10.1. Water and Wastewater

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to water and wastewater. As a result, it is impossible for this

Alternative to avoid or substantially lessen any significant and unavoidable impacts to water and wastewater associated with the Project, since there are none.

The No Project/No Development Alternative would not result in impacts to water and wastewater services since development of the Project would not occur. The existing capability of water and wastewater services would not change, since the existing infrastructure serving the area would not be altered. Therefore, the No Project/No Development Alternative would have incrementally fewer impacts related to water and wastewater compared to the Project.

9.3.10.2. Fire Services/Sheriff Services

As explained above in Section 5, the Project could result in an unavoidable, significant cumulative impact to police protection services. With this Alternative, there would be no such impact and, as a result, this Alternative would avoid the significant and unavoidable cumulative impacts to police protection services that may be associated with the Project.

9.3.10.3. Parks and Recreation

The Project does not have any significant and unavoidable impacts related to parks and recreation; in fact, the Project develops part of the Project site into public parks. Of course, there would be no increased demand for recreational uses with the No Project/No Development Alternative, as no new residences would be constructed. Nevertheless, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable impacts related to parks and recreation associated with the Project, since there are none. It must be noted, however, that the public trail enhancements proposed with the Project would not occur under the No Project Alternative.

9.3.10.4. Schools

The Project does not have any significant and unavoidable impacts related to schools. In fact, the impacts related to schools as a result of the Project are fully capable of being mitigated to a less-than-significant level. Of course, the additional impacts to the Newhall School District and the William S. Hart School District associated with the Project would not occur under this Alternative, since no new residential units would be constructed.

9.3.10.5. Solid Waste

The Project's potential to create long-term significant and unavoidable solid waste disposal impacts, and cumulative impacts with regards to the same, would not occur with this Alternative, as no new residences would be constructed within the Project area. Therefore, this Alternative would avoid the significant and unavoidable solid waste impacts associated with the Project.

9.3.10.6. Electricity

The Project's potential to create impacts to electrical services would not occur with the No Project/No Development Alternative, as no new service connections would be required within the Lyons Canyon Ranch site. Nevertheless, the Project does not have any significant and unavoidable impacts related to electricity.

9.3.10.7. Natural Gas

The Project's potential to create impacts on natural gas services would not occur with the No Project/No Development Alternative, as no new service connections would be required within the Lyons Canyon Ranch site. Nevertheless, the Project does not have any significant and unavoidable impacts related to natural gas.

9.3.10.8. Land Use

The Project does not have any significant and unavoidable impacts related to land use. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable land use-related impacts associated with the Project, since there are none.

The No Project/No Development Alternative does not involve any annexation or development proposals that would significantly affect land use plans or policies of the Santa Clarita Valley Area Plan or other local and regional agencies; nor does the Project. This Alternative would not create any potential inconsistencies with County and SCAG land use policies, nor would it create any new land use compatibility conflicts; but, following mitigation, neither would the Project.

9.3.11. Conclusion

This Alternative would substantially lessen or avoid the significant and unavoidable impacts related to geology, soils and seismicity; noise; air quality; biological resources; aesthetics/light and glare; sheriff services; and solid waste, which are associated with the Project. However, the County rejects this Alternative as infeasible and unacceptable on account of specific economic, legal, social, technological, or other considerations. This Alternative fails to make any use of the Project site and leaves it in its current state. As a result, this Alternative fails to meet any of the Project objectives listed above, including (i) the development of a high-quality mix of residential components as envisioned by the County's housing element; (ii) the development of senior housing; (iii) the creation of a semi-rural, non-suburban residential community, as envisioned by the Santa Clarita Valley Area Plan; or (iv) the improvement of public safety in the region by dedicating a site for the construction of a new County Fire Station. This Alternative also is not superior to the Project with respect to certain impact areas, such as Hydrology impacts, in that the Project results in a net improvement over existing conditions for existing nearby residents.

For the above reasons, this Alternative has been rejected as infeasible.

9.4. ALTERNATIVE 2: THE NO DENSITY BONUS ALTERNATIVE.

The No Density Bonus Alternative would reduce the amount of residential units from 186 to 120; consisting of 90 detached single-family residential units and 30 multi-family residential units. Under the No Density Bonus Alternative, the senior housing development area and the fire station lot would be developed with 30 multi-family residential units. This Alternative would have 66 fewer residential units when compared to the Project. The backbone infrastructure, including roadways and water/sewer service pipelines, would be similar to the Project. No fire station site would be constructed under this Alternative.

The following is a discussion of environmental impacts anticipated as a result of the No Density Bonus Alternative and a comparison of those environmental impacts versus those associated with the Project. Please refer to DEIR pages 6-6 through 6-12 for an analysis of the No Density Bonus Alternative's environmental impacts.

9.4.1. Hazards

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hazards. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hazards-related impacts associated with the Project, since there are none. In fact, as with the Project, implementation of this Alternative would require mitigation regarding: hazardous materials, abandoned wells, debris piles, aboveground storage tanks, power lines/transformers, the concrete storage structure, undocumented pipes, water wells, pesticides and offsite petroleum pipelines.

9.4.2. Geology, Soils and Seismicity

Implementation of the No Density Bonus Alternative would not expose people and/or structures to subsurface fault rupture or seismic groundshaking since there are no known active or potentially active faults that traverse the Project site. This Alternative would involve development of residential units in a seismically active region of Southern California, as would the Project. Therefore, seismic impacts are considered significant but the proposed mitigation measures would reduce impacts to a less-than-significant level.

Impacts from ground failure, landslides/slope stability, soil erosion and expansive soils would still be potentially significant and would require mitigation measures to reduce impacts to less-than-significant levels, similar to the Project.

This Alternative would result in grading of approximately 91 acres, which would require an estimated 3.5 million cubic yards of cut and fill. The relatively steep on-site topography combined with large areas of exposed soil could potentially cause significant impacts, even after implementation of all proposed mitigation measures. Similar to the Project, these impacts would be significant and unavoidable. Significant soil erosion could potentially alter on-site natural drainages and slope areas, which would also be considered a significant impact.

As explained, this Alternative contemplates 66 fewer residential units and, as a result, would incrementally reduce the impacts related to grading and the alteration of the site's unique geologic and physical features, on account of a smaller grading and building envelope. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.3. Hydrology and Water Quality

Due to the reduced density and reduced grading footprint under this Alternative, impacts to drainage, hydrology, floodplain and water quality would be incrementally reduced compared to the Project. A reduction in drainage, hydrology, floodplain and water quality-related impacts can be attributed to a reduction in the total grading footprint; which would, in turn, result in a

reduction of soils that are subject to erosion, debris flow potential and overland flow/discharge volumes. The preservation of additional areas in their natural state will also promote increased stormwater infiltration. However, as with the Project, mitigation measures would be required to reduce all hydrology impacts to a less-than-significant level, where feasible.

This Alternative contemplates the same hydrological improvements as the Project. With those improvements, there will be a net improvement over existing downstream flood conditions.

Since the Project does not have any significant and unavoidable impacts related to hydrology or water quality, it is not possible for this Alternative to avoid or substantially lessen the same. That is, under either scenario, the impacts related to hydrology or water quality would be mitigated to a less-than-significant level.

9.4.4. Noise

Development of this Alternative would result in a reduction of the length of the construction period due to the reduction of residential units, compared to the Project. However, even after implementation of mitigation measures, short-term construction noise impacts would remain significant and unavoidable due to this Alternative's close proximity to existing residential units to the north. This Alternative would also generate, and cause people and wildlife to be exposed to, similar mobile noise source levels compared to the Project, due to the similar amount of vehicle traffic and a similar setback distance from the I-5 freeway. Mitigation measures would be required to reduce mobile noise impacts to less-than-significant levels. Stationary noise impacts would be less than significant, similar to the Project.

As explained, this Alternative contemplates 66 fewer residential units and, as a result, would incrementally reduce construction-related noise impacts on account of a reduction in the length of the construction period. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.5. Air Quality

Short-term construction impacts would remain significant and unavoidable with this Alternative due to similarities in the amount of required earthwork and other construction-related tasks associated with the construction of 120 residential units. Operational emissions would not exceed SCAQMD thresholds, as vehicle traffic and the number of household air emission sources would remain similar to the Project. CO impacts, which are directly related to congested roadway intersections and congested freeway segments, would remain less than significant. Since this Alternative would result in significant and unavoidable short-term air quality impacts, it would be inconsistent with the regional air quality management plan. This is considered a significant cumulative impact.

As explained, this Alternative contemplates 66 fewer residential units and, as a result, would incrementally reduce the air quality impacts, on account of a lesser number of units and a smaller grading and building envelope. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.6. Biological Resources

The No Density Bonus Alternative would reduce physical site disturbance and grading by approximately 15 acres (from 106 acres to 91 acres) when compared to the Project. A 6-acre reduction in grading/building footprint area could be achieved by eliminating the 10 lots located along "F" Street in the Project. The number of impacted oak trees and impacted wetland areas would be incrementally reduced when compared to the Project.

Nevertheless, impacts related to oak trees (and Coast Live Oak woodlands), wetlands, and SEAs would remain significant and unavoidable even with implementation of applicable mitigation measures, due to on-site grading in similar areas containing sensitive habitat. As explained, this Alternative contemplates 66 fewer residential units and, as a result, would incrementally reduce the biological impacts on account of a lesser number of units and a smaller grading and building envelope. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.7. Archaeological/Historical Resources

As no historical and/or cultural resources were identified on-site, development of the No Density Bonus Alternative would result in less-than-significant impacts; as would the Project. There are no significant or unavoidable impacts related to historical and/or cultural resources under either scenario.

9.4.8. Aesthetics and Visual Resources

The No Density Bonus Alternative would increase the amount of undisturbed open space from 127.8 acres to approximately 141 acres when compared to the Project. The reduction in the total development footprint was achieved by eliminating Lots 91-100 proposed in the northern portion of the Project. However, the modification of on-site scenic resources during the preparation of acceptable building pads would significantly impact the visual character of the subject site, similar to the Project. Even though aesthetic and visual resource impacts would be incrementally reduced when compared to those associated with the Project, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.9. Traffic and Circulation

Development of 90 single-family residential units and 30 townhouses would result in 1,197 ADTs, an incremental reduction of 64 ADTs when compared to the Project. Project-related intersection impacts would remain less than significant, as with the Project.

Cumulative impacts, including related and future development within the Santa Clarita Valley, would still be potentially significant. Cumulative mitigation, similar to those required of the Project, would reduce cumulative impacts to less-than-significant levels (just as such mitigation would in the context of the Project).

While impacts to the County Congestion Management Program and public transit system would also be incrementally reduced under this Alternative, there are no significant or unavoidable impacts related to traffic or circulation under either scenario.

9.4.10. Public Services and Utilities

Implementation of this Alternative would result in the following impacts to public services and utilities:

- A less-than-significant impact would occur as a result of the demand of 82.3 acre-feet per year ("AFY") of water, as would with the Project following mitigation;
- A less-than-significant impact would occur as a result of the creation of 26.21 AFY of wastewater, as would with the Project following mitigation;
- Mitigation measures would be required to ensure adequate fire flows to reduce impacts to less-than-significant levels, as would with the Project following mitigation;
- A less-than-significant impact would occur as a result of requiring an additional (i.e., 1.0) sheriff officer, as would with the Project following mitigation. Under both scenarios, a potentially significant and unavoidable cumulative impact may occur with regards to police protection services. This Alternative does nothing to avoid or substantially lessen this potential impact;
- Mitigation measures would be required to reduce the impact of the additional elementary school students to the Newhall School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of the additional junior high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of additional high school students to the William S. Hart School District, which will be over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact associated with the demand for additional library space and materials, as would with the Project;
- A less-than-significant impact would occur with development of 1.75 acres of parkland, which is 0.59 acres above the amount required under the Quimby Act. Nevertheless, there are no significant or unavoidable impacts with regards to parks under the Project;

- A significant impact would occur as a result of an additional 1,341 pounds per day of solid waste being generated by this Alternative, as would with the Project following mitigation;
- A less-than-significant impact would occur with the increased demand of 675.18 mega-watts (MWh) of electricity, similar to that of the Project following mitigation; and
- A less-than-significant impact would occur as a result of an increased demand of 720 k.c.f./month of natural gas, similar to that of the Project following mitigation.

A reduction in the total number of proposed residential units would reduce the total demand for water services, wastewater services, parks, schools, electricity, natural gas and the utilization of mineral resources, resulting in less-than-significant impacts. While this Alternative would result in a net decrease in demand for public services and utilities when compared to the Project, mitigation measures would still be required to reduce impacts to fire protection services, schools and library services. This Alternative would also result in significant and unavoidable impacts to solid waste, due to the finite resources associated with its disposal. In fact, the DEIR fails to provide any instance in which this Alternative reduces or substantially lessens the significant and unavoidable public service impacts related to the Project.

9.4.11. Land Use

The No Density Bonus Alternative would result in development of the Project site with a mix of land uses similar to those of the Project, but would be reduced in terms of gross project density. This Alternative would be considered consistent with applicable goals and policies of the County's Santa Clarita Valley Area Plan and the County's General Plan, similar to the Project.

As is also the case with the Project, the No Density Bonus Alternative would impact SEAs. This is considered a potentially significant land use impact, requiring implementation of on-site mitigation. The No Density Bonus Alternative would be consistent with the SCAG Regional Comprehensive Plan and Guide policies and Compass Growth Visioning Program strategies, as would the Project following mitigation.

9.4.12. Conclusion

The No Density Bonus Alternative would not fully avoid or substantially lessen the significant and unavoidable impacts associated with the Project.

The County rejects this Alternative as infeasible on account of specific economic, legal, social, technological, or other considerations. This Alternative fails to meet many of the objectives of the Project. It does not provide as much of a "mix" of housing choices when compared to the Project, as envisioned by the County's housing element. It offers approximately the same number of single-family detached units, but only offers about one-third the amount of multi-family units, which tend to be more affordable.

Moreover, this Alternative fails to offer any senior housing and provides 66 fewer total residential units. As a result, the economic viability of this Alternative would be reduced such that it would be financially infeasible.

Additionally, this Alternative fails to provide a site for a new fire station and, as a result, does not improve public safety as does the Project.

For the above reasons, this Alternative has been rejected as infeasible.

9.5. ALTERNATIVE 3: THE REDUCED DENSITY ALTERNATIVE.

The Reduced Density Alternative would include the development of 73 single-family lots in the southeastern portion of the site and would eliminate the multi-family lot and the fire station lot. The multi-family lot and the fire station lot would be developed with 20 single-family residential units, for a total of 93 residential units. In addition, all lots proposed along "E" and "F" Streets would be eliminated.

The following is a discussion of environmental impacts anticipated as a result of the Reduced Density Alternative and a comparison of those environmental impacts versus those associated with the Project. Please refer to DEIR pages 6-11 through 6-18 for an analysis of the Reduced Density Alternative's environmental impacts.

9.5.1. Hazards

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hazards. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hazards-related impacts associated with the Project, since there are none. In fact, as with the Project, implementation of the Reduced Density Alternative would require mitigation to reduce significant impacts to less-than-significant levels, where feasible. These impacts include: hazardous materials, abandoned wells, debris piles, aboveground storage tanks, power lines/transformers, the concrete storage structure, undocumented pipes, water wells, pesticides and offsite petroleum pipelines.

9.5.2. Geology, Soils, and Seismicity

Implementation of the Reduced Density Alternative would not expose people and/or structures to subsurface fault rupture or seismic groundshaking as no known active or potentially active faults traverse the Project site. This Alternative would involve development of residential units in a seismically active region of Southern California, as would the Project. Therefore, seismic impacts are considered significant but mitigation measures can reduce seismic impacts to a less-than-significant level.

Given the reduction in total building footprint, this Alternative would incrementally reduce impacts related to landslides/slope stability, soil erosion and expansive soils but would still require mitigation measures to reduce impacts to less-than-significant levels. This Alternative would result in grading of approximately 83 acres, which would require an estimated 3.0 million cubic yards grading. Nevertheless, impacts from soil erosion caused by on-site grading would still be considered significant and unavoidable, as with the Project.

As explained, this Alternative contemplates 93 fewer residential units and, as a result, would incrementally reduce the impacts related to grading and the alteration of the site's unique geologic and physical features, on account of a smaller grading and building envelope. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.5.3. Hydrology and Water Quality

Due to the reduced density and reduced grading footprint under this Alternative, impacts to drainage, hydrology, floodplain and water quality would be incrementally reduced compared to the Project. A reduction in drainage, hydrology, floodplain and water quality-related impacts can be attributed to a reduction in the total grading footprint; which, in turn, would result in a reduction of soils subject to erosion, debris flow potential and overland flow/discharge volumes. The preservation of additional areas in their natural state will also promote increased stormwater infiltration.

This Alternative contemplates the same hydrological improvements as the Project. With those improvements, there will be a net improvement over existing downstream flood conditions.

Moreover, as with the Project, mitigation measures would be required to reduce all hydrology impacts to a less-than-significant level, where feasible. Finally, since the Project does not have any significant and unavoidable impacts related to hydrology or water quality, it is not possible for this Alternative to avoid or substantially lessen the same. That is, under either scenario, the impacts related to hydrology or water quality would be mitigated to a less-than-significant level.

9.5.4. Noise

Development of the Reduced Density Alternative would result in a reduction of the length of the construction period, due to the reduction of residential units when compared to the Project. However, mitigation measures would still not reduce construction noise impacts to less-than-significant levels due to the proximity of construction to the existing residential uses to the north.

While this Alternative would result in a reduction of mobile noise levels due to a reduction in Project-related traffic, mitigation measures would still be required to reduce mobile noise impacts to less-than-significant levels, just as such mitigation measures are required under the Project, to reduce such impacts to less-than-significant levels.

This Alternative would reduce freeway noise impacts when compared to the Project because the lots with the most direct freeway noise exposure would be removed, however, the Project reduces all such impacts to less-than-significant levels. As with the Project, stationary noise impacts would be less than significant.

Although this Alternative would incrementally reduce construction and mobile source noise impacts when compared to the Project, on account of its 93 fewer units, this Alternative would not eliminate the significant and unavoidable impacts related to construction noise and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.5.5. Air Quality

Short-term construction impacts would be reduced under this Alternative with development of 93 fewer residential units. However, air emissions would still exceed SCAQMD thresholds even after project mitigation and thus impacts would remain significant and unavoidable.

Operational emissions would be reduced under this Alternative given the reduction in total vehicle trips and would remain less than significant, as they would under the Project. As with the Project, this Alternative would result in less-than-significant impacts in regards to CO impacts. Since this Alternative would result in short-term and long-term O₃ and PM₁₀ emissions, which for the South Coast Air Basin (SCAB) is considered non-attainment, it would be inconsistent with the regional air quality management plan and result in significant cumulative air quality impacts.

Overall, this Alternative would result in incrementally reduced air quality impacts when compared to the Project, on account of its 93 fewer residential units and smaller grading and building envelope. However, this Alternative does not eliminate the short-term significant and unavoidable construction impacts or the long-term O₃ and PM₁₀ emissions, and, as a result, fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.5.6. Biological Resources

The Reduced Density would result in less physical site disturbance and grading compared to the Project. This Alternative would retain 149 acres of undisturbed open space (compared to 127.8 with the Project). Under this Alternative, the number of oak trees proposed for removal would be reduced from 179 to 107, the number of oak trees otherwise encroached upon would be reduced from 62 to 34 and impacted wetland areas would not change when compared with the Project.

Although impacts to biological resources would be incrementally reduced compared to the Project, on account of its fewer number of units and smaller grading and building envelope, impacts related to wetlands and SEAs would still be considered significant and unavoidable, even with implementation of all feasible mitigation measures. As a result, this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.5.7. Archeological/Historical Resources

As no historical and/or cultural resources were identified on-site, development of the No Density Bonus Alternative would result in less-than-significant impacts; as would the Project. There are no significant or unavoidable impacts related to historical and/or cultural resources under either scenario.

9.5.8. Aesthetics and Visual Resources

The Reduced Density Alternative would result in the preservation of 149 acres of undisturbed open space (compared to 127.8 acres with the Project). In addition, this Alternative would also eliminate the grading of building pads along the secondary access road, which would significantly reduce the impact to scenic resources visible from The Old Road and I-5 freeway. Development of this Alternative would include development on only the northern and southwestern portion of the site and would eliminate development in the southeastern portion of the site. The short-term impacts associated with construction activities would also be reduced under this Alternative, as it would result in the grading of 83 acres compared to 97 acres under the Project. Under this Alternative, the mitigation required as part of the Project would reduce impacts to aesthetic and visual resources to less-than-significant levels. Therefore, this Alternative avoids or substantially lessens the significant and unavoidable impacts related to aesthetic and visual resources associated with the Project.

9.5.9. Traffic/Access

Development of 93 single-family residential units would result in a total of 890 ADTs; a reduction of 371 ADTs compared to the Project.

While impacts to the County Congestion Management Program and public transit system would also be incrementally reduced under this Alternative, there are no significant or unavoidable impacts related to traffic or circulation under either scenario.

9.5.10. Public Services and Utilities

Implementation of this Alternative would result in the following impacts to public services and utilities:

- A less-than-significant impact would occur as a result of the demand of 71.9 AFY of water, as would with the Project following mitigation;
- A less-than-significant impact would occur as a result of the creation of 27 AFY of wastewater, as would with the Project following mitigation;
- Mitigation measures would be required to ensure adequate fire flow and reduce fire service impacts to less-than-significant levels, as would with the Project;
- A less-than-significant impact on law enforcement services, as with the Project following mitigation. Under both scenarios, a potentially significant and unavoidable cumulative impact may occur with regards to police protection services. This Alternative does nothing to avoid or substantially lessen this potential impact;
- Mitigation measures would be required to reduce the impact of the additional elementary school students to the Newhall School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;

- Mitigation measures would be required to reduce the impact of the additional junior high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of the additional high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures in the form of impact fees would be required to reduce the impact from the demand for additional square feet of library space and materials, as would with the Project following mitigation;
- A less-than-significant impact would occur with development of 1.75 acres of parkland, which is 0.85 acre above the amount required under the Quimby Act. Nevertheless, there are no significant or unavoidable impacts with regards to parks under the Project;
- A less-than-significant project impact would occur with the development of only 93 single-family residences. However, a significant cumulative impact, would occur as a result of an additional 1,039 pounds per day of solid waste being generated under this Alternative, as would with the Project following mitigation;
- A less-than-significant impact would occur with the increased demand of 523 MWh of electricity, similar to that of the Project following mitigation; and
- A less-than-significant impact would occur as a result of an increased demand of 620 k.c.f./month of natural gas, similar to that of the Project following mitigation.

The Reduced Density Alternative would result in a reduction in demand for sheriff services, water, wastewater services, parks, electricity, natural gas, solid waste and the utilization of mineral resources. Impacts under each of these areas would be less than significant, as they would under the Project. While the Reduced Density Alternative would result in a net decrease in demand for public services and utilities when compared to the Project, mitigation measures would still be required to reduce impacts to fire protection services, schools and library services. This Alternative would also result in significant and unavoidable impacts to solid waste, due to the finite resources associated with its disposal. In fact, the DEIR fails to provide any instance in which this Alternative reduces or substantially lessens the significant and unavoidable public service impacts related to the Project.

9.5.11. Land Use

Under the Reduced Density Alternative, 93 single-family residential units would be constructed. The configuration under this Alternative would be consistent with applicable goals and policies of the County General Plan and the Santa Clarita Valley Area Plan, as well as applicable SCAG regional policies and strategies, similar to the Project.

This Alternative would still require consideration of a Conditional Use Permit for hillside development and development within a SEA. An Oak Tree Permit would also be required to allow the removal of on-site oak trees. This is considered a potentially significant land use impact, requiring implementation of on-site mitigation, under either scenario.

When compared to the Project, the amount of undisturbed open space would be increased from 127.8 acres to 149 acres and the number of oak tree removals would be reduced from 162 to 124 under this Alternative. Implementation of this Alternative would result in fewer land use impacts as compared to the Project, based on the assumption that a lower density project with a reduction in on-site grading and oak tree impacts is generally found to be more consistent with existing County General Plan goals and policies, and County development standards. However, the significant and unavoidable impacts associated with the Project remain under this Alternative.

9.5.12. Conclusion

The Reduced Density Alternative would only fully avoid or substantially lessen significant and unavoidable impacts related to aesthetics/light and glare associated with the Project. This Alternative would otherwise fail to fully avoid or substantially lessen any of the other significant and unavoidable impacts associated with the Project.

The County rejects this Alternative as infeasible on account of specific economic, legal, social, technological, or other considerations. The Reduced Density Alternative fails to meet many of the objectives of the Project. It does not provide as much of a "mix" of housing choices when compared to the Project, as envisioned by the County's housing element. Specifically, it offers the same number of single-family detached units, but fails to offer any multi-family units, which tend to be more affordable. This Alternative wholly fails to offer any senior housing units and only provides 93 total units; 93 fewer total units than the Project. As a result, the economic viability of this Alternative would be reduced such that it would be financially infeasible.

Additionally, this Alternative fails to provide a site for a new fire station and, as a result, does not improve public safety as does the Project.

For the above reasons, this alternative has been rejected as infeasible.

9.6. ALTERNATIVE 4: THE SEA/OAK TREE AVOIDANCE ALTERNATIVE.

The SEA/Oak Tree Avoidance Alternative would include the development of 121 residential units (i.e., 65 less than the Project) clustered in the northeast portion of the site. Based upon the specific request of the Nature Conservancy, this Alternative has been slightly modified to include the 1.26 acre County fire station site, as proposed in the Project. The 121 residential units would include a mix of multi-family and single-family residences.

The following is a discussion of environmental impacts anticipated as a result of the SEA/Oak Tree Avoidance Alternative and a comparison of those environmental impacts versus those associated with the Project. Please refer to DEIR pages 6-17 through 6-22 for an analysis of the SEA/Oak Tree Avoidance Alternative's environmental impacts.

9.6.1. Hazards and Hazardous Materials

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hazards. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hazards-related impacts associated with the Project, since there are none. In fact, as with the Project, implementation of the SEA/Oak Tree Avoidance Alternative would require mitigation to reduce significant impacts to less-than-significant levels. The impact issues include: hazardous materials, abandoned wells, debris piles, aboveground storage tanks, power lines/transformers, the concrete storage structure, undocumented pipes, water wells, pesticides and offsite petroleum pipelines.

9.6.2. Geology, Soils and Seismicity

Implementation of the SEA/Oak Tree Avoidance Alternative would not expose people and/or structures to subsurface fault rupture or seismic groundshaking as no known active or potentially active faults traverse the site. This Alternative would involve development of residential units in a seismically active region of Southern California, as would the Project. Therefore, seismic impacts are considered significant but mitigation measures can reduce seismic impacts to a less-than-significant level.

Due to the reduction in the total grading footprint (from 106.3 acres to 51 acres) and the relocation of residential units out of the hillside areas, the SEA/Oak Tree Avoidance Alternative would incrementally reduce grading impacts caused by landslides/slope stability, soil erosion and expansive soils, but would still require mitigation measures to reduce impacts to less-than-significant levels. As a result, this Alternative would avoid or substantially lessen the significant and unavoidable impacts related to geology, soils and seismicity associated with the Project.

9.6.3. Hydrology and Water Quality

Due to the reduced density and reduced grading footprint under this Alternative, impacts to drainage, hydrology, floodplain and water quality would be reduced compared to the Project. A reduction in drainage, hydrology, floodplain and water quality-related impacts can be attributed to a reduction in total grading footprint and the removal of all residential units from hillside areas. Compared to the Project, the preservation of additional areas in their natural state will increase stormwater infiltration, reduce potential for soil erosion, reduce overland flow volumes and reduce debris flow potential across the site.

This Alternative contemplates the same hydrological improvements as the Project. With those improvements, there will be a net improvement over existing downstream flood conditions.

As with the Project, mitigation measures would be required to reduce drainage and hydrology impacts to less-than-significant levels. It is important to note that the construction of a 12.0 acre debris/detention basin site in the southwest portion of the subject site will still be required under this Alternative, to reduce downstream debris/flooding issues. In fact, this 12.0 acre debris/detention basin site is contemplated by and required under each of the alternatives contemplated in the DEIR, except for the No Project Alternative.

With regards to this particular Alternative, as indicated in Exhibit 6-3 of the DEIR, this basin site will be located within SEA No. 63, and as such, although this Alternative would avoid some disruption and development in SEA No. 63, it would not wholly avoid such disruption and development. In sum, under either scenario, the impacts related to hydrology or water quality would be mitigated to a less-than-significant level.

9.6.4. Noise

Development of the SEA/Oak Tree Avoidance Alternative would result in a reduction of the length of the construction period due to the reduction of total on-site grading and residential units when compared to the Project. However, mitigation measures would still not reduce construction noise impacts to less-than-significant levels due to the proximity of construction to the existing residential uses to the north and the noise volume associated with these construction activities. This Alternative would generate reduced levels of mobile noise given the reduction in associated vehicle traffic. However, freeway-related noise impacts on residential lots when compared to the Project would be similar because this Alternative would still include residential lots with direct freeway noise exposure. As with the Project, noise impacts from stationary sources (such as the fire station, air conditioning units, etc.) would be less than significant.

As explained, this Alternative contemplates 65 fewer residential units and, as a result, would incrementally reduce construction-related noise impacts and mobile source noise impacts on account of a reduction in the length of the construction period, fewer units and smaller building and grading envelope. Nevertheless, under this Alternative, those impacts would remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.6.5. Air Quality

Short-term construction impacts would be reduced under the SEA/Oak Tree Avoidance Alternative with the development of 65 fewer residential units. In addition, CO, ROC, NO_x and PM₁₀ emissions could also be reduced below SCAQMD thresholds due to a substantial reduction in on-site grading operations and through implementation of the proposed mitigation measures. After mitigation, short-term air quality impacts could be reduced to less-than-significant levels. Similarly, operational emissions would be reduced under the SEA/Oak Tree Avoidance Alternative given the reduction in total vehicle trips. As with the Project, this Alternative would result in less-than-significant impacts in regards to CO impacts.

Since this Alternative would not result in short-term and long-term O₃ and PM₁₀ emissions, which for the South Coast Air Basin (SCAB) is considered non-attainment, this Alternative would be consistent with the regional air quality management plan and would not substantially contribute to significant cumulative air quality impacts. Therefore, this Alternative would result in reduced air quality impacts when compared to the Project, and would avoid the short-term significant and unavoidable construction impacts and the long-term O₃ and PM₁₀ emissions.

9.6.6. Biological Resources

The SEA/Oak Tree Avoidance Alternative would result in less physical site disturbance and grading compared to the Project. This Alternative would retain approximately 181 acres

compared to 127.8 proposed with the Project. Under the SEA/Oak Tree Avoidance Alternative, the number of oak trees proposed for removal would be reduced from 162 to 68; the number of oak trees otherwise encroached upon would be reduced from 54 to 45; the level of impacts to wetland areas would remain the same as compared to the Project due to the continuing need to construct two debris/detention basins. It should be noted that the 12.0 acre debris/detention basin site is proposed in the same location – in SEA No. 63. See Exhibit 6-3 of the DEIR. The Project's biologist determined that moving this debris/detention basin site to a suitable location outside of SEA No. 63 would result in increased impacts to wetland/riparian habitat, given that the proposed location consists primarily of disturbed non-native ruderal grassland and limited riparian habitat.

Overall, impacts to SEAs would be incrementally reduced from 26.35 acres to approximately 12.00 acres. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.6.7. Archeological/Historical Resources

As no historical and/or cultural resources were identified on-site, development of the No Density Bonus Alternative would result in less-than-significant impacts; as would the Project. There are no significant or unavoidable impacts related to historical and/or cultural resources under either scenario.

9.6.8. Aesthetics and Visual Resources

The SEA/Oak Tree Avoidance Alternative would substantially increase the amount of preserved open space acreage thereby reducing the significant impact associated with the Project. Development of this Alternative would increase the amount of undisturbed open space acreage to 181 acres compared to 127.8 acres under the Project. In addition, the development area associated with this Alternative would be concentrated in the lower lying areas of the subject site, thereby eliminating the potentially significant impacts on scenic resources and, as a result, avoiding a significant and otherwise unavoidable impact associated with the Project.

9.6.9. Traffic and Circulation

Development of 121 single-family residential units would result in a total of 1,206 ADTs, a reduction of 55 ADTs compared to the Project. As with the Project, both the project-specific and cumulative traffic impacts associated with the SEA/Oak Tree Avoidance Alternative could be reduced to less-than-significant levels within the implementation of the proposed mitigation measures.

While impacts to the County Congestion Management Program and public transit system would also be incrementally reduced under this Alternative, there are no significant or unavoidable impacts related to traffic or circulation under either scenario.

9.6.10. Public Services and Utilities

Implementation of the SEA/Oak Tree Avoidance Alternative would result in the following impacts to public services and utilities:

- A less-than-significant impact would occur as a result of the project-related water demand of 75.51 AFY, as would with the Project following mitigation;
- A less-than-significant impact would occur as a result of the project-related wastewater demand of 12.8 AFY, as would with the Project following mitigation;
- Mitigation measures would be required to ensure adequate fire flow and reduce fire service impacts to less-than-significant levels, as would with the Project;
- Mitigation measures would be required to reduce the impacts on law enforcement services, as would with the Project following mitigation. Under both scenarios, a potentially significant and unavoidable cumulative impact may occur with regards to police protection services. This Alternative does nothing to avoid or substantially lessen this potential impact;
- Mitigation measures would be required to reduce the impact of additional elementary school students to the Newhall School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of the additional junior high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of additional high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact from the demand for library space and materials, as would with the Project;
- Mitigation measures in the form of in-lieu payments would be required to reduce impacts to parkland as required by the Quimby Act, as would with the Project;
- A significant impact would occur as a result of an additional 1,408 pounds per day of solid waste being generated under this Alternative, as would with the Project following mitigation;
- A less-than-significant impact would occur with the increase in demand of 709 MWh of electricity, similar to that of the Project following mitigation; and

- A less-than-significant impact would occur as a result of an increased demand of 625 k.c.f./month of natural gas, similar to that of the Project following mitigation.

The SEA/Oak Tree Avoidance Alternative would result in a reduction in demand for water, wastewater services, electricity, natural gas and the utilization of mineral resources, resulting in less-than-significant impacts. While this Alternative would result in a net decrease in demand for public services and utilities when compared to the Project, mitigation measures would still be required to reduce impacts to fire protection services, sheriff services, schools, parks and library services. As with the Project, the SEA/Oak Tree Avoidance Alternative would result in significant and unavoidable cumulative impacts to solid waste, due to the finite resources associated with its disposal, and therefore this Alternative would fail to avoid or substantially lessen those significant and unavoidable impacts associated with the Project. Other than solid waste, there would be no significant and unavoidable impacts to public services under either scenario.

9.6.11. Land Use

It is anticipated that the SEA/Oak Tree Avoidance Alternative would be consistent with applicable goals and policies of the County General Plan and the Santa Clarita Valley Area Plan, as with the Project. Under this Alternative, the number of oak tree removals and area of SEA intrusion would be substantially reduced. Moreover, the amount of undisturbed open space would be increased from 127.8 acres to 181 acres when compared to the Project. However, there are not any significant or unavoidable impacts under either scenario with regards to land use.

9.6.12. Conclusion

The SEA/Oak Tree Avoidance Alternative would avoid or substantially lessen the following significant and unavoidable impacts that are associated with the Project: (i) geology, soils and seismicity; (ii) air quality; and (iii) aesthetics and visual resources. While the impacts to biological resources, noise and solid waste would be incrementally reduced under this Alternative, they will nevertheless remain significant and unavoidable and, as such, this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts.

The County rejects this Alternative as infeasible on account of specific economic, legal, social, technological, or other considerations. While this Alternative does reduce or avoid several significant and otherwise unavoidable impacts associated with the Project, it fails to meet many of the objectives of the Project and it continues to impose significant impacts onto SEA No. 63. Specifically, this Alternative does not provide as much of a "mix" of housing choices when compared to the Project, as envisioned by the County's housing element. In all events, this Alternative provides approximately one-third less the total number of units. The net-result will be that this Alternative does not provide as much affordable housing products as the Project which is also contemplated in the County's housing element. Moreover, this Alternative also wholly fails to offer any senior housing units. Each of these aspects reduces the economic viability of this Alternative, to the extent that it would be financially infeasible.

By clustering the development in the northeast portion of the site, this Alternative fails to offer a high-quality mix of residential components, including single-family residences and senior

housing, with a focus on orderly development of the Project site. It fails to provide a range of housing types, including large lot single-family detached, smaller lot single-family detached, and multi-family housing for seniors, as envisioned by the County's housing element. Finally, it fails to create a semi-rural, non-suburban residential community as envisioned by the Santa Clarita Valley Area Plan.

For the above reasons, this Alternative has been rejected as infeasible.

9.7. ENVIRONMENTALLY SUPERIOR ALTERNATIVE.

CEQA Guidelines Section 15126.6(e)(2) requires the designation of an environmentally superior alternative to the Project and, if the environmentally superior alternative is the No Project Alternative, selection of an environmentally superior alternative from among the remaining alternatives. Please refer to page 6-22 to DEIR for an analysis of the environmentally superior alternative.

The most environmentally superior alternative would be the No Project/No Development Alternative, as it avoids every significant and unavoidable impact associated with the Project. However, as explained above, the No Project/No Development Alternative is rejected, as it fails a single objective associated with the Project. Moreover, and also as explained above, CEQA requires the selection of an environmentally superior alternative from among the remaining alternatives if the most environmentally superior alternative is the No Project Alternative.

As explained in the DEIR, when comparing Alternatives, it is important to consider several factors, including the Project's objectives and the Alternative's ability to fulfill the objectives with minimal impacts to the surrounding environment and whether any Alternative either avoids or substantially lessens significant, unavoidable impacts or avoids or substantially lessens such impacts to the surrounding environment. In consideration of these factors, the DEIR found the SEA/Oak Tree Avoidance Alternative as the Environmentally Superior Alternative to the Project, after the No Project Alternative.

Nevertheless, and as explained above, the SEA/Oak Tree Avoidance Alternative is rejected as being infeasible. While it would avoid or substantially lessen significant and unavoidable impacts regarding geology, soils and seismicity; air quality; and aesthetics and visual resources, it fails to substantially lessen or avoid impacts to biological resources, noise or solid waste. Moreover, it fails to avoid or substantially lessen significant and unavoidable impacts to SEA No. 63.

Equally important, the SEA/Oak Tree Avoidance Alternative fails to meet many of the objectives of the Project. It does not provide as much of a "mix" of housing choices and eliminates about one-third of the residential units offered by the Project. It also provides less multi-family units, which tend to be more affordable. The SEA/Oak Tree Avoidance Alternative wholly fails to offer any senior housing units. Each of these criteria is considered important by the County and its housing element.

By clustering the development in the northeast portion of the site, the SEA/Oak Tree Avoidance Alternative fails to offer a high-quality mix of residential components, including single-family residences and senior housing, with a focus on orderly development of the Project site. It also

fails to provide a range of housing types, including large lot single-family detached, smaller lot single-family detached and multi-family housing for seniors. Finally, it fails to create a semi-rural, non-suburban residential community as envisioned by the Santa Clarita Valley Area Plan

In addition, the substantial reduction in residential units, without materially decreasing the amount of infrastructure required, e.g. flood control basins, jeopardizes the financial viability of this Alternative, rendering it financially infeasible.

For the foregoing reasons, the SEA/Oak Tree Avoidance Alternative is rejected as infeasible.

SECTION 10 - FINDINGS REGARDING MONITORING PROGRAM.

Section 21081.6 of the Public Resources Code requires that when a public agency is making the finding required by Section 21081(a)(1) of the Public Resources Code, the public agency shall adopt a reporting or monitoring program for the changes made to the Project or conditions of Project approval adopted in order to mitigate or avoid significant effects on the environment.

The Commission hereby finds that the Mitigation Monitoring Program, which is presented as a separate document, meets the requirements of Section 21081.6 of the Public Resources Code.

SECTION 11 - STATEMENT OF OVERRIDING CONSIDERATIONS.

The DEIR identified and discussed significant effects that will occur as a result of the Project. With the implementation of the mitigation measures, these effects can be mitigated to levels of insignificance except for unavoidable, significant impacts to Geology, Soils and Seismicity, Noise, Air Quality, Biological Resources, Aesthetics/Light and Glare, and Solid Waste. With regards to Sheriff Services, there remains the potential to have a significant and unavoidable impact if the County's Board of Supervisors alters funding for the same. Moreover, there are other impacts, addressed above, that could become significant and unavoidable, should the required mitigation measures fail. With regards to each of these significant and unavoidable impacts, and to each of the potentially significant and unavoidable impacts, the County hereby overrides such impacts because of the following overriding considerations.

Having reduced the effects of the selected Project by adopting the conditions of approval and the mitigation measures described above and in the Mitigation Monitoring Program, and having balanced the benefits of the selected Project against the Project's potential unavoidable significant adverse impacts and the Project's alternatives, the Commission hereby determines that the benefits of the Project outweigh the potential unavoidable adverse impacts, and that the unavoidable adverse impacts are nonetheless "acceptable," based on the following overriding considerations. Any one of these overriding considerations is sufficient to support the Commission's determinations herein.

11.1. The Project will develop a high-quality mix of residential components, including single-family residences and needed senior housing, with a focus on natural open space conservation and orderly development of the Project site;

11.2. The Project will create a semi-rural, non-suburban residential community utilizing a clustered development footprint;

- 11.3. While achieving other Project objectives, the Project will conserve sensitive habitat areas through avoidance and restoration, will enhance existing habitat in some areas and will use native landscaping;
- 11.4. The Project will provide a range of housing types, including large lot single-family detached, smaller lot single-family detached and multi-family housing for seniors and, at the same time, will conserve sensitive habitat areas;
- 11.5. The Project will improve public safety in the region by dedicating a site for the construction of a new County Fire Station;
- 11.6. The Project will provide opportunities for local and regional recreation through the dedication of open space, public trail enhancement and recreational facilities;
- 11.7. While achieving the above, the Project will permit appropriate land uses that are compatible with existing adjacent uses and with the resource values present in identified SEAs;
- 11.8. While achieving the above, the Project will encourage an appropriate mix of land use types to prevent disharmony and degradation;
- 11.9. While achieving the above, the Project will encourage development of convenient services to meet the needs of the Santa Clarita Valley including health; education; welfare; police and fire protection; governmental operations; recreation and cultural facilities; and public utilities;
- 11.10. While achieving the above, the Project will provide an efficient local circulation pattern, both motorized and pedestrian and will also contribute to various infrastructure improvements in the area;
- 11.11. While achieving the above, the Project will encourage appropriate aesthetic (landscaping, signage, street furniture, design themes, etc.) measures so that each community can be clearly distinguished from neighboring ones;
- 11.12. The Project will remove, and thereafter control, the trash, debris, abandoned cars and other refuse that is currently strewn about the Project site, as a result of unlawful dumping and trespassing; and
- 11.13. The Project will result in a net beneficial improvement over existing flood conditions for existing nearby residents by reducing the amount of storm water that currently passes through the Project site.



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

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

FROM: ^{ACB for} Susan Tae, AICP, Supervising Regional Planner
Land Divisions Section

SUBJECT: JULY 30, 2008; AGENDA ITEM NO. 8 a, b, c, d, e

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)

PROJECT BACKGROUND

Your Regional Planning Commission ("Commission") held a public hearing on November 15, 2006 and June 18, 2008 for Vesting Tentative Tract Map No. 53653, a residential subdivision proposal to create 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The project is located approximately 273 feet southwest of Sagecrest Circle west of Interstate 5 ("I-5") Freeway and The Old Road, between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal also required approval of Conditional Use Permit Case No. 2005-00088-(5) ("CUP") to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

At time of the June 18, 2008 public hearing, the Findings of Fact and Statement of Overriding Considerations ("SOC"), in response to the final EIR comments regarding the seven factors that cannot be mitigated to less than significant, were not included in the materials distributed and the public hearing was continued to July 2, 2008. For the July 2, 2008 continued public hearing, the SOC were later distributed to the Commission.

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
July 17, 2008 RPC Memo

PAGE 2

Due to lack of quorum for July 9, 2008, this project was automatically continued to July 30, 2008.

ADDITIONAL MATERIALS

Draft findings for the project have been updated to include the June 18, 2008 public hearing and are attached.

The applicant has not provided additional information regarding water source, status of the project's water report, and preliminary annexation as requested by your Commission, as of time of writing.

ADDITIONAL CORRESPONDENCE

Since the distribution of the June 26, 2008 hearing materials, one letter of correspondence from the Santa Monica Mountains Conservancy ("SMMC") has been received requesting the addition of five mitigation measures, in addition to their Draft EIR comments that are addressed in the Final Environmental Impact Report ("FEIR").

The SMMC letter, dated June 23, 2008 is attached.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Commission close the public hearing, and adopt the environmental document. Staff also recommends the Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, certify the Final Environmental Impact Report, and adopt the Statement of Facts and Overriding Considerations."

Suggested Motion: "I move that the Regional Planning Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5) (with the conditions as added into the record); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors."

SMT:acb

7/16/08

Attachment: Updated Draft Findings and Conditions
Correspondence, Santa Monica Mountains Conservancy Letter

DRAFT
A RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
RELATING TO ZONE CHANGE CASE NO. 2008-00004-(5)

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted a public hearing regarding Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) on November 15, 2006 and June 18, 2008; and

WHEREAS, the Regional Planning Commission ("Commission") finds as follows:

1. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
2. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
3. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
4. Zone Change Case No. 2008-00004-(5) is a request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
5. Zone Change Case No. 2008-00004-(5) was heard concurrently with Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) at the June 18, 2008 public hearing. Zone Change Case No. 2008-

- 00004-(5) was previously not considered during the November 15, 2006 public hearing.
6. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
 7. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
 8. Oak Tree Permit Case No. 2005-00089-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
 9. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
 10. Approval of the vesting tentative tract map, conditional use permit, oak tree permit and housing permit will not become effective unless and until the Los Angeles County Board of Supervisors ("Board of Supervisors") has adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.
 11. The applicant's site plan, labeled as "Exhibit A," depicts a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.
 12. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories.

The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs

13. The project site is currently zoned A-2-1, A-2-2 and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP over the senior multi-family Lot No. 94.
14. Surrounding zoning includes RPD-1-14U (Residential Planned Development – One Acre Minimum Required Lot Area – 14 Dwelling Units per Net Acre) and C-3 to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
15. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; 15 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.

18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.
20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report (EIR) including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition.

Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.

26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. ~~Through prescriptive easements however,~~ Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate independent from the subject project.

- Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
 31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
 32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 33. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
 34. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
 35. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
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percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").

37. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.
38. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
39. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
40. After hearing all testimony, on July 30, 2008 the Commission closed the public hearing and approved TR 53653.
41. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
42. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
43. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
44. The zone change is consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
45. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Forester and Fire Warden, Parks and Recreation, Public Health and Regional Planning.
46. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping and other accessory structures, as shown on the site plan and Vesting Tentative Tract Map No. 53653.

47. Compatibility with surrounding land uses will be ensured through the related zone change, subdivision, conditional use permit, oak tree permit, housing permit and environmental conditions.
48. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
49. Modified conditions warrant a revision in the zoning plan as it pertains to the subject property as residential housing is needed for the fast-growing senior population.
50. The subject property is a proper location for the recommended zoning classification in that the recommended zoning classification for the subject property is compatible with adjacent land and/or nearby zoning classifications and/or land uses. There is existing C-3 zoning in the areas adjacent to the proposed zone change area, as well as north of the subject property along The Old Road.
51. The adoption of the proposed zoning classification will be in the interest of public health, safety and general welfare, and in conformity with good planning practices in that the proposed zoning classification implement a project that promotes higher-density residential development for seniors in a location near commercially-zoned properties and near local shopping. Transportation options will be provided by the project for the senior condominium residents.
52. Adoption of the proposed zone change will enable the development of the subject property as proposed.
53. The applicant in this case has satisfied the "Burden of Proof" for the requested Zone Change which is needed and appropriate.
54. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of

Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

55. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions ~~in this vesting map for this project.~~
56. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
57. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
58. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
59. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
60. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

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

1. Hold a public hearing to consider the above recommended zone change; and

2. Certify that the Final EIR has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto and reflects the independent judgment of the Board of Supervisors; and
3. Approve the Final EIR prepared for the project and certify that it has reviewed and considered the information contained therein; and
4. Approve and adopt the Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, find that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
5. Find that the proposed change of zone are consistent with the goals, policies and programs of the Santa Clarita Valley Area Plan, a component of the Los Angeles Countywide General Plan; and
6. Adopt Zone Change Case No. 2008-00004-(5) changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

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 June 18, 2008.

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

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Conditional Use Permit Case No. 2005-00088-(5) on November 15, 2006 and June 18, 2008. Conditional Use Permit Case No. 2005-00088-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. The applicant, D.R. Horton, is proposing a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
3. A conditional use permit ("CUP") is required to ensure compliance with the requirements of nonurban hillside management, density-controlled development, development within an SEA, residential use in a commercial zone, and onsite project grading pursuant to Sections 22.24.100, 22.24.150, 22.28.210, 22.56.010, 22.56.205, 22.56.215 of the Los Angeles County Code ("County Code") as well as ensure compliance with the proposed Development Program ("DP") zoning pursuant to Section 22.40.040 of the County Code.
4. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
5. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
6. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
7. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.

8. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
9. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
10. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
11. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet
14. The Exhibit "A" dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west,

- and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces
15. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
 16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
 17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed design and exhibits as submitted to the Commission.
 18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
 19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots.

Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and

unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
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26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.

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28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
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30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
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Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

38. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
39. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
40. After hearing all testimony, on July 30, 2008 the Commission closed the public hearing and approved TR 53653.
41. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
42. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
43. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
44. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
45. Pursuant to Section 22.56.205 of the County Code, all commonly owned areas within the density-controlled development shall be permanently reserved by homeowners association or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas. Open space Lot Nos. 102 and 103 shall be owned and maintained by the homeowners association. Open space Lot Nos. 104 through 107 shall be dedicated to a public agency to the satisfaction of Los Angeles County Department of Regional Planning ("Regional Planning").

46. Pursuant to Section 22.56.205 of the County Code, all dwelling unit types shall be single-family residences. The density-controlled development covers the project site with exception of the senior multi-family Lot No. 94 and fire station Lot No. 95. All proposed residential lots are single-family.
47. Pursuant to Section 22.56.205 of the County Code, the location, separation and height of buildings shall be governed by conditions. By County Code provisions, the single-family dwelling units may reach a maximum height of 35 above grade, and may be located on the lot in compliance with applicable yard setbacks.
48. Pursuant to Section 22.52.215 of the County Code, a minimum of 70 percent shall be provided as open space. The subject property is 234.8 acres in size, and provides 167.6 acres or 71.4 percent open space. Areas counted toward open space include undisturbed natural areas, graded slopes within private ownership, and unpaved portions of the debris basin and proposed park.
49. The applicant has submitted a development progress schedule for the DP zone pursuant to Section 22.40.050 of the County Code.
50. As a condition of approval of this grant, the permittee shall be required to comply with all applicable conditions for hillside management, SEA, DP, and density-controlled development as set forth in Sections 22.40.070, 22.56.205, and 22.56.215 of the County Code.
51. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.
52. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon

aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions ~~in this vesting map~~ for this project.

53. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
54. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
55. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
56. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
57. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
58. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
59. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted Plan, a component of the General Plan;
- 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 or 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 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 service facilities as are required;
- E. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard;
- F. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area;
- G. That the proposed project is conveniently served by neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;
- H. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;
- I. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

- J. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;
- K. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;
- L. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resources from said requested development;
- M. That where necessary, fences or walls are provided to buffer important habitat areas from development;
- N. That 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
- O. That such development program provides necessary safeguards to ensure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Conditional Use Permit Case No. 2005-00088-(5) subject to the attached conditions.

DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR HOUSING PERMIT CASE NO. 2006-00001-(5)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Housing Permit Case No. 2006-00001-(5) on November 15, 2006 and June 18, 2008. Housing Permit Case No. 2006-00001-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Oak Tree Permit Case No. 2005-00039-(5).
2. Housing Permit Case No. 2006-00001-(5) is a request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of

Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.

9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.
10. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
11. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. The Exhibit “A” dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the

project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was

designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant had worked ~~over the course of more than 16 months~~ with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding conclusion of three options:
- Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. ~~Through prescriptive easements however,~~ Access rights ~~through prescriptive easements however,~~ would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change

proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.

30. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
31. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
32. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
33. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
34. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
35. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future

development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

36. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
37. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
38. After hearing all testimony, on July 30, 2008 the Commission closed the public hearing and approved TR 53653.
39. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
40. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
41. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
42. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
43. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of

Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

44. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map for this project.
45. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
46. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
47. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
48. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
49. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
50. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.

51. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the requested use is consistent with the General Plan;
- B. That the requested use at the location will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
 - b. Be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or
 - c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or 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 this Title 22, 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:
 - a. By highways or streets of sufficient width, and improved as necessary to carry out the kind and quantity of traffic such use would generate; and
 - b. By other public or private service facilities as are required;
- E. That the proposed project at the location proposed has been designed to be complementary to the surrounding area in terms of land use patterns and design;
- F. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs; and
- G. That modification of the maximum building height is necessary to make the housing units economically feasible; and do not have a specific adverse impact upon public health and safety or the physical environment or on any real property

that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Housing Permit Case No. 2006-00001-(5) subject to the attached conditions.

DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR OAK TREE PERMIT CASE NO. 2005-00039-(5)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Oak Tree Permit Case No. 2005-00039-(5) on November 15, 2006 and June 18, 2008. Oak Tree Permit Case No. 2005-00039-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Housing Permit Case No. 2006-00001-(5).
2. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
3. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
4. Oak Tree Permit Case No. 2005-00039-(5) is a request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).

The applicant submitted an Oak Tree Report as prepared and amended by Interface Management Services (arborist: Doug Nickles) and Trees, etc., a division of RDI and Associates, Inc. the consulting arborist, dated September 2006, that identifies and evaluates 1,395 oak trees on the subject property.

5. The applicant proposes to remove 162 oak trees and encroach into the protected zone of 52 oak trees. The proposed removals and encroachments are due to potential impacts from construction and development of the property including debris basins, roads, and grading.
6. The Los Angeles County Forester and Fire Warden ("Forester"), has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The Forester has recommended approval of the requested oak tree removals, subject to recommended conditions of approval, including replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 428 mitigation oak trees.
7. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre

Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior multi-family Lot No. 94. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.

8. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
9. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone, and onsite project grading.
10. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet
11. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide “A” Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
12. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the “back portion” of the development, and provision of full

monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

13. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
14. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
15. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
16. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.
17. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior

housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.

18. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
19. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
20. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

21. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
22. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding conclusion of three options:
- Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. ~~Through prescriptive easements however,~~ Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time ~~separate independent~~ from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
23. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.

24. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
25. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
26. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
27. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
28. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
29. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

30. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
31. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
32. After hearing all testimony, on July 30, 2008 the Commission closed the public hearing and approved TR 53653.
33. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
34. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
35. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
36. The necessary drainage improvements for soil erosion control will be designed in accordance with the standards of the Los Angeles County Department of Public Works as a condition of approval of the associated vesting tentative tract map.
37. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
38. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of

Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

39. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map for this project.
40. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
41. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
42. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
43. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
44. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
45. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.

46. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code;
- B. That the proposed removal of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
- C. That in addition to the above facts, that the removal of up to 74 oak trees and the encroachment of 71 oak trees is necessary for development reasons as continued existence of the trees at the present location frustrates the planned improvements or proposed use of the subject property to such an extent that a) alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive, or b) Placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized;
- D. That the proposed removal and encroachment of the oak trees will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.

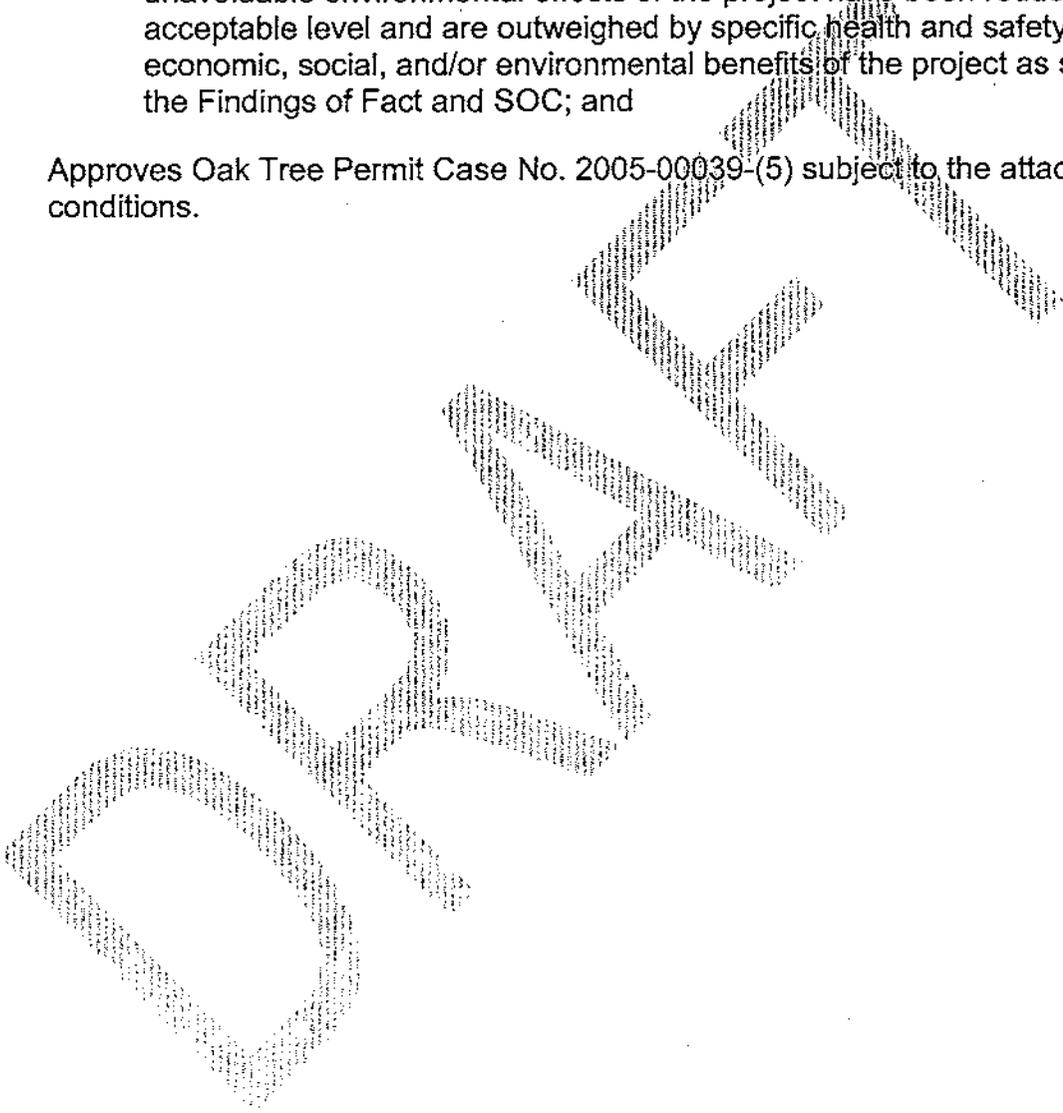
THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for an oak tree permit as set forth in Section 22.56.2100 of the Los Angeles County Code (Zoning Ordinance).

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its

hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and

2. Approves Oak Tree Permit Case No. 2005-00039-(5) subject to the attached conditions.



DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 53653

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Vesting Tentative Tract Map No. 53653 on November 15, 2006 and June 18, 2008. Vesting Tentative Tract Map No. 53653 was heard concurrently with Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. Vesting Tentative Tract Map No. 53653 proposes a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, which includes a 62-unit density bonus for the reservation of at least half of the proposed condominium units for seniors in perpetuity, as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family lot Lot No. 94.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3

(Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.

8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
10. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
11. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
12. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
13. The vesting tentative tract map and exhibit map dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second

means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company; and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA, and that the project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of

tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant had worked over the course of more than 16 months with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the applicant ultimately concluding conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. ~~Through prescriptive easements however,~~ Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time separate independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time separate independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request

to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

30. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
31. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
32. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
33. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
34. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
35. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
36. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family

homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

37. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
38. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
39. After hearing all testimony, on July 30, 2008 the Commission closed the public hearing and approved TR 53653.
40. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
41. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
42. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
43. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified by Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5).
44. The proposed subdivision and the provisions for its design and improvement are consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
45. The site is physically suitable for the type of development and density being proposed, since the property has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection

needs, and will have flood hazards and geologic hazards mitigated in accordance with the requirements of Los Angeles County Department of Public Works.

46. 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 geologic and soils factors are addressed in the conditions of approval.
47. The design of the subdivision and the proposed improvements will cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is located within two Significant Ecological Areas, and does contain any stream courses or high value riparian habitat.
48. The design of the subdivision provides for future passive or natural heating or cooling opportunities as feasible.
49. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the tentative tract map, provide adequate protection for any such easements.
50. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
51. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.
52. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.
53. This tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
54. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document

Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

55. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions in this vesting map for this project.
56. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
57. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
58. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
59. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
60. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for

Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.

61. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation; found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Vesting Tentative Tract Map No. 53653 subject to the attached conditions and recommendations of the Los Angeles County Subdivision Committee.

DRAFT CONDITIONS:

1. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance). Also, conform to the requirements of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the Mitigation Monitoring Program.
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), the subdivider shall conform to the applicable requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial) zones as well as proposed C-3-DP (Unlimited Commercial – Development Program) zone.
3. In accordance with Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), this land division is approved as a density-controlled development in a nonurban hillside management area, in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 and A-2-2 zone. If multiple final maps are recorded, the average area of all lots shown on each final unit map and all previously recorded final unit maps shall comply with the minimum lot area requirements of the A-2-1 and A-2-2 zone. This land division is also approved with including a senior housing development with component of modification to maximum permitted building height of 35 feet to allow a 50-foot high building height, for the two main residential buildings, in accordance with Section 22.56.202 of the County Code.
4. Recordation of the final map is contingent upon the effectuation of an ordinance by the Los Angeles County Board of Supervisors, changing the zoning of 9.3 acres of the subject property within multi-family Lot No. 94 from A-2-1 and A-2-2 to C-3-DP.
5. The subdivider shall submit a copy of the project Conditions, Covenants and Restrictions ("CC&Rs") and any covenants or maintenance agreements as proposed, to the Los Angeles County Department of Regional Planning ("Regional Planning") for review and approval.
6. The subdivider shall submit evidence that the conditions of the associated Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) have been recorded.

7. The subdivider shall record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures. Prior to recordation, the subdivider submit a draft copy of the covenant to the Director of Regional Planning ("Director") for review and approval.
8. The subdivider shall provide disclosure to future purchasers of the potential for the project site to contain means of access to future developments in the form of a written document, to the satisfaction of Regional Planning prior to final map.
9. Permission is granted to adjust lot lines to the satisfaction of Regional Planning.
10. The subdivision shall provide at least 40 feet of street frontage at the property line for each lot fronting on a cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. The subdivision shall provide approximately radial lot lines for each lot.
11. The subdivider shall show The Old Road, "A" Street, "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, and "G" Street as dedicated streets on the final map.
12. The subdivider shall show "H" Street and "I" street as future streets on the final map.
13. The subdivider shall place a note or notes on the final map, to the satisfaction of Regional Planning, that a portion of this subdivision (Lot No. 94) is approved as a condominium project for a total of 93 residential units whereby the owners of the units of air space will hold an undivided interest in the common areas, which will in turn provide the necessary access and utility easements for the units.
14. The subdivider shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
15. The subdivider shall reserve in the CC&Rs the right for all residents within senior multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
16. The subdivider shall provide in the CC&Rs that at least 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity.
17. The subdivider shall dedicate to the County of Los Angeles on the final map, the right to prohibit the construction of any structures on the open space areas as depicted on the open space exhibit as individual open space lots (Lot Nos. 103 through 107), and shall record "Open Space-Building Restriction Area" over those open space lots on the final map.

18. The subdivider shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.
19. The subdivider shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.
20. The subdivider shall number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of Regional Planning.
21. Permission is granted to create additional open space lots to the satisfaction of Regional Planning.
22. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The subdivider shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients.
23. Prior to final map approval, the subdivider shall submit an amendment to the approved vesting tentative map, to depict the elimination of one single-family lot and depict the location of the easement to the offsite properties with all other necessary associated changes to the satisfaction of Regional Planning and Los Angeles County Subdivision Committee ("Subdivision Committee").
24. No grading permit shall be issued prior the recordation of a final map, unless the Director determines that the proposed grading conforms to the conditions of this grant and the conditions of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
25. The subdivider shall provide slope planting and an irrigation system in accordance with the Grading Ordinance. The subdivider shall include conditions in the tract's CC&Rs which would require continued maintenance of the plantings for lots having planted slopes. Prior to final map approval, the subdivider shall submit a draft copy of the document to be recorded, to Regional Planning.
26. Prior to the issuance of a grading and/or building permit, the subdivider shall submit three copies of a landscape plan which may be incorporated into a

revised site plan. The landscape plans shall be approved by the Director as required by Conditional Use Permit Case No. 2005-00088-(5) prior to any work on the property.

27. Per Section 21.32.195 of the County Code, the subdivider shall plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential lot. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
28. The subdivider shall plant or cause to be planted at least 69 trees of a non-invasive species within the multi-family residential Lot No. 94 in addition to the required front yard tree. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
29. Within five days of tentative map approval, remit processing fees (currently \$2,656.75) 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 California Public Resources Code and Section 711 of the California 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 project subject to this requirement is final, vested or operative until the fee is paid.
30. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Draft Environmental Impact Report ("EIR") for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53653. Comply with all such mitigation measures in accordance with the attached Mitigation Monitoring Program ("MMP"). After completion of the appeal period, record a covenant and agreement, and submit a copy to Regional Planning for approval, agreeing to the mitigation measures imposed by the Draft EIR for this project. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to Regional Planning as frequently as may be required by the department. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.
31. ~~Upon completion of the appeal period,~~ Within 30 days of approval, deposit the sum of \$3,000.00 with Regional Planning in order to defray the cost of reviewing

the subdivider's reports and verifying compliance with the information contained in the reports required by the MMP.

32. The subdivider 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, and employees to attack, set aside, void or annul this tract map approval, or related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 65499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action or proceeding and the County shall cooperate fully in the defense.
33. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay 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 subdivider, or subdivider's counsel. The subdivider shall also pay the following supplemental deposits from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional fund to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the subdivider, 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 subdivider according to Section 2.170.010 of the County Code.

Except as modified herein above, this approval is subject to all those conditions set forth in Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5); the attached MMP; and the attached reports recommended by the Subdivision Committee, which also consists of members of the Public Works, Fire Department, Department of Parks and Recreation, and Public Health.

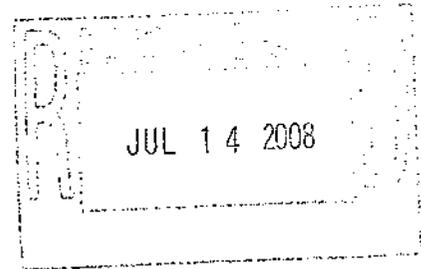
SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



June 23, 2008

Regional Planning Commission
Los Angeles County Department of Regional Planning
320 West Temple Avenue
Los Angeles, California 90012



Lyons Canyon Ranch FEIR Comments
Vesting Tentative Tract Map No. 53653
SCH No. 2003031086

Dear Planning Commission Members:

The Santa Monica Mountains Conservancy always pursues the strongest protection for natural lands located both within County-designated Significant Ecological Areas (SEA) and adjacent to significant public lands--such as the Santa Clarita Woodlands Park. A project with significant SEA, oak woodland, and streambed impacts must have the most precise and enduring mitigation.

In addition to our Draft Environmental Impact Report (DEIR) comments that are addressed in the FEIR and that provide supportive background for the below requests, we adamantly request that the following mitigation measures be added to the certified FEIR to achieve this minimum level of mitigation. These mitigation measures require no modification of the proposed project.

Without the complete incorporation of each and every one these below mitigation elements in the FEIR, we urge the Commission not to certify the document on the grounds of inadequate mitigation for several unavoidable significant adverse biological impacts.

1. Per the DEIR and FEIR, open space lots 103-106 of the subject project shall be irrevocably offered for fee simple dedication to the Mountains Recreation and Conservation Authority (MRCA) or shall be recorded in fee simple by the MRCA prior to or concurrent with tract map recordation. Under absolutely no circumstances shall there be an exception to this requirement. If the land is not recorded by the MRCA prior to, or concurrent with, map recordation, the irrevocable offer to dedicate shall be duly recorded prior to map recordation.

The amount of land transferred in fee to the MRCA shall not be less than 122.74 acres per the DEIR and FEIR. If the MRCA does not accept the land within one year after being notified via Certified Mail concurrently with the recording of an offer to dedicate, the offer to dedicate shall expire. The land shall be free and clear of all liens and encumbrances. The developer shall be allowed to conduct only the subject project required mitigation on lots 103-106 and only exactly as depicted in the DEIR and FEIR.

If any portions of lots 103-106 fall within the 200-foot-wide variable fuel modification zone depicted in the DEIR, the Homeowners Association (HOA) shall retain an easement solely for the purpose of fuel modification only where such overlap of DEIR and FEIR depicted fuel modification occurs. The Homeowners Association CC&Rs shall include all necessary elements to recognize this easement and to require that the HOA be wholly responsible for any fuel modification required on lots 103-106 as depicted in the DEIR and FEIR.

2. The Homeowners Association CC&Rs shall include an irrevocable requirement to provide an annual open space maintenance fee to the fee title holder of lots 103-106. That payment of \$15,000 annually shall first be due in full concurrently with map recordation. That map recordation date shall establish the annual due date for each subsequent \$15,000 payment. Fee owner of said open space lots shall invoice the HOA for all subsequent payments. Said fee shall include an indexed inflation adjustment.
3. No remedial grading or mechanical disturbance shall be allowed under any circumstances more than 15 feet outside of the shown limits of grading for Vesting Tentative Tract Map 53653. This amount of space should allow for normal calculation errors and difficult vehicle turnaround conditions that require added safety. Any grading or mechanical disturbance impact beyond 15 feet would constitute additional adverse ecological impact not addressed in the FEIR. Unforeseen geological instability must thus be solved internal to the limits of grading as shown in the DEIR and FEIR and approved by the Board of Supervisors.
4. The Gavin Canyon Trail with a 12-foot-wide easement as depicted in the DEIR and FEIR must be dedicated to the Los Angeles County Department of Parks and Recreation prior to or concurrent with tract map recordation. Under no

circumstances shall there be an exception to this requirement. If the land is not transferred, an irrevocable offer to dedicate shall be duly recorded.

5. With the exception of one "required offsite access easement" (FEIR Exhibit 6-1) in the northwest project corner approximately following unpaved Lyon Ranch Road), the DEIR and FEIR do not depict or analyze any public or private access or utility easements across any portion of open space lots 103-107 or the potential impacts of their improvement.

The two owners of APNs 2826-022, 022, 023 and 024 have gone on the public record for the subject project to request access easements. The above mentioned "required offsite access easement" could service these two subject ownerships. It is our understanding that the applicant has agreed to grant exclusive access and utility easements to the owners of these parcels in the width of approximately thirty feet. The location and scope of the easements are not otherwise defined to our knowledge. The MRCA has APN 2826-022-024 under contract to acquire in August 2008.

Based on the DEIR and FEIR analysis and disclosure, the public must then be able to conclude that no other additional access and utility easements exist, or shall exist in the future, that can diminish the ecological integrity of open space lots 103-107 in any way shape or form. This conclusion must include any public street reservations to the Los Angeles County Department of Public Works. For the record APN 2826-022-024 does have a narrow easement across a small sliver of open space owned by the Vesting Tentative Tract Map No. 53653 owner.

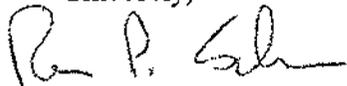
The FEIR shall include a mitigation measure that expressly states that open space lots 103-106 must be offered to the MRCA free and clear of all access and utility easements except a future exclusive easement to benefit only APNs 2826-022, 022, 023 and 024. The narrow easement coming from the north that benefits APN 2826-022-024 would be the one exception.

It seems most appropriate too that the application be required to construct the subject section of the Gavin Canyon Trail or to provide a public agency in advance with adequate funds to construct the trail. We respectfully ask the Commission to add this requirement to the conditions of approval.

Los Angeles County Regional Planning Commission
Lyons Canyon Ranch - Vesting Tentative Tract Map No. 53653 FEIR Comments
June 23, 2008
Page 4

Please address any future documents to the attention of Paul Edelman at the letterhead address and questions to him at (310) 589-3200 ext. 128.

Sincerely,

A handwritten signature in black ink, appearing to read "R. P. Schaffer". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke extending to the right.

RONALD P. SCHAFFER
Chairperson



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

July 24, 2008

Bruce W. McClendon FAICP
Director of Planning

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

FROM: ^{ACB} Susan Tae, AICP, Supervising Regional Planner
Land Divisions Section

**SUBJECT: JULY 30, 2008; AGENDA ITEM NO. 8 a, b, c, d, e
SUPPLEMENTAL INFORMATION**

**ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)**

PROJECT BACKGROUND

Your Regional Planning Commission ("Commission") held a public hearing on November 15, 2006 and June 18, 2008 for Vesting Tentative Tract Map No. 53653, a residential subdivision proposal to create 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The project is located approximately 273 feet southwest of Sagecrest Circle west of Interstate 5 ("I-5") Freeway and The Old Road, between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal also required approval of Conditional Use Permit Case No. 2005-00088-(5) ("CUP") to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
July 24, 2008 RPC Memo-Supplemental information

PAGE 2

Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

At time of the June 18, 2008 public hearing, the Findings of Fact and Statement of Overriding Considerations ("SOC"), in response to the final EIR comments regarding the seven factors that cannot be mitigated to less than significant, were not included in the materials distributed and the public hearing was continued to July 2, 2008. For the July 2, 2008 continued public hearing, the SOC were distributed to the Commission. Updated findings were provided in the previous hearing package to your Commission.

Due to lack of quorum for July 9, 2008, this project was automatically continued to July 30, 2008.

ADDITIONAL WATER AND OAK TREE INFORMATION

During the June 18, 2008 public hearing, your Commission requested additional information regarding the water availability status of the project and additional Oak Tree data.

The applicant has submitted an updated Notice of Water Availability letter from the Valencia Water Company, dated June 10, 2008 (attached). In addition to the letter received, since the project site has not yet been annexed into the Valencia Water Company, the applicant has been requested to submit additional correspondence from the Valencia Water Company stating it will be annexed. The applicant is expected to submit additional information prior to July 30, 2008 public hearing.

The applicant has also submitted additional Oak Tree Data, and is attached in digital format.

ADDITIONAL CORRESPONDENCE

Since the distribution of the July 17, 2008 hearing materials, additional correspondence has been received regarding offsite access to the Spear property, removal of oak trees including heritage oaks, development impact on the Sensitive Ecological Area and surrounding natural habitat, current water supply, project site location within a high fire zone, impact on fire fighting resources, opposition to the zone change. In addition, the possibility of impacting the project site without completing construction of the subdivision, an existing stock of five senior housing complexes, and condominiums of a lower cost within the Santa Clarita Valley Area was mentioned.

Correspondence is attached.

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)
July 24, 2008 RPC Memo-Supplemental information

PAGE 3

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Commission close the public hearing, and adopt the environmental document. Staff also recommends the Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, certify the Final Environmental Impact Report, and adopt the Statement of Facts and Overriding Considerations."

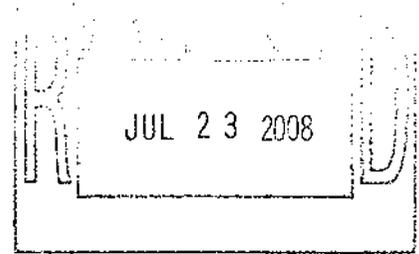
Suggested Motion: "I move that the Regional Planning Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5) (with the conditions as added into the record); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors."

ACB

7/24/08

Attachment: Additional correspondence
Valencia Water Company Notice of Water Availability letter, dated June 10, 2008.
Oak Tree Data

July 22, 2008



Ms. Susan Tae
LA County Regional Planning Department
320 W. Temple St.
Los Angeles, CA 90012

RE: Lyons Canyon Project

Dear Ms. Tae,

It has come to my attention that developers wish to build senior apartments in Lyons Canyon. This area would better serve our population as an open space. Not only are there valid concerns about access and convenience for seniors, this area now hosts several large oak trees, which cannot be replaced.

Please consider the fact that we already have several senior apartments in this area, and we do not have much open land left. I hope that you will look at the wishes of our community as a whole and remember that the Santa Clarita Valley considers open and green space as a premium.

It is important it is to balance the needs of our community with the demands of developers. Because you are so removed from our area, I am writing in hopes you will consider more than just the plans in front of you.

Regards,

Lynne Winner
31202 Quail Valley Road
Castaic, CA 91384

Cc:
Superintendent, M. Antonovich
Planning Director, B. McClendon

Tae, Susan

From: Novak, Paul [PNovak@iacbos.org]
Sent: Monday, July 21, 2008 2:03 PM
To: Tae, Susan
Cc: AStiefbold@aol.com
Subject: RE: Towsley Canyon (Santa Clarita) Development

Categories: Follow Up, Assignments

Susie -- Would you be so kind as to respond to Ms. Stiefbold's inquiry, below? Please copy me.

Thank you.

-Paul Novak

From: AStiefbold@aol.com [mailto:AStiefbold@aol.com]
Sent: Monday, July 21, 2008 1:47 PM
To: Novak, Paul
Subject: Re: Towsley Canyon (Santa Clarita) Development

Thank you for your quick reply, Mr. Novak. I understand from your email that the project is closer to existing development than to the park. The issue of removal of the trees still concerns me. Also, do you know if it will be visible from the high trails in Towsley Canyon? The great thing about hiking there is that you really don't see any signs of civilization (except for the freeway off in the distance).
Annette Stiefbold

In a message dated 7/21/2008 1:35:30 P.M. Pacific Daylight Time, PNovak@iacbos.org writes:

Ms. Stiefbold:

Thank you for the inquiry, which Regional Planning forwarded on to me. My name is Paul Novak, and I am the Planning Deputy to Supervisor Michael D. Antonovich, who represents this area.

I want you to know that the project has yet to receive a final decision from the County, as the Regional Planning Commission determination automatically goes on to the Board of Supervisors for consideration (by copy of this e-mail to Regional Planning, I am asking that they alert you when that hearing is scheduled. I anticipate that this will be scheduled before the Board in the next 3-4 months. Your e-mail is also being forwarded to Supervisor Antonovich so that he can consider your comments when this matter comes before the Board.

Please note that the project is essentially north of the Calgrove/The Old Road interchange, so it is much to existing development in West Ranch/Sunset Pointe than it is to Ed Davis park in Towsley Canyon. Additionally, the project is supported by the West Ranch Town Council, a local advisory body which includes representatives from several homeowner associations with residents living near the project.

-Paul Novak

*Paul A. Novak, AICP
Planning Deputy
L.A. County Supervisor Mike Antonovich
Room 869, Hall of Administration
500 West Temple Street
Los Angeles, California 90012
213-974-5555
pnovak@iacbos.org*

From: ASTiefbold@aol.com [mailto:ASTiefbold@aol.com]
Sent: Monday, July 21, 2008 12:41 PM
To: rruiz@planning.lacounty.gov
Cc: Novak, Paul; jholt@the-signal.com
Subject: Towsley Canyon (Santa Clarita) Development

I was very distressed to read in today's *Signal* about plans to develop 231 acres adjacent to Ed Davis Park in Towsley Canyon. My husband and I frequently hike in Towsley Canyon. What makes it so special is that *it's a place where you're scarcely aware of nearby urban life* and yet it's less than ten minutes from home. Plans call for a 186-unit senior housing project called Lyons Canyon Ranch. Construction will require removal of up to 162 oak trees, 13 of which are so-called heritage oaks, deserving of special protection and preservation. July 30 is the last public hearing prior to consideration by the L.A. County Regional Planning Commission. Then the project goes to the L.A. County Board of Supervisors for review of the developer's request for a zoning change.

I am a senior citizen and therefore hypothetically eligible to live in the planned development. However, maintaining Ed Davis Park in Towsley Canyon as a physical and emotional refuge from urban life is far more important to me and the others who enjoy the park. I urge the Planning Commission and the Board of Supervisors to act in favor of *quality of life in Santa Clarita* and decline to approve this project.

Thank you very much.

Annette E. Stiefbold
24341 La Glorita Circle
Newhall, CA 91321
(6611) 288-0034

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July 22, 2008

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone Change 2008-
0004 (5) VTT# 83653, OT Permit # 2005-0039, Agenda Item
#10, May 7th

Dear Commissioners and Ms. Tae:

You are undoubtedly aware that the Governor of California declared a statewide drought on June 5th. We understand that Castaic Lake Water Agency will only receive 35% of its state water allotment this year. We believe that under such conditions the County may not rely on the 2005 Urban Water Management Plan because circumstances have substantially changed.

We feel that there are over-riding considerations for significant unmitigatable impacts to biology, aesthetics, geologic formations, air quality, traffic and noise.

The loss of oaks, ridgelines and viewshed is also materially detrimental to the use, enjoyment and valuation of property of other persons located in the vicinity of the site as well as those that must pass by it on the freeway every day by significantly impacting the natural beauty of the area that lies immediately adjacent to a regional park.

This project jeopardizes, endangers and constitutes a menace to the public health safety or general welfare by placing housing in a high fire prone wildfire area. Fires have already burned through this area three times in the last 15 years. Fires burned right to the edge of houses in the neighboring community, requiring evacuations.

This project provides only one ingress and egress to the back units. This puts residents of those units in extreme danger because it will be difficult for them to escape while emergency vehicles are arriving. It will be difficult and expensive to defend this area from fire, thus reducing the defense that is available for existing homes.

We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit for half the proposed units.

The modified conditions do not warrant a change in the zoning because the project is in a fire prone area with only one exit to half of the units. The placement of this zoning in this area is not in the interest of public health, safety and general welfare and in conformity with good zoning practices because of the known extreme fire hazard of the area. Future residents would be put in jeopardy and existing residents fire protection would be reduced by having to defend this project placed in a known high fire hazard area.

Also, many housing units are already in foreclosure in the Santa Clarita Valley, indicating that housing is overbuilt for the area. The Santa Clarita area already has available at least 5 large senior housing complexes with rental space available as well as a number of lower cost condominium units that are similar to those proposed in this project.

In closing, we would like to call your attention to the Golden Valley project, an "active senior" project that is in severe financial trouble on the east side of 14. It too required a massive amount of grading, which put the developer into bankruptcy. The natural area was destroyed for nothing. Now there is a huge hole in the ground that is an eyesore for the neighboring community.

As you are aware, financial instability impacts the entire community as the developer becomes unable to pay required fees for schools, libraries, etc, and graded pads are left standing without the stormwater or re-vegetation requirements met. This has already occurred with many projects in the Antelope Valley. Please do not allow destruction of this beautiful area for a project that may not ever be built.

Thank you for your attention to our concerns.

Sincerely,



Marjorie Hoerner

Brent Hoerner

24024 Via Candela
Valencia, CA 91355

Tae, Susan

From: Thomas Barron [barron@imageg.com]
Sent: Tuesday, July 22, 2008 1:23 PM
To: Tae, Susan
Subject: Lyons Canyon Project # 2005-0008 - Please DON'T APPROVE

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012
8. Zone Change Case No. 2008-00004-(5) (Ms. Tae)
Vesting Tentative Tract Map No. 53653
Conditional Use Permit Case No. 2005-00088-(5)
Oak Tree Permit Case No. 2005-00039-(5)
Housing Permit Case No. 2006-00001-(5)
Dear Ms. Tae and other Commissioners,

I am writing to strongly object to the unnecessary granting of zoning variances to the applicant of Lyons Canyon Project # 2005-0008 in this environmentally sensitive project area. Unfortunately I will not be able to deliver my comments in person.

The County's ordinances were put in place to restrict exactly this sort of development.

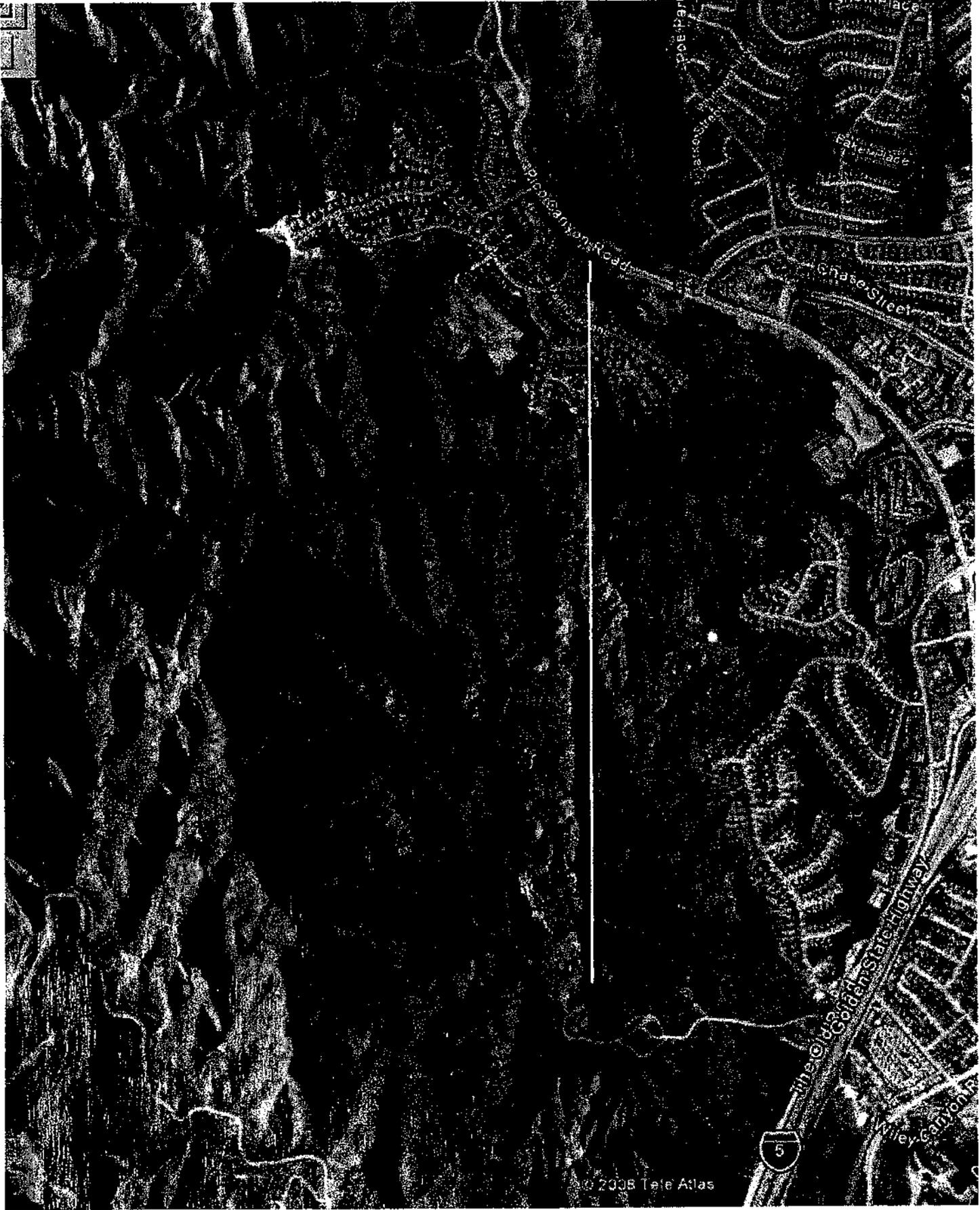
There is sufficient opportunity to work within the existing County codes to create an acceptable plan; granting these changes is a "short-cut" which will have devastating consequences. In fact the SEA/Oak Tree Avoidance Alternative, commented on by the Santa Monica Mountains Conservancy, is already included as an alternative!

How much did it cost another developer to move "Old Glory" to answer the community's concern for Oak Preservation at the public recommendation of Supervisor Antonvich, the author of the very ordinance your are being asked to ignore? Ironically there is a natural "line" in this project which "points" directly at the site of the historic "treesit" (see attached diagram.) In that case the decisions by the County were already well established and a heart wrenching, public plea to 'Save Our Oaks" echoed in the corridors after the fact.

We can do better now; don't back down - hold tight with the SEA.

Sincerely,

Thomas Barron
28006 San Martinez Grande Canyon Road
Castaic, CA 91384



Tae, Susan

From: Monika Curry [monika_curry@yahoo.com]
Sent: Tuesday, July 22, 2008 7:11 PM
To: Tae, Susan
Cc: FifthDistrict@jacbos.org
Subject: Senior Housing Proposal

Dear Commissioners:

The proposed senior housing development in Stevenson Ranch would put senior citizen homes right into a chronic and very dangerous fire zone, ravaged by infernos three times in just the past ten years.

It is neither safe, nor convenient for seniors to live in that development. Please reject these plans and demonstrate your concern and care for the senior citizens of this Valley, not the utter contempt for their safety and well-being inherent in this plan.

Thank you.
Monika Curry
(Senior Citizen, Santa Clarita Valley)

Tae, Susan

From: JimECTax@aol.com
Sent: Wednesday, July 23, 2008 7:47 AM
To: Tae, Susan
Subject: tentative tract No. 53653 Meeting

Ms Tae,

We will not be in town for the hearing for Tract No. 53653 on July 29, 2008.

We have not seen anything on providing access for our property TT50242. Therefore, we have no other option than to oppose the vesting of tentative tract No. 53653.

As we pointed out in our letter of Nov. 19, 2006, the Board of Supervisors imposed a condition on the Larwin Tract in 1981 to maintain a 20 ft. roadway easement serving our parcel **until a public road serves our parcel**. As we have previously stated, it appears that now is the time for this road as it benefits all the adjacent properties.

In the event that no access is provided to our property, we will appeal this matter to the Board of Supervisors.

Sincerely,

William (Bill) R. Speer
1-661-287-9583
James(Jim) O. Ewing
1-805-962-2849

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Valencia Water Company



24631 Avenue Rockefeller • P.O. BOX 5904 • Valencia, CA 91385-5904
(661) 294-0628 • Fax (661) 294-3805

June 10, 2008

Mr. Mo Kajbaf
Los Angeles County Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803

Notice of Water Availability
Tract No: 53653
Developer: Daly Owens Group

Dear Mr. Kajbaf:

The Valencia Water Company (Valencia) has determined that water is available to serve the above-referenced project. Valencia agrees to operate the water system and provide service in accordance with the company's approved Tariffs on file with the California Public Utilities Commission. The determination of water availability shall remain valid for two years from the date of this letter. Unless construction of the project has commenced within this two year time frame, Valencia is under no obligation to serve the project unless the developer receives an updated letter from Valencia confirming water availability.

Valencia has determined that the existing facilities and the additional facilities to be installed by Valencia through developer funding of this project will be adequate to serve this project and each of the individual parcels under normal operating conditions. These facilities will provide a fire flow of 1250 gallons per minute at 20-psi residual pressure for two (2) hours as required by the Fire Department.

Valencia requires that the project comply with the Company's Best Management Practices regarding water conservation. This program identifies water saving techniques, methods, landscape designs and internal water use practices that will achieve the Company's long term conservation goals described in its most current Santa Clarita Valley Urban Water Management Plan. Unless the project is constructed to Valencia's conservation standards, Valencia is under no obligation to serve the project.

This letter shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.

If you have any questions regarding the above please call Keith Abercrombie, Valencia Water Company Vice President of Operations at (661) 295-6504.

Sincerely,

Robert J. DiPrimio
President

cc: Keith Abercrombie, Vice President of Operations, Valencia Water Company

ADDITIONAL CORRESPONDENCE

**Agenda Item 8 a, b, c, d, e
July 30, 2008**



3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904

(213) 387-4287 phone
(213) 387-5383 fax
www.angeles.sierraclub.org

LA County Regional Planning Commission
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90012

Proposed Lyons Ranch Development Comments

To Whom it May Concern:

Biology and Wildlife Movement

The proposed Lyons Ranch project will substantially degrade the quality of the environment in the northern Los Angeles County. It will substantially reduce the habitat of numerous plant and wildlife species. It will also threaten and/or eliminate species from the area due to loss of habitat. This is because the proposed development will drastically interfere with the movement of wildlife species within the Santa Susana watershed. The proposed development area is part of a major wildlife linkage corridor. The very thought of developing this pristine portion of oak woodlands completely disregards the city of Santa Clarita's goal to acquire Open Space. This is particularly shocking when considering the fact that the proposed development sits right "next door" to the Ed Davis Park (Towsley Canyon).

This project is in a Significant Ecological Area (63) and we do not believe that this impact can be mitigated. We request that the County include an alternative that does not fill the majority of the canyon with development farthest from the Old Road access point.

Specifically, the proposed project would result in the loss of suitable foraging habitat for a variety of species (including mammals such as mountain lions/mule deer, birds such as condors/raptors, reptiles, amphibians, etc.), and the direct loss of special status plant species. It is easy to see that the impacts on animal and plant species will be drastic. However, the EIR is very inconsistent when describing potential mitigation measures and other solutions to the problem. When mitigation measures are mentioned they are weak or vague. Case in point, the EIR states repeatedly that the effects of development will be significant and ultimately unavoidable. Lyons Ranch is a major wildlife linkage corridor and animals will be losing their habitat and foraging grounds. 118 acres of native habitat will be destroyed and some of the few pockets of open space will be just that, "islands" within the development. How will this be of any use to the animal species that frequent this wildlife corridor? This makes no sense. Animals that transition through the area (looking for food and water, etc.) will have nowhere to go.

Stating that these impacts are unavoidable is not acceptable and the mitigation measures suggested are not enough.



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Paleontological Resources

Impacts to potential paleontological resources as a result of the proposed project also need to be further addressed. The proposed development lies in the upper Pico and lower Saugus formations. There are marine fossils in this area that are rare and should be protected. If development of any kind is allowed a paleontologist should be at the scene in order to preserve specimens. Specimens should then be donated to Los Angeles County Natural History Museum

Geology

In an area prone to landslides and liquefaction, it is shocking to read in the FEIR that fill will be used (meaning significant grading) to protect lives and homes. This area is prone to tectonic uplift and even includes a well-researched and known over-turned fault complex. This is not mentioned in the FEIR and calls into question the validity of the geological research. We wish to express our concern with the research done in the Geotechnical section. We request that the Diblee and Olaf Jenkins maps be reviewed by a source not hired by the developer. Information about the anticlines/synclines in the area should have been included in the EIR. The proposed project is on a very unstable and geologically active area. To the southwest the mountains are rising on a level similar with that of the tectonic force required to create the Himalaya Mountains. Rock beds are upside down due to the force and faulting associated with the San Gabriel fault. This is not even mentioned in the EIR.

Air quality

Another serious concern with the EIR is the substantial effect the proposed development would have on the worsening air quality that we have in our area. It is obvious that the cumulative air pollutant emissions in the area would contribute to the degradation of local and regional air quality. The Santa Clarita Valley already has some of the worst air quality in the nation. As a local teacher, I see the effects of poor air quality on the children in my classroom. Each year I see more and more students who suffer from asthma. The SCV already exceeds Federal air pollution standards for particulate matter generated from dust and diesel pollution.

In addition, there would be long term effects resulting from the additional traffic on our local roads and freeways. Since climatologists agree that greenhouse gases are causing global warming and even the Supreme Court, in its decision several months ago, said that EPA must address Carbon Dioxide as a pollutant, further discussion of global warming should appear in this EIR. The project should not be approved without making public transportation available to its future residents.

Green Building Standards

The Sierra Club requests that green building standards be included as conditions of any approval that might be considered.

Traffic

This proposed development will also drastically increase the amount of traffic on both the Old Road and Interstate 5. This is unacceptable considering the amount of time the



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average Santa Clarita spends in traffic commuting to and from the San Fernando Valley. We do not feel that the traffic concerns have been mitigated in this EIR.

Conclusion

The National Sierra Club has a policy against urban sprawl projects such as this one due to their unsustainability and wasteful use of resources. We therefore request that you not approve this project without addressing the above issues in the EIR. Also, it is requested that mitigation (including green building standards, a corridor for wildlife movement and public transportation for commuters that will live in the project) be provided that would reduce the disclosed impacts.

Sincerely,
Katherine Squires
Conservation Chair
Santa Clarita Valley Sierra Club



SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



June 23, 2008

Regional Planning Commission
Los Angeles County Department of Regional Planning
320 West Temple Avenue
Los Angeles, California 90012

**Lyons Canyon Ranch FEIR Comments
Vesting Tentative Tract Map No. 53653
SCH No. 2003031086**

Dear Planning Commission Members:

The Santa Monica Mountains Conservancy always pursues the strongest protection for natural lands located both within County-designated Significant Ecological Areas (SEA) and adjacent to significant public lands--such as the Santa Clarita Woodlands Park. A project with significant SEA, oak woodland, and streambed impacts must have the most precise and enduring mitigation.

In addition to our Draft Environmental Impact Report (DEIR) comments that are addressed in the FEIR and that provide supportive background for the below requests, we adamantly request that the following mitigation measures be added to the certified FEIR to achieve this minimum level of mitigation. These mitigation measures require no modification of the proposed project.

Without the complete incorporation of each and every one these below mitigation elements in the FEIR, we urge the Commission not to certify the document on the grounds of inadequate mitigation for several unavoidable significant adverse biological impacts.

1. Per the DEIR and FEIR, open space lots 103-106 of the subject project shall be irrevocably offered for fee simple dedication to the Mountains Recreation and Conservation Authority (MRCA) or shall be recorded in fee simple by the MRCA prior to or concurrent with tract map recordation. Under absolutely no circumstances shall there be an exception to this requirement. If the land is not recorded by the MRCA prior to, or concurrent with, map recordation, the irrevocable offer to dedicate shall be duly recorded prior to map recordation.

The amount of land transferred in fee to the MRCA shall not be less than 122.74 acres per the DEIR and FEIR. If the MRCA does not accept the land within one year after being notified via Certified Mail concurrently with the recording of an offer to dedicate, the offer to dedicate shall expire. The land shall be free and clear of all liens and encumbrances. The developer shall be allowed to conduct only the subject project required mitigation on lots 103-106 and only exactly as depicted in the DEIR and FEIR.

If any portions of lots 103-106 fall within the 200-foot-wide variable fuel modification zone depicted in the DEIR, the Homeowners Association (HOA) shall retain an easement solely for the purpose of fuel modification only where such overlap of DEIR and FEIR depicted fuel modification occurs. The Homeowners Association CC&Rs shall include all necessary elements to recognize this easement and to require that the HOA be wholly responsible for any fuel modification required on lots 103-106 as depicted in the DEIR and FEIR.

2. The Homeowners Association CC&Rs shall include an irrevocable requirement to provide an annual open space maintenance fee to the fee title holder of lots 103-106. That payment of \$15,000 annually shall first be due in full concurrently with map recordation. That map recordation date shall establish the annual due date for each subsequent \$15,000 payment. Fee owner of said open space lots shall invoice the HOA for all subsequent payments. Said fee shall include an indexed inflation adjustment.
3. No remedial grading or mechanical disturbance shall be allowed under any circumstances more than 15 feet outside of the shown limits of grading for Vesting Tentative Tract Map 53653. This amount of space should allow for normal calculation errors and difficult vehicle turnaround conditions that require added safety. Any grading or mechanical disturbance impact beyond 15 feet would constitute additional adverse ecological impact not addressed in the FEIR. Unforeseen geological instability must thus be solved internal to the limits of grading as shown in the DEIR and FEIR and approved by the Board of Supervisors.
4. The Gavin Canyon Trail with a 12-foot-wide easement as depicted in the DEIR and FEIR must be dedicated to the Los Angeles County Department of Parks and Recreation prior to or concurrent with tract map recordation. Under no

circumstances shall there be an exception to this requirement. If the land is not transferred, an irrevocable offer to dedicate shall be duly recorded.

5. With the exception of one "required offsite access easement" (FEIR Exhibit 6-1) in the northwest project corner approximately following unpaved Lyon Ranch Road), the DEIR and FEIR do not depict or analyze any public or private access or utility easements across any portion of open space lots 103-107 or the potential impacts of their improvement.

The two owners of APNs 2826-022, 022, 023 and 024 have gone on the public record for the subject project to request access easements. The above mentioned "required offsite access easement" could service these two subject ownerships. It is our understanding that the applicant has agreed to grant exclusive access and utility easements to the owners of these parcels in the width of approximately thirty feet. The location and scope of the easements are not otherwise defined to our knowledge. The MRCA has APN 2826-022-024 under contract to acquire in August 2008.

Based on the DEIR and FEIR analysis and disclosure, the public must then be able to conclude that no other additional access and utility easements exist, or shall exist in the future, that can diminish the ecological integrity of open space lots 103-107 in any way shape or form. This conclusion must include any public street reservations to the Los Angeles County Department of Public Works. For the record APN 2826-022-024 does have a narrow easement across a small sliver of open space owned by the Vesting Tentative Tract Map No. 53653 owner.

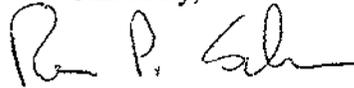
The FEIR shall include a mitigation measure that expressly states that open space lots 103-106 must be offered to the MRCA free and clear of all access and utility easements except a future exclusive easement to benefit only APNs 2826-022, 022, 023 and 024. The narrow easement coming from the north that benefits APN 2826-022-024 would be the one exception.

It seems most appropriate too that the application be required to construct the subject section of the Gavin Canyon Trail or to provide a public agency in advance with adequate funds to construct the trail. We respectfully ask the Commission to add this requirement to the conditions of approval.

Los Angeles County Regional Planning Commission
Lyons Canyon Ranch - Vesting Tentative Tract Map No. 53653 FEIR Comments
June 23, 2008
Page 4

Please address any future documents to the attention of Paul Edelman at the letterhead address and questions to him at (310) 589-3200 ext. 128.

Sincerely,

A handwritten signature in black ink, appearing to read "R. P. Schaffer". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke at the end.

RONALD P. SCHAFER
Chairperson

Baldwin, Alejandrina C.

From: Jasch Janowicz [jasch@dalygroupinc.com]
Sent: Friday, July 25, 2008 1:41 PM
To: Tae, Susan
Cc: Baldwin, Alejandrina C.
Subject: Lyons Canyon Water Service Annexation
Attachments: Water Availability Letter_06102008.pdf

Susie:

I spoke with Keith Abercrombie from Valencia Water Company today (Friday) about the annexation of the Lyons Canyon project into the Valencia Water Company service boundary. Below I have provided a summary of pertinent facts and a summary of the annexation process.

- The Lyons Canyon project is currently adjacent to, but outside of the service area of both Valencia Water Company and Newhall Water Company (See DEIR Water and Wastewater Section, pages 5.11-1 and 5.11-2.)
- Given that water service infrastructure maintained by Valencia Water Company currently exists directly adjacent to the Lyons Canyon project boundary, we have requested water service from Valencia Water Company.
- Valencia Water Company provided a Water Availability Letter dated June 10, 2008 confirming available water to serve the subject site and a willingness to serve the Lyons Canyon project with additional water infrastructure planned as part of the project.
- Given that the proposed project is outside of the Valencia Water Company service boundary, the California Public Utilities Commission will review an application (prepared by Valencia Water Company) for annexation of the subject site into the Valencia Water Company service area subsequent to final approval of the project. Approval of the annexation is based upon required findings (involving verification of available water, capacity of existing and planned infrastructure, etc.).
- The timeframe for annexation review and approval by the Public Utilities Commission (PUC) is typically 4-6 months. These proceedings are open to the public and thus there is the opportunity to file a protest. If filed, protest proceedings typically require an additional 4-6 months of review by the PUC.
- It is important to note that Valencia Water Company has never been denied a request for annexation by the PUC.

Please feel free to contact me if you have any additional questions.

Regards,

Jasch Janowicz

The Daly Group

phone: 818.889.7252

fax: 818.889.7085

Valencia Water Company



24631 Avenue Rockefeller • P.O. BOX 5904 • Valencia, CA 91385-5904
(661) 294-0828 • Fax (661) 294-3806

June 10, 2008

Mr. Mo Kajbaf
Los Angeles County Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803

Notice of Water Availability
Tract No: 53653
Developer: Daly Owens Group

Dear Mr. Kajbaf:

The Valencia Water Company (Valencia) has determined that water is available to serve the above-referenced project. Valencia agrees to operate the water system and provide service in accordance with the company's approved Tariffs on file with the California Public Utilities Commission. The determination of water availability shall remain valid for two years from the date of this letter. Unless construction of the project has commenced within this two year time frame, Valencia is under no obligation to serve the project unless the developer receives an updated letter from Valencia confirming water availability.

Valencia has determined that the existing facilities and the additional facilities to be installed by Valencia through developer funding of this project will be adequate to serve this project and each of the individual parcels under normal operating conditions. These facilities will provide a fire flow of 1250 gallons per minute at 20-psi residual pressure for two (2) hours as required by the Fire Department.

Valencia requires that the project comply with the Company's Best Management Practices regarding water conservation. This program identifies water saving techniques, methods, landscape designs and internal water use practices that will achieve the Company's long term conservation goals described in its most current Santa Clarita Valley Urban Water Management Plan. Unless the project is constructed to Valencia's conservation standards, Valencia is under no obligation to serve the project.

This letter shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.

If you have any questions regarding the above please call Keith Abercrombie, Valencia Water Company Vice President of Operations at (661) 295-6504.

Sincerely,

Robert J. DiPrimio
President

cc: Keith Abercrombie, Vice President of Operations, Valencia Water Company

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, REGIONAL PLANNING

IGR/CEQA BRANCH

100 MAIN STREET, MS # 16

LOS ANGELES, CA 90012-3606

PHONE: (213) 897-3747

FAX: (213) 897-1337

*Flex your power!
Be energy efficient!*

IGR/CEQA No. 080526AL, FEIR
Referenced to IGR/CEQA No. 060951AL,
DEIR & IGR/CEQA No. 050825AL, TS
Lyons Canyon Ranch
Vic. LA-05 / PM R49.04 to R50.33
SCH # 2003031086

June 16, 2008

Mr. Rudy Silvas
Regional Planning Department
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

Dear Mr. Silvas:

This correspondence follows our letter dated November 1, 2006 on the Draft Environmental Impact Report (EIR). We have the following comment after reviewing the response to comment dated February, 2008.

In our original comments, at I-5 southbound Ramp/Marriott & Pico Canyon Rd., we recommended to replace the proposed through/right share lane into a separate right turn lane to southbound I-5 on-ramp and add a third westbound through lane (not a 3rd eastbound through lane). Please justify the project contribution share, 4%, for our review.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 080526AL.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl Powell".

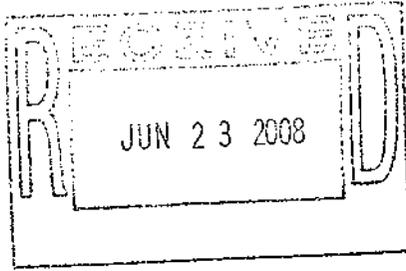
CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Tae, Susan

From: Mary Ann Griffin [magriffin555@sbcglobal.net]
Sent: Friday, July 25, 2008 9:34 AM
To: Tae, Susan
Subject: Lyons Cyn Project

We are in such need of Senior Housing! Please allow this project to go through.
Thanks
Mary Ann Griffin



June 19, 2008

Los Angeles, County Regional Planning Commission,
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone
Change 2008-0004 (5) VTT# 83653, OT Permit #
2005-0039

Dear Commissioners and Ms. Tae:

We have concerns regarding the sensibility of this project for a host of reasons.

We did not see any indication in the agenda packet for this item as to whether the question of a second exit for this project has been resolved. We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit.

We continue to protest the lack of a Development Monitoring System Analysis for this project. The Development Monitoring System (a General Plan Amendment passed as a result of a Court Settlement) requires a fire station within 1.5 miles of new development proposals. No such fire station exists. We note that the plan for this project requires a LOT for a fire station, but does not mandate the station itself. We request that the developer be conditioned to help provide such a station. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area. We request that the station should be built and functioning before occupancy of these houses is permitted.

Additionally, the County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future.

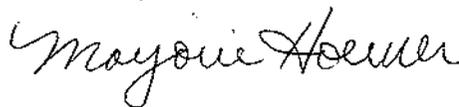
Further, we believe that changed circumstances regarding water supply must be addressed in any new hearing. Two Federal Court decisions have occurred since this case was last reviewed. Judge Oliver Wanger's decision of Dec. 14th, 2007 that the Delta Smelt must be protected under the Endangered Species Act has resulted in substantial cutbacks to State Water Supply, on which the Santa Clarita Valley depends for 60% of its water supply. A further decision was made in April 2008 to protect the Salmon in the Delta. This decision will result in further impacts to our water supply. We have attached the notice from the Dept. of Water Resources regarding this Court decision, along with the notice of reduction in state water deliveries to Castaic Lake Water Agency.

Oaks

This project proposes the removal of 162 oaks. This is a substantial number of oaks and will come under the obligations of new State Law, which requires not only replacement of oaks, but replacement for lost Oak Woodland Habitat as well. This project is immediately adjacent to an important wildlife corridor. Without sufficient habitat, animal movement will be impaired by lack of food and cover. It is therefore important that habitat destruction not occur here. We ask that the Planning Commission look for ways that the number of oaks can be reduced. This could occur by discouraging mass grading and requiring grading for only the footprint of the lot. Again, we believe the back portion of this project should be eliminated from the proposal.

We request that a cumulative analysis of the total amount of oaks and oak woodlands destroyed by development in the last 15 years be analyzed. We believe such cumulative analysis is necessary to evaluate the substantial impact that has occurred to oaks and oak woodlands by this destruction in the last two decades. The analysis should include the increase to air pollution and loss of carbon sequestering that will result from the removal of these trees. Thank you for your attention to our concerns.

Sincerely,



Marjorie Hoerner



Brent Hoerner

24024 Via Candela
Valencia, CA 91355

Linda Pursell
23324 8th Street
Santa Clarita, CA 91321

Mr. Pat Modugno
Los Angeles Regional Planning Commissioner
LA County Regional Planning Department
320 West Temple Street
Los Angeles, CA 90012

July 28, 2008

RE: Agenda Item 8, July 30th, Lyons Canyon Project

Dear Mr. Modugno,

I am very concerned about this Lyons Canyon Project that would put a senior housing project so far away from services they will need. The planned project is the Lyons Canyon Ranch housing development which calls for 93 single-family lots and 93 condos, all intended for seniors, on more than 231 acres, next door to the Ed Davis Park in Towsley Canyon. Senior housing should be close to services like shopping and banking and bus transportation so they will not have to drive. I took care of my father for several years before he died and I know firsthand how important it is for seniors to be independent as long as possible.

Dr. Horton, the developer of this project, seems to have used the senior housing designation to get this large project approved, waiving regular zoning rules.

Please do not approve this project. I realize that we need more good senior housing but this is absolutely the wrong place for it.

Sincerely,

Linda Pursell

Tae, Susan

From: Barbara Wampole [barbara@wampole.com]
Sent: Thursday, July 24, 2008 3:09 PM
To: Tae, Susan
Cc: bottorffm@verizon.net
Subject: Lyons Canyon Project # 2005-0008
Attachments: Lyons Cyn FSCR comments.doc

Dear Ms. Tae, and Planning Commissioners,

The following letter reflects our concerns regarding the Lyons Canyon Project. We would like you to take these concerns into consideration as you review this project. We have attached our letter and it will be followed by a hard copy. Thank you.

Sincerely,
Barbara Wampole
Vice-chair Friends of the Santa Clara River

=====
Friends of the Santa Clara River
660 Randy Drive
Newbury Park, CA 91320-3036

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone Change 2008-0004 (5) VTT# 83653,
OT Permit # 2005-0039, Agenda Item #8 July 31st.

Dear Commissioners and Ms. Tae:

Friends of the Santa Clara River are concerned that there are a multitude of issues not addressed in the review of this project. We believe that to make a decision you must take into consideration the following:

On June 5th, the Governor of California declared a statewide drought. Castaic Lake Water Agency will only receive 35% of its state water allotment this year and early projections for next year indicate as little as 10% of its annual state water allotment will be available. We believe that under such conditions the County may not rely on the 2005 Urban Water Management Plan because circumstances have substantially changed. As required by law, an amendment to the 2005 Urban Water Management Plan needs to be submitted by the water purveyors, prior to granting any further housing approvals.

The County may also not rely on the **draft** State Water Reliability report for the same reason. That draft was released before the Federal Court Oliver Wanger decision of Dec 17th, 2007 (hereby

incorporated by reference) and its figures will have to be adjusted downwards to comply with the remedies ordered by that decision. Further, Judge Wanger has just released the remedy phase of his decision regarding impacts on salmon runs in the Sacramento Delta. This decision will also reduce water supply to the Santa Clarita Valley and must be evaluated before approving further housing units.

Further, the Friends of the Santa Clara River object to the continued impacts on tributaries of the Santa Clara River such as that envisioned by this project without a cumulative impact analysis for the whole watershed. Piecemeal concreting and elimination of tributaries, as occurs in the proposed project, reduces flow and re-charge to the Santa Clara River as well as causing water quality problems and loss of critical wetland function and habitat. We request that a cumulative impacts study be conducted before any further modification to Santa Clara River tributaries is permitted.

We do not believe that this project meets the Burden of Proof required by the proposed issuance of a Zone Change, a Conditional Use permit and a Statement of Over-riding Considerations for significant unmitigated impacts to biology, aesthetics, geologic formations, air quality, traffic and noise.

CUP Burden of Proof

Contrary to the requirements of a CUP, this project adversely affects the health, peace, comfort and welfare of the surrounding community by significantly increasing the traffic and noise to a level that cannot be mitigated (EIR), significantly impacting the biological resources of the area (EIR), significantly impacting the aesthetic views of the area by grading down hillsides and removing important geologic features (see EIR) and removing a significant number of oaks which sustain clean the air.

The loss of oaks, ridge lines and view shed is also materially detrimental to the use, enjoyment and valuation of property of other persons located in the vicinity of the site as well as those that must pass by it on the freeway every day by significantly impacting the natural beauty of the area that lies immediately adjacent to a regional park.

This project jeopardizes, endangers and constitutes a menace to the public health safety or general welfare by placing housing in a high fire prone wildfire area. Fires have already burned through this area three times in the last 15 years. Fires burned right to the edge of houses in the neighboring community, requiring evacuations. The stresses to a community of elders is simply unacceptable

This project provides only one ingress and egress to the back units. This puts residents of those units in extreme danger because it will be difficult for them to escape while emergency vehicles are arriving. It will be difficult and expensive to defend this area from fire, thus reducing the defense that is available for existing homes.

We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit for half the proposed units.

This project will only provide the pad for a fire station in this area, NOT the fire station itself. The Development Monitoring System requires a fire station within 1.5 miles of new development proposals. The nearest station is 3 miles away. The long response time would enable a fire to get out of control and into the surrounding natural areas.

We therefore request that any approval of this discretionary permit require that the developer help

provide an actual fire station and that no units be built until the fire station is in place. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area.

The County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future. Failure to do so puts an unfair burden on existing residents and therefore does not meet the burden of proof required for a CUP.

One Finding of the CUP that states:

" The proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community and is consistent with the objectives and policies of the General Plan."

This finding is untrue on its face, since there are no nearby shopping or commercial opportunities and certainly nothing convenient for seniors.

Burden of Proof for a Zone Change

The modified conditions do not warrant a change in the zoning because the project is in a fire prone area with only one exit to half of the units. The placement of this zoning in this area is not in the interest of public health, safety and general welfare and in conformity with good zoning practices because of the known extreme fire hazard of the area. Future residents would be put in jeopardy and existing residents fire protection would be reduced by having to defend this project placed in a known high fire hazard area.

Also, many housing units are already in foreclosure in the Santa Clarita Valley, indicating that housing is overbuilt for the area. The Santa Clarita area already has available at least 5 large senior housing complexes with rental space available as well as a number of lower cost condominium units that are similar to those proposed in this project.

Findings of Over-riding considerations

We reference the Attorney General's office list of proposed mitigation for reducing greenhouse gases and air pollution. In order to make a finding of over-riding considerations, the County must incorporate all feasible mitigation. We believe that several additional conditions from this list are feasible and must be included.

The need for this project is not supported by any documentation. Housing in the Santa Clarita Valley is already overbuilt with many properties in foreclosure and builders in bankruptcy.

In closing, we would like to call your attention to a similar senior housing project by PacSun; the Golden Valley project, an "active senior" project, is in severe financial trouble on the east side of Hwy 14. It too required a massive amount of grading, which put the developer into bankruptcy. The natural area was destroyed for nothing. Now there is a huge hole in the ground that is an eyesore for the neighboring community.

As you are aware, financial instability impacts the entire community as the developer becomes unable to pay required fees for schools, libraries, etc, and graded pads are left standing without the storm

water or re-vegetation requirements met. This has already occurred with many projects in the Antelope Valley.

For the sake of the surrounding community we beg you to find a way to require bonding or some other assurance that required mitigation will be met BEFORE you allow any oaks to be removed or grading to occur. Please do not allow destruction of this beautiful area for a project that may never be built.

We urge you to vote no on this project because it does not meet the burden of proof for a CUP or a zone change, because it is in a very high fire prone area with only one exit for the back units of the project and because there is no analysis of its contribution to the cumulative impacts to the tributaries of the Santa Clara River.

Thank you for your attention to our concerns.

Barbara Wampole, Vice Chair

For Ron Bottorff, Chair of Friends of the Santa Clara River

--

Barbara Wampole
28006 San Martinez Grande Road
Castaic, CA 91384-2306
661-257-3036 voice
661-294-9290 fax

barbara@wampole.com
<http://www.imageg.com>
<http://FSCR.org>
<http://www.wampole.com>

When you drink the water, remember the spring / Chinese Proverb

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

22-Jul-2008

8. Zone Change Case No. 2008-00004-(5) (Ms. Tae)
Vesting Tentative Tract Map No. 53653
Conditional Use Permit Case No. 2005-00088-(5)
Oak Tree Permit Case No. 2005-00039-(5)
Housing Permit Case No. 2006-00001-(5)

Dear Ms. Tae and other Commissioners,

I am writing to strongly object to the unnecessary granting of zoning variances to the applicant of Lyons Canyon Project # 2005-0008 in this environmentally sensitive project area. Unfortunately I will not be able to deliver my comments in person.

The County's ordinances were put in place to restrict exactly this sort of development.

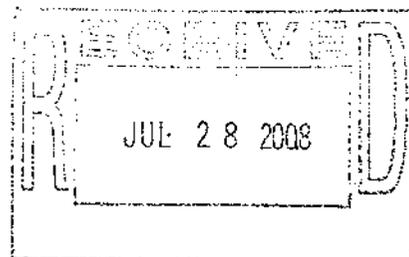
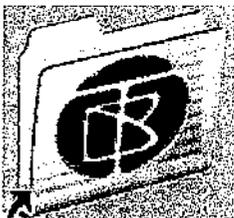
There is sufficient opportunity to work within the existing County codes to create an acceptable plan; granting these changes is a "short-cut" which will have devastating consequences. In fact the SEA/Oak Tree Avoidance Alternative, commented on by the Santa Monica Mountains Conservancy, is already included as an alternative!

How much did it cost another developer to move "Old Glory" to answer the community's concern for Oak Preservation at the public recommendation of Supervisor Antonovich, the author of the very ordinance you are being asked to ignore? Ironically there is a natural "line" in this project which "points" directly at the site of the historic "treesit" (see attached diagram.) In that case the decisions by the County were already well established and a heart wrenching, public plea to "Save Our Oaks" echoed in the corridors after the fact.

We can do better now; don't back down - hold tight with the SEA.

Sincerely,

Thomas Barron
28006 San Martinez Grande Canyon Road
Castaic, CA 91384



July 24, 2008

Department of Regional Planning
Attn: Susan Tae
320 West Temple Street
Los Angeles, CA 90012

RE: Partial Map #53653

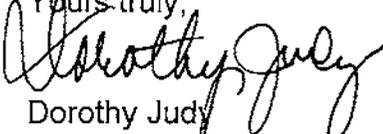
Dear Ms. Tae,

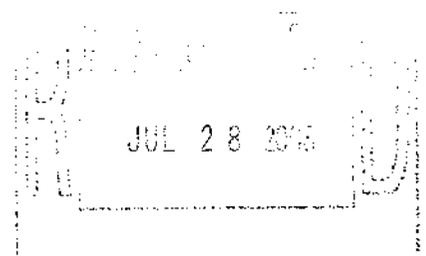
I would like to add my name to list of residents of the Sunset Pointe neighborhood and request – no demand – another local meeting regarding the additional changes that are being railroaded on us in regards to the proposed construction adjacent to our neighborhood.

What is with the County and trying to build on every last open space in our area? Not only is there a planned business/living area across the freeway from us but now you want to rezone our area? There is too much traffic in front of us on The Old Road now as it is. I cannot tell you how many mornings I get to the bottom of our street and cannot turn left to go to work because of freeway traffic that has moved on the The Old Road to try and circumvent slow downs on the freeway. It is ridiculous. Plus, people drive on The Old Road like it's got a 65 -70 miles per hour speed limit – it's dangerous. And you want to add to this by building businesses adjacent?

We have a right to be heard instead of having this project dumped on us at the last minute – the meeting on July 30th is definitely not enough. Please make sure that nothing is set in stone until we are heard. Thank you for your time.

Yours truly,


Dorothy Judy
24556 Sagecrest Circle
Newhall, CA 91381



Tae, Susan

From: rwfischer [rfischerr@sbcglobal.net]
Sent: Tuesday, July 29, 2008 9:50 AM
To: Tae, Susan
Subject: Poor Planned Senior Housing

This proposed senior housing is in the wrong place!

Don't Put Seniors in Harms Way

Environmentally Speaking Published 7-3-08

We need housing for our growing senior population. That is why state law allows local jurisdictions to forgo some of their planning rules about hillsides, water supply, and other issues that normally would be a concern. This is fine - our community wants to have good, safe housing, close by, for our seniors to live in.

But "safe" should always be the operative word. Our parents and grandparents have worked hard for many years to benefit our communities. That's why SCOPE supported the senior housing on Valley Street, McBean Parkway, and Bouquet Canyon Rd. These senior facilities are close enough to walk to shopping areas, and they have good, or at least useable access to public transportation for our older folks that may no longer want to drive. They are situated near restaurants and doctors' offices. ?In short, they go a long way to creating safe, walkable, transit oriented senior housing.

Seniors deserve the same kind of planning, free from special interest abuse, that we would expect the County to provide for all of our housing. That is why, sadly, SCOPE must oppose the senior housing proposal for Lyons Canyon near Towsley Canyon Park.

DR Horton, the developer of this project, seems to have used the senior housing designation to force the development of this project in a significant ecological area (SEA) along with the removal of 162 oaks, including 10 ancient, "heritage" oaks that took root around the time of the American Revolution. The proposed project will also take an area through which a beautiful creek flows, and destroy it to create a huge debris basin, in order to manage floodwaters.

These are all issues which make this project very difficult to support, despite our desire to encourage additional senior housing in our community. However, perhaps worst of all, this project will allow development in an extremely dangerous fire hazard area.

And that is where we must draw the line. DR Horton seems to have disregarded the safety and security needs of our esteemed seniors who we seek to serve, and who deserve much better.

All of us in Santa Clarita remember the huge fires of 2003 that burned right up the edge of Stevenson Ranch. Numerous fire trucks lined up on Wiley Canyon near the gym to try to keep the flames from burning houses in Newhall. The images on all the local Los Angeles TV stations, and some national shows, showing firefighters and homeowners standing in backyards, trying to fight the blazes licking down the hills, are burned in our memories. That fire ravaged the area proposed for the senior housing development for the third time in the last decade.

As fire becomes more pervasive in drought plagued California, and the costs to Counties, tax payers and insurance companies multiply into the hundreds of millions of dollars for these fires, local and state planning agencies know they must re-think zoning in fire hazard areas. Fire fighting costs alone now reach between \$10 and \$30 million for each fire, a huge sum for our cash strapped counties. Our communities can no longer afford the cost of defending homes in areas where they should not be built in the first place.

The recent fire in Paradise California accentuated the issue of senior housing in a fire hazard area. With over 50% of its population older than 65 years, the evacuation process presented special problems. Many seniors did not drive and could not evacuate themselves. Once evacuated, the seniors had special medical needs not easily accommodated in a shelter situation. One elderly lady died of a heart attack while being evacuated.

ADDITIONAL CORRESPONDENCE

**Agenda Item 8 a, b, c, d, e
July 30, 2008**



3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904

(213) 387-4287 phone
(213) 387-5383 fax
www.angeles.sierraclub.org

LA County Regional Planning Commission
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90012

Proposed Lyons Ranch Development Comments

To Whom it May Concern:

Biology and Wildlife Movement

The proposed Lyons Ranch project will substantially degrade the quality of the environment in the northern Los Angeles County. It will substantially reduce the habitat of numerous plant and wildlife species. It will also threaten and/or eliminate species from the area due to loss of habitat. This is because the proposed development will drastically interfere with the movement of wildlife species within the Santa Susana watershed. The proposed development area is part of a major wildlife linkage corridor. The very thought of developing this pristine portion of oak woodlands completely disregards the city of Santa Clarita's goal to acquire Open Space. This is particularly shocking when considering the fact that the proposed development sits right "next door" to the Ed Davis Park (Towsley Canyon).

This project is in a Significant Ecological Area (63) and we do not believe that this impact can be mitigated. We request that the County include an alternative that does not fill the majority of the canyon with development farthest from the Old Road access point.

Specifically, the proposed project would result in the loss of suitable foraging habitat for a variety of species (including mammals such as mountain lions/mule deer, birds such as condors/raptors, reptiles, amphibians, etc.), and the direct loss of special status plant species. It is easy to see that the impacts on animal and plant species will be drastic. However, the EIR is very inconsistent when describing potential mitigation measures and other solutions to the problem. When mitigation measures are mentioned they are weak or vague. Case in point, the EIR states repeatedly that the effects of development will be significant and ultimately unavoidable. Lyons Ranch is a major wildlife linkage corridor and animals will be losing their habitat and foraging grounds. 118 acres of native habitat will be destroyed and some of the few pockets of open space will be just that, "islands" within the development. How will this be of any use to the animal species that frequent this wildlife corridor? This makes no sense. Animals that transition through the area (looking for food and water, etc.) will have nowhere to go.

Stating that these impacts are unavoidable is not acceptable and the mitigation measures suggested are not enough.



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Paleontological Resources

Impacts to potential paleontological resources as a result of the proposed project also need to be further addressed. The proposed development lies in the upper Pico and lower Saugus formations. There are marine fossils in this area that are rare and should be protected. If development of any kind is allowed a paleontologist should be at the scene in order to preserve specimens. Specimens should then be donated to Los Angeles County Natural History Museum

Geology

In an area prone to landslides and liquefaction, it is shocking to read in the FEIR that fill will be used (meaning significant grading) to protect lives and homes. This area is prone to tectonic uplift and even includes a well-researched and known over-turned fault complex. This is not mentioned in the FEIR and calls into question the validity of the geological research. We wish to express our concern with the research done in the Geotechnical section. We request that the Diblee and Olaf Jenkins maps be reviewed by a source not hired by the developer. Information about the anticlines/synclines in the area should have been included in the EIR. The proposed project is on a very unstable and geologically active area. To the southwest the mountains are rising on a level similar with that of the tectonic force required to create the Himalaya Mountains. Rock beds are upside down due to the force and faulting associated with the San Gabriel fault. This is not even mentioned in the EIR.

Air quality

Another serious concern with the EIR is the substantial effect the proposed development would have on the worsening air quality that we have in our area. It is obvious that the cumulative air pollutant emissions in the area would contribute to the degradation of local and regional air quality. The Santa Clarita Valley already has some of the worst air quality in the nation. As a local teacher, I see the effects of poor air quality on the children in my classroom. Each year I see more and more students who suffer from asthma. The SCV already exceeds Federal air pollution standards for particulate matter generated from dust and diesel pollution.

In addition, there would be long term effects resulting from the additional traffic on our local roads and freeways. Since climatologists agree that greenhouse gases are causing global warming and even the Supreme Court, in its decision several months ago, said that EPA must address Carbon Dioxide as a pollutant, further discussion of global warming should appear in this EIR. The project should not be approved without making public transportation available to its future residents.

Green Building Standards

The Sierra Club requests that green building standards be included as conditions of any approval that might be considered.

Traffic

This proposed development will also drastically increase the amount of traffic on both the Old Road and Interstate 5. This is unacceptable considering the amount of time the



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average Santa Clarita spends in traffic commuting to and from the San Fernando Valley. We do not feel that the traffic concerns have been mitigated in this EIR.

Conclusion

The National Sierra Club has a policy against urban sprawl projects such as this one due to their unsustainability and wasteful use of resources. We therefore request that you not approve this project without addressing the above issues in the EIR. Also, it is requested that mitigation (including green building standards, a corridor for wildlife movement and public transportation for commuters that will live in the project) be provided that would reduce the disclosed impacts.

Sincerely,
Katherine Squires
Conservation Chair
Santa Clarita Valley Sierra Club



SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



June 23, 2008

Regional Planning Commission
Los Angeles County Department of Regional Planning
320 West Temple Avenue
Los Angeles, California 90012

**Lyons Canyon Ranch FEIR Comments
Vesting Tentative Tract Map No. 53653
SCH No. 2003031086**

Dear Planning Commission Members:

The Santa Monica Mountains Conservancy always pursues the strongest protection for natural lands located both within County-designated Significant Ecological Areas (SEA) and adjacent to significant public lands--such as the Santa Clarita Woodlands Park. A project with significant SEA, oak woodland, and streambed impacts must have the most precise and enduring mitigation.

In addition to our Draft Environmental Impact Report (DEIR) comments that are addressed in the FEIR and that provide supportive background for the below requests, we adamantly request that the following mitigation measures be added to the certified FEIR to achieve this minimum level of mitigation. These mitigation measures require no modification of the proposed project.

Without the complete incorporation of each and every one these below mitigation elements in the FEIR, we urge the Commission not to certify the document on the grounds of inadequate mitigation for several unavoidable significant adverse biological impacts.

1. Per the DEIR and FEIR, open space lots 103-106 of the subject project shall be irrevocably offered for fee simple dedication to the Mountains Recreation and Conservation Authority (MRCA) or shall be recorded in fee simple by the MRCA prior to or concurrent with tract map recordation. Under absolutely no circumstances shall there be an exception to this requirement. If the land is not recorded by the MRCA prior to, or concurrent with, map recordation, the irrevocable offer to dedicate shall be duly recorded prior to map recordation.

The amount of land transferred in fee to the MRCA shall not be less than 122.74 acres per the DEIR and FEIR. If the MRCA does not accept the land within one year after being notified via Certified Mail concurrently with the recording of an offer to dedicate, the offer to dedicate shall expire. The land shall be free and clear of all liens and encumbrances. The developer shall be allowed to conduct only the subject project required mitigation on lots 103-106 and only exactly as depicted in the DEIR and FEIR.

If any portions of lots 103-106 fall within the 200-foot-wide variable fuel modification zone depicted in the DEIR, the Homeowners Association (HOA) shall retain an easement solely for the purpose of fuel modification only where such overlap of DEIR and FEIR depicted fuel modification occurs. The Homeowners Association CC&Rs shall include all necessary elements to recognize this easement and to require that the HOA be wholly responsible for any fuel modification required on lots 103-106 as depicted in the DEIR and FEIR.

2. The Homeowners Association CC&Rs shall include an irrevocable requirement to provide an annual open space maintenance fee to the fee title holder of lots 103-106. That payment of \$15,000 annually shall first be due in full concurrently with map recordation. That map recordation date shall establish the annual due date for each subsequent \$15,000 payment. Fee owner of said open space lots shall invoice the HOA for all subsequent payments. Said fee shall include an indexed inflation adjustment.
3. No remedial grading or mechanical disturbance shall be allowed under any circumstances more than 15 feet outside of the shown limits of grading for Vesting Tentative Tract Map 53653. This amount of space should allow for normal calculation errors and difficult vehicle turnaround conditions that require added safety. Any grading or mechanical disturbance impact beyond 15 feet would constitute additional adverse ecological impact not addressed in the FEIR. Unforeseen geological instability must thus be solved internal to the limits of grading as shown in the DEIR and FEIR and approved by the Board of Supervisors.
4. The Gavin Canyon Trail with a 12-foot-wide easement as depicted in the DEIR and FEIR must be dedicated to the Los Angeles County Department of Parks and Recreation prior to or concurrent with tract map recordation. Under no

circumstances shall there be an exception to this requirement. If the land is not transferred, an irrevocable offer to dedicate shall be duly recorded.

5. With the exception of one "required offsite access easement" (FEIR Exhibit 6-1) in the northwest project corner approximately following unpaved Lyon Ranch Road), the DEIR and FEIR do not depict or analyze any public or private access or utility easements across any portion of open space lots 103-107 or the potential impacts of their improvement.

The two owners of APNs 2826-022, 022, 023 and 024 have gone on the public record for the subject project to request access easements. The above mentioned "required offsite access easement" could service these two subject ownerships. It is our understanding that the applicant has agreed to grant exclusive access and utility easements to the owners of these parcels in the width of approximately thirty feet. The location and scope of the easements are not otherwise defined to our knowledge. The MRCA has APN 2826-022-024 under contract to acquire in August 2008.

Based on the DEIR and FEIR analysis and disclosure, the public must then be able to conclude that no other additional access and utility easements exist, or shall exist in the future, that can diminish the ecological integrity of open space lots 103-107 in any way shape or form. This conclusion must include any public street reservations to the Los Angeles County Department of Public Works. For the record APN 2826-022-024 does have a narrow easement across a small sliver of open space owned by the Vesting Tentative Tract Map No. 53653 owner.

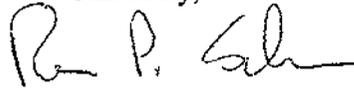
The FEIR shall include a mitigation measure that expressly states that open space lots 103-106 must be offered to the MRCA free and clear of all access and utility easements except a future exclusive easement to benefit only APNs 2826-022, 022, 023 and 024. The narrow easement coming from the north that benefits APN 2826-022-024 would be the one exception.

It seems most appropriate too that the application be required to construct the subject section of the Gavin Canyon Trail or to provide a public agency in advance with adequate funds to construct the trail. We respectfully ask the Commission to add this requirement to the conditions of approval.

Los Angeles County Regional Planning Commission
Lyons Canyon Ranch - Vesting Tentative Tract Map No. 53653 FEIR Comments
June 23, 2008
Page 4

Please address any future documents to the attention of Paul Edelman at the letterhead address and questions to him at (310) 589-3200 ext. 128.

Sincerely,

A handwritten signature in black ink, appearing to read "R. P. Schaffer". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

RONALD P. SCHAFER
Chairperson

Baldwin, Alejandrina C.

From: Jasch Janowicz [jasch@dalygroupinc.com]
Sent: Friday, July 25, 2008 1:41 PM
To: Tae, Susan
Cc: Baldwin, Alejandrina C.
Subject: Lyons Canyon Water Service Annexation
Attachments: Water Availability Letter_06102008.pdf

Susie:

I spoke with Keith Abercrombie from Valencia Water Company today (Friday) about the annexation of the Lyons Canyon project into the Valencia Water Company service boundary. Below I have provided a summary of pertinent facts and a summary of the annexation process.

- The Lyons Canyon project is currently adjacent to, but outside of the service area of both Valencia Water Company and Newhall Water Company (See DEIR Water and Wastewater Section, pages 5.11-1 and 5.11-2.)
- Given that water service infrastructure maintained by Valencia Water Company currently exists directly adjacent to the Lyons Canyon project boundary, we have requested water service from Valencia Water Company.
- Valencia Water Company provided a Water Availability Letter dated June 10, 2008 confirming available water to serve the subject site and a willingness to serve the Lyons Canyon project with additional water infrastructure planned as part of the project.
- Given that the proposed project is outside of the Valencia Water Company service boundary, the California Public Utilities Commission will review an application (prepared by Valencia Water Company) for annexation of the subject site into the Valencia Water Company service area subsequent to final approval of the project. Approval of the annexation is based upon required findings (involving verification of available water, capacity of existing and planned infrastructure, etc.).
- The timeframe for annexation review and approval by the Public Utilities Commission (PUC) is typically 4-6 months. These proceedings are open to the public and thus there is the opportunity to file a protest. If filed, protest proceedings typically require an additional 4-6 months of review by the PUC.
- It is important to note that Valencia Water Company has never been denied a request for annexation by the PUC.

Please feel free to contact me if you have any additional questions.

Regards,

Jasch Janowicz

The Daly Group

phone: 818.889.7252

fax: 818.889.7085

Valencia Water Company



24631 Avenue Rockefeller • P.O. BOX 5904 • Valencia, CA 91385-5904
(661) 294-0828 • Fax (661) 294-3806

June 10, 2008

Mr. Mo Kajbaf
Los Angeles County Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803

Notice of Water Availability
Tract No: 53653
Developer: Daly Owens Group

Dear Mr. Kajbaf:

The Valencia Water Company (Valencia) has determined that water is available to serve the above-referenced project. Valencia agrees to operate the water system and provide service in accordance with the company's approved Tariffs on file with the California Public Utilities Commission. The determination of water availability shall remain valid for two years from the date of this letter. Unless construction of the project has commenced within this two year time frame, Valencia is under no obligation to serve the project unless the developer receives an updated letter from Valencia confirming water availability.

Valencia has determined that the existing facilities and the additional facilities to be installed by Valencia through developer funding of this project will be adequate to serve this project and each of the individual parcels under normal operating conditions. These facilities will provide a fire flow of 1250 gallons per minute at 20-psi residual pressure for two (2) hours as required by the Fire Department.

Valencia requires that the project comply with the Company's Best Management Practices regarding water conservation. This program identifies water saving techniques, methods, landscape designs and internal water use practices that will achieve the Company's long term conservation goals described in its most current Santa Clarita Valley Urban Water Management Plan. Unless the project is constructed to Valencia's conservation standards, Valencia is under no obligation to serve the project.

This letter shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.

If you have any questions regarding the above please call Keith Abercrombie, Valencia Water Company Vice President of Operations at (661) 295-6504.

Sincerely,

Robert J. DiPrimio
President

cc: Keith Abercrombie, Vice President of Operations, Valencia Water Company

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-3747
FAX: (213) 897-1337



*Flex your power!
Be energy efficient!*

IGR/CEQA No. 080526AL, FEIR
Referenced to IGR/CEQA No. 060951AL,
DEIR & IGR/CEQA No. 050825AL, TS
Lyons Canyon Ranch
Vic. LA-05 / PM R49.04 to R50.33
SCH # 2003031086

June 16, 2008

Mr. Rudy Silvas
Regional Planning Department
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

Dear Mr. Silvas:

This correspondence follows our letter dated November 1, 2006 on the Draft Environmental Impact Report (EIR). We have the following comment after reviewing the response to comment dated February, 2008.

In our original comments, at I-5 southbound Ramp/Marriott & Pico Canyon Rd., we recommended to replace the proposed through/right share lane into a separate right turn lane to southbound I-5 on-ramp and add a third westbound through lane (not a 3rd eastbound through lane). Please justify the project contribution share, 4%, for our review.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 080526AL.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl Powell".

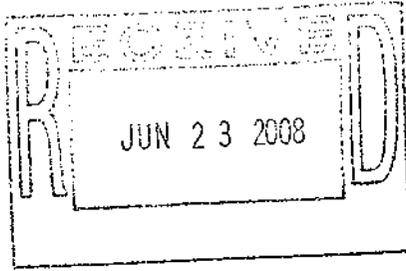
CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Tae, Susan

From: Mary Ann Griffin [magriffin555@sbcglobal.net]
Sent: Friday, July 25, 2008 9:34 AM
To: Tae, Susan
Subject: Lyons Cyn Project

We are in such need of Senior Housing! Please allow this project to go through.
Thanks
Mary Ann Griffin



June 19, 2008

Los Angeles, County Regional Planning Commission,
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone
Change 2008-0004 (5) VTT# 83653, OT Permit #
2005-0039

Dear Commissioners and Ms. Tae:

We have concerns regarding the sensibility of this project for a host of reasons.

We did not see any indication in the agenda packet for this item as to whether the question of a second exit for this project has been resolved. We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit.

We continue to protest the lack of a Development Monitoring System Analysis for this project. The Development Monitoring System (a General Plan Amendment passed as a result of a Court Settlement) requires a fire station within 1.5 miles of new development proposals. No such fire station exists. We note that the plan for this project requires a LOT for a fire station, but does not mandate the station itself. We request that the developer be conditioned to help provide such a station. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area. We request that the station should be built and functioning before occupancy of these houses is permitted.

Additionally, the County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future.

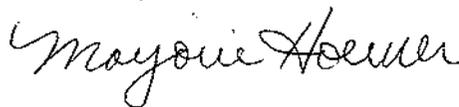
Further, we believe that changed circumstances regarding water supply must be addressed in any new hearing. Two Federal Court decisions have occurred since this case was last reviewed. Judge Oliver Wanger's decision of Dec. 14th, 2007 that the Delta Smelt must be protected under the Endangered Species Act has resulted in substantial cutbacks to State Water Supply, on which the Santa Clarita Valley depends for 60% of its water supply. A further decision was made in April 2008 to protect the Salmon in the Delta. This decision will result in further impacts to our water supply. We have attached the notice from the Dept. of Water Resources regarding this Court decision, along with the notice of reduction in state water deliveries to Castaic Lake Water Agency.

Oaks

This project proposes the removal of 162 oaks. This is a substantial number of oaks and will come under the obligations of new State Law, which requires not only replacement of oaks, but replacement for lost Oak Woodland Habitat as well. This project is immediately adjacent to an important wildlife corridor. Without sufficient habitat, animal movement will be impaired by lack of food and cover. It is therefore important that habitat destruction not occur here. We ask that the Planning Commission look for ways that the number of oaks can be reduced. This could occur by discouraging mass grading and requiring grading for only the footprint of the lot. Again, we believe the back portion of this project should be eliminated from the proposal.

We request that a cumulative analysis of the total amount of oaks and oak woodlands destroyed by development in the last 15 years be analyzed. We believe such cumulative analysis is necessary to evaluate the substantial impact that has occurred to oaks and oak woodlands by this destruction in the last two decades. The analysis should include the increase to air pollution and loss of carbon sequestering that will result from the removal of these trees. Thank you for your attention to our concerns.

Sincerely,



Marjorie Hoerner



Brent Hoerner

24024 Via Candela
Valencia, CA 91355

Linda Pursell
23324 8th Street
Santa Clarita, CA 91321

Mr. Pat Modugno
Los Angeles Regional Planning Commissioner
LA County Regional Planning Department
320 West Temple Street
Los Angeles, CA 90012

July 28, 2008

RE: Agenda Item 8, July 30th, Lyons Canyon Project

Dear Mr. Modugno,

I am very concerned about this Lyons Canyon Project that would put a senior housing project so far away from services they will need. The planned project is the Lyons Canyon Ranch housing development which calls for 93 single-family lots and 93 condos, all intended for seniors, on more than 231 acres, next door to the Ed Davis Park in Towsley Canyon. Senior housing should be close to services like shopping and banking and bus transportation so they will not have to drive. I took care of my father for several years before he died and I know firsthand how important it is for seniors to be independent as long as possible.

Dr. Horton, the developer of this project, seems to have used the senior housing designation to get this large project approved, waiving regular zoning rules.

Please do not approve this project. I realize that we need more good senior housing but this is absolutely the wrong place for it.

Sincerely,

Linda Pursell

Tae, Susan

From: Barbara Wampole [barbara@wampole.com]
Sent: Thursday, July 24, 2008 3:09 PM
To: Tae, Susan
Cc: bottorffm@verizon.net
Subject: Lyons Canyon Project # 2005-0008
Attachments: Lyons Cyn FSCR comments.doc

Dear Ms. Tae, and Planning Commissioners,

The following letter reflects our concerns regarding the Lyons Canyon Project. We would like you to take these concerns into consideration as you review this project. We have attached our letter and it will be followed by a hard copy. Thank you.

Sincerely,
Barbara Wampole
Vice-chair Friends of the Santa Clara River

=====
Friends of the Santa Clara River
660 Randy Drive
Newbury Park, CA 91320-3036

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone Change 2008-0004 (5) VTT# 83653,
OT Permit # 2005-0039, Agenda Item #8 July 31st.

Dear Commissioners and Ms. Tae:

Friends of the Santa Clara River are concerned that there are a multitude of issues not addressed in the review of this project. We believe that to make a decision you must take into consideration the following:

On June 5th, the Governor of California declared a statewide drought. Castaic Lake Water Agency will only receive 35% of its state water allotment this year and early projections for next year indicate as little as 10% of its annual state water allotment will be available. We believe that under such conditions the County may not rely on the 2005 Urban Water Management Plan because circumstances have substantially changed. As required by law, an amendment to the 2005 Urban Water Management Plan needs to be submitted by the water purveyors, prior to granting any further housing approvals.

The County may also not rely on the **draft** State Water Reliability report for the same reason. That draft was released before the Federal Court Oliver Wanger decision of Dec 17th, 2007 (hereby

incorporated by reference) and its figures will have to be adjusted downwards to comply with the remedies ordered by that decision. Further, Judge Wanger has just released the remedy phase of his decision regarding impacts on salmon runs in the Sacramento Delta. This decision will also reduce water supply to the Santa Clarita Valley and must be evaluated before approving further housing units.

Further, the Friends of the Santa Clara River object to the continued impacts on tributaries of the Santa Clara River such as that envisioned by this project without a cumulative impact analysis for the whole watershed. Piecemeal concreting and elimination of tributaries, as occurs in the proposed project, reduces flow and re-charge to the Santa Clara River as well as causing water quality problems and loss of critical wetland function and habitat. We request that a cumulative impacts study be conducted before any further modification to Santa Clara River tributaries is permitted.

We do not believe that this project meets the Burden of Proof required by the proposed issuance of a Zone Change, a Conditional Use permit and a Statement of Over-riding Considerations for significant unmitigated impacts to biology, aesthetics, geologic formations, air quality, traffic and noise.

CUP Burden of Proof

Contrary to the requirements of a CUP, this project adversely affects the health, peace, comfort and welfare of the surrounding community by significantly increasing the traffic and noise to a level that cannot be mitigated (EIR), significantly impacting the biological resources of the area (EIR), significantly impacting the aesthetic views of the area by grading down hillsides and removing important geologic features (see EIR) and removing a significant number of oaks which sustain clean the air.

The loss of oaks, ridge lines and view shed is also materially detrimental to the use, enjoyment and valuation of property of other persons located in the vicinity of the site as well as those that must pass by it on the freeway every day by significantly impacting the natural beauty of the area that lies immediately adjacent to a regional park.

This project jeopardizes, endangers and constitutes a menace to the public health safety or general welfare by placing housing in a high fire prone wildfire area. Fires have already burned through this area three times in the last 15 years. Fires burned right to the edge of houses in the neighboring community, requiring evacuations. The stresses to a community of elders is simply unacceptable

This project provides only one ingress and egress to the back units. This puts residents of those units in extreme danger because it will be difficult for them to escape while emergency vehicles are arriving. It will be difficult and expensive to defend this area from fire, thus reducing the defense that is available for existing homes.

We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit for half the proposed units.

This project will only provide the pad for a fire station in this area, NOT the fire station itself. The Development Monitoring System requires a fire station within 1.5 miles of new development proposals. The nearest station is 3 miles away. The long response time would enable a fire to get out of control and into the surrounding natural areas.

We therefore request that any approval of this discretionary permit require that the developer help

provide an actual fire station and that no units be built until the fire station is in place. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area.

The County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future. Failure to do so puts an unfair burden on existing residents and therefore does not meet the burden of proof required for a CUP.

One Finding of the CUP that states:

" The proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community and is consistent with the objectives and policies of the General Plan."

This finding is untrue on its face, since there are no nearby shopping or commercial opportunities and certainly nothing convenient for seniors.

Burden of Proof for a Zone Change

The modified conditions do not warrant a change in the zoning because the project is in a fire prone area with only one exit to half of the units. The placement of this zoning in this area is not in the interest of public health, safety and general welfare and in conformity with good zoning practices because of the known extreme fire hazard of the area. Future residents would be put in jeopardy and existing residents fire protection would be reduced by having to defend this project placed in a known high fire hazard area.

Also, many housing units are already in foreclosure in the Santa Clarita Valley, indicating that housing is overbuilt for the area. The Santa Clarita area already has available at least 5 large senior housing complexes with rental space available as well as a number of lower cost condominium units that are similar to those proposed in this project.

Findings of Over-riding considerations

We reference the Attorney General's office list of proposed mitigation for reducing greenhouse gases and air pollution. In order to make a finding of over-riding considerations, the County must incorporate all feasible mitigation. We believe that several additional conditions from this list are feasible and must be included.

The need for this project is not supported by any documentation. Housing in the Santa Clarita Valley is already overbuilt with many properties in foreclosure and builders in bankruptcy.

In closing, we would like to call your attention to a similar senior housing project by PacSun; the Golden Valley project, an "active senior" project, is in severe financial trouble on the east side of Hwy 14. It too required a massive amount of grading, which put the developer into bankruptcy. The natural area was destroyed for nothing. Now there is a huge hole in the ground that is an eyesore for the neighboring community.

As you are aware, financial instability impacts the entire community as the developer becomes unable to pay required fees for schools, libraries, etc, and graded pads are left standing without the storm

water or re-vegetation requirements met. This has already occurred with many projects in the Antelope Valley.

For the sake of the surrounding community we beg you to find a way to require bonding or some other assurance that required mitigation will be met BEFORE you allow any oaks to be removed or grading to occur. Please do not allow destruction of this beautiful area for a project that may never be built.

We urge you to vote no on this project because it does not meet the burden of proof for a CUP or a zone change, because it is in a very high fire prone area with only one exit for the back units of the project and because there is no analysis of its contribution to the cumulative impacts to the tributaries of the Santa Clara River.

Thank you for your attention to our concerns.

Barbara Wampole, Vice Chair

For Ron Bottorff, Chair of Friends of the Santa Clara River

--

Barbara Wampole
28006 San Martinez Grande Road
Castaic, CA 91384-2306
661-257-3036 voice
661-294-9290 fax

barbara@wampole.com
<http://www.imageg.com>
<http://FSCR.org>
<http://www.wampole.com>

When you drink the water, remember the spring / Chinese Proverb

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

22-Jul-2008

8. Zone Change Case No. 2008-00004-(5) (Ms. Tae)
Vesting Tentative Tract Map No. 53653
Conditional Use Permit Case No. 2005-00088-(5)
Oak Tree Permit Case No. 2005-00039-(5)
Housing Permit Case No. 2006-00001-(5)

Dear Ms. Tae and other Commissioners,

I am writing to strongly object to the unnecessary granting of zoning variances to the applicant of Lyons Canyon Project # 2005-0008 in this environmentally sensitive project area. Unfortunately I will not be able to deliver my comments in person.

The County's ordinances were put in place to restrict exactly this sort of development.

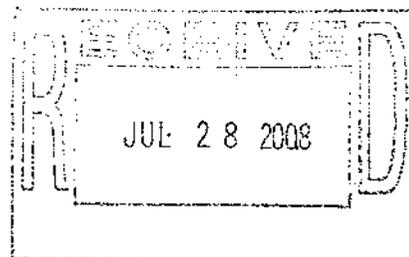
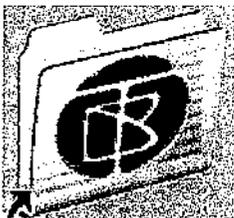
There is sufficient opportunity to work within the existing County codes to create an acceptable plan; granting these changes is a "short-cut" which will have devastating consequences. In fact the SEA/Oak Tree Avoidance Alternative, commented on by the Santa Monica Mountains Conservancy, is already included as an alternative!

How much did it cost another developer to move "Old Glory" to answer the community's concern for Oak Preservation at the public recommendation of Supervisor Antonvich, the author of the very ordinance you are being asked to ignore? Ironically there is a natural "line" in this project which "points" directly at the site of the historic "treesit" (see attached diagram.) In that case the decisions by the County were already well established and a heart wrenching, public plea to "Save Our Oaks" echoed in the corridors after the fact.

We can do better now; don't back down - hold tight with the SEA.

Sincerely,

Thomas Barron
28006 San Martinez Grande Canyon Road
Castaic, CA 91384





2006 Ferie Atlas



Google

July 24, 2008

Department of Regional Planning
Attn: Susan Tae
320 West Temple Street
Los Angeles, CA 90012

RE: Partial Map #53653

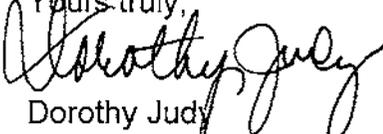
Dear Ms. Tae,

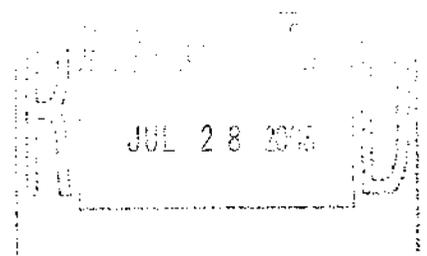
I would like to add my name to list of residents of the Sunset Pointe neighborhood and request – no demand – another local meeting regarding the additional changes that are being railroaded on us in regards to the proposed construction adjacent to our neighborhood.

What is with the County and trying to build on every last open space in our area? Not only is there a planned business/living area across the freeway from us but now you want to rezone our area? There is too much traffic in front of us on The Old Road now as it is. I cannot tell you how many mornings I get to the bottom of our street and cannot turn left to go to work because of freeway traffic that has moved on the The Old Road to try and circumvent slow downs on the freeway. It is ridiculous. Plus, people drive on The Old Road like it's got a 65 -70 miles per hour speed limit – it's dangerous. And you want to add to this by building businesses adjacent?

We have a right to be heard instead of having this project dumped on us at the last minute – the meeting on July 30th is definitely not enough. Please make sure that nothing is set in stone until we are heard. Thank you for your time.

Yours truly,


Dorothy Judy
24556 Sagecrest Circle
Newhall, CA 91381



Tae, Susan

From: rwfischer [rfischerr@sbcglobal.net]
Sent: Tuesday, July 29, 2008 9:50 AM
To: Tae, Susan
Subject: Poor Planned Senior Housing

This proposed senior housing is in the wrong place!

Don't Put Seniors in Harms Way

Environmentally Speaking Published 7-3-08

We need housing for our growing senior population. That is why state law allows local jurisdictions to forgo some of their planning rules about hillsides, water supply, and other issues that normally would be a concern. This is fine - our community wants to have good, safe housing, close by, for our seniors to live in.

But "safe" should always be the operative word. Our parents and grandparents have worked hard for many years to benefit our communities. That's why SCOPE supported the senior housing on Valley Street, McBean Parkway, and Bouquet Canyon Rd. These senior facilities are close enough to walk to shopping areas, and they have good, or at least useable access to public transportation for our older folks that may no longer want to drive. They are situated near restaurants and doctors' offices. ?In short, they go a long way to creating safe, walkable, transit oriented senior housing.

Seniors deserve the same kind of planning, free from special interest abuse, that we would expect the County to provide for all of our housing. That is why, sadly, SCOPE must oppose the senior housing proposal for Lyons Canyon near Towsley Canyon Park.

DR Horton, the developer of this project, seems to have used the senior housing designation to force the development of this project in a significant ecological area (SEA) along with the removal of 162 oaks, including 10 ancient, "heritage" oaks that took root around the time of the American Revolution. The proposed project will also take an area through which a beautiful creek flows, and destroy it to create a huge debris basin, in order to manage floodwaters.

These are all issues which make this project very difficult to support, despite our desire to encourage additional senior housing in our community. However, perhaps worst of all, this project will allow development in an extremely dangerous fire hazard area.

And that is where we must draw the line. DR Horton seems to have disregarded the safety and security needs of our esteemed seniors who we seek to serve, and who deserve much better.

All of us in Santa Clarita remember the huge fires of 2003 that burned right up the edge of Stevenson Ranch. Numerous fire trucks lined up on Wiley Canyon near the gym to try to keep the flames from burning houses in Newhall. The images on all the local Los Angeles TV stations, and some national shows, showing firefighters and homeowners standing in backyards, trying to fight the blazes licking down the hills, are burned in our memories. That fire ravaged the area proposed for the senior housing development for the third time in the last decade.

As fire becomes more pervasive in drought plagued California, and the costs to Counties, tax payers and insurance companies multiply into the hundreds of millions of dollars for these fires, local and state planning agencies know they must re-think zoning in fire hazard areas. Fire fighting costs alone now reach between \$10 and \$30 million for each fire, a huge sum for our cash strapped counties. Our communities can no longer afford the cost of defending homes in areas where they should not be built in the first place.

The recent fire in Paradise California accentuated the issue of senior housing in a fire hazard area. With over 50% of its population older than 65 years, the evacuation process presented special problems. Many seniors did not drive and could not evacuate themselves. Once evacuated, the seniors had special medical needs not easily accommodated in a shelter situation. One elderly lady died of a heart attack while being evacuated.

7/30/08
#8

**FINDINGS OF FACT REGARDING
FINAL ENVIRONMENTAL IMPACT REPORT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS
FOR
D.R. HORTON'S LYONS CANYON PROJECT
TENTATIVE TRACT MAP NO. RMTR53653
CONDITIONAL USE PERMIT NUMBER RCUP200500088
OAK TREE PERMIT NO. ROAK200500039
ZONE CHANGE PERMIT NO. RZC200800004**

INTRODUCTORY FINDINGS.

Pursuant to Public Resources Code Section 21000, et seq. ("CEQA") and California Code of Regulations, Title 14, Section 15000, et seq. ("CEQA Guidelines"), no public agency shall approve or carry out a project where an Environmental Impact Report (the "EIR") has been certified, which identifies one or more significant impacts on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant impacts, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

1. The project's potentially significant effects on the environment will be mitigated or avoided through implementation of the described mitigation measures and/or changes or alterations that have been required in, or incorporated into, the project. Any remaining impacts will be less than significant (hereinafter, "Finding 1").
2. Changes or alterations to the project are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency (hereinafter, "Finding 2").
3. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR (hereinafter, "Finding 3")

For those significant impacts that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological or other benefits of the project outweigh the significant impacts on the environment.

Regional Planning Commission (the "Commission") of the County of Los Angeles (the "County") hereby approves Tentative Tract Map No. RMTR53653 ("TTM"), Conditional Use Permit Number RCUP200500088, Oak Tree Permit No. ROAK200500039, and Zone Change

Permit No. RZC200800004 (collectively, the "**Project**") and certifies the Final EIR ("**FEIR**"), State Clearinghouse Number 2003031086, which consists of and/or relies upon and incorporates the draft EIR, including all appendices thereto and all supporting materials referenced therein (the "**DEIR**"); all comments on the DEIR, all responses thereto, and all supporting materials referenced therein; the Project description; all revisions to the DEIR, if any, and all revised impact descriptions and other supporting documents, if any; all testimony and written comments received at any public hearing relating to the Project; the County's General Plan, as amended, and all environmental documents relating thereto; the Santa Clarita Valley Area Plan, and all environmental documents relating thereto; the County's General Plan, and all environmental documents relating thereto; the County's Land Use Policy Map; the Castaic Lake Water Agency 2005 Urban Water Management Plan; these findings and this Statement of Overriding Considerations made by the County and the Mitigation Monitoring and Reporting Program ("**MMRP**") adopted by the County for the Project; all final County Staff reports relating to the DEIR, the FEIR and/or the Project; all other public reports, documents, studies, memoranda, maps, or other planning documents relating to the Project; and all matters of common knowledge to the County, including but not limited to the County's policies, guidelines and regulations.

The County finds that the FEIR has been completed in compliance with CEQA, was presented to the decision-making body of the County and the decision-making body reviewed and considered the information contained in the FEIR prior to certifying the FEIR and approving the Project. The FEIR reflects the independent judgment and analysis of the County and has been completed in compliance with CEQA and the CEQA Guidelines. The County's decision-making body has received, reviewed, and considered the information contained in the FEIR, the application for the Project, all testimony at public hearings and submissions from public officials and others, departments of the County, the applicant, community associations, and other public agencies and all other information in the record prior to its approval of the Project.

The documents described above, comprising the record of proceedings, are located in the County's offices, 320 West Temple Street, Los Angeles, California 90012.

Having received, reviewed and considered the foregoing information, as well as any and all other information in the record, the County's decision-making body hereby makes findings pursuant to, and in accordance with, Section 21081 of the Public Resources Code.

ORGANIZATION OF FINDINGS.

- Section 1 of these findings discusses those potential environmental impacts of the Project that were reviewed during the Initial Study process, but were found to be less than significant.
- Section 2 discusses those potential environmental impacts of the Project that are not significant.
- Section 3 discusses those potential environmental impacts that have been mitigated to a level of insignificance.

- Section 4 discusses those unavoidable environmental impacts that cannot be mitigated to a level of insignificance.
- Section 5 discusses those potential cumulative impacts that are not significant.
- Section 6 discusses those potential cumulative impacts that have been mitigated to a level of insignificance.
- Section 7 discusses those cumulative impacts that cannot be mitigated to a less than significant level.
- Section 8 discusses the potential growth-inducing impacts of the Project.
- Section 9 discusses the alternatives to the Project as discussed in the DEIR and FEIR.
- Section 10 contains findings regarding the Mitigation Monitoring Program.
- Section 11 contains the Statement of Overriding Considerations.

The findings set forth in each section are supported by substantial evidence in the record of the approval of the Project. In accordance with the provisions of CEQA and the CEQA Guidelines, the County adopts these findings as part of its certification of the FEIR for the Project.

BACKGROUND.

In June 2005, the applicant filed with the County (i) a Zoning and Subdivision Application; (ii) an Initial Study Questionnaire; (iii) a Request for an Oak Tree Permit; (iv) a Burden of Proof Statement for a Conditional Use Permit; (v) a Density Bonus Application; (vi) supporting photographs of the Project site; (vii) a Vicinity Map; and (viii) a Slope Density Analysis. A Zone Change Application with pertinent Burden of Proof was filed for the proposed development of 93 multi-family condominium dwelling units for senior citizens on April 17, 2008.

The Project includes a mix of single-family residential, senior housing, public facilities and open space uses. Specifically, the 234.8-acre Project site will include (a) 93 single-family detached residential units situated on 46.9 gross acres, which shall be subdivided into 93 separate lots; (b) 93 senior condominium units, which shall be situated on a 9.26-acre parcel; (c) 128.87 acres of open space, which shall be divided into 5 open space parcels; (d) a recreational parcel consisting of 1.39 acres; (e) 6 basin lots, which shall cumulatively amount to 26.51 acres; (f) a 2.05-acre parcel, upon which will sit a to-be-constructed fire station; (g) 9.78 acres of graded areas, which, following grading, shall be preserved as open space; and (h) 10.04 acres of streets.

An Initial Study was prepared for the Project on June 15, 2005. Impact areas identified by the Initial Study, as potentially significant, were: Geology, Soils and Seismicity; Hydrology and Water Quality; Hazards and Hazardous Materials; Noise; Air Quality; Biological Resources; Cultural Resources; Mineral Resources; Aesthetics and Visual Resources; Traffic and Circulation; Water and Wastewater; Schools/Education; Fire Services; Sheriff Services; Solid Waste; Electricity; Natural Gas; Library Services; Parks and Recreation; and Land Use.

The Initial Study concluded that certain other impacts related to the Project will be less than significant, due to the Project's inability to create any such impacts; or due to the absence of any characteristics of the Project that were likely to produce impacts of this type. Pursuant to CEQA Section 21100 and CEQA Guideline 15128, the effects which the Initial Study determined not to be significant are not required to be included in primary analysis sections of the DEIR. Those effects are listed in Section 1.

A Notice of Preparation was circulated from July 11, 2005 to August 9, 2005.

The DEIR for the Project was prepared in accordance with CEQA, the CEQA Guidelines and the County's guidelines for the implementation of CEQA and the CEQA Guidelines. The County has relied on Section 15084(d)(3) of the CEQA Guidelines, which allows acceptance of a DEIR prepared by the applicant, consultants retained by the applicant or any other person.

The County analyzed, reviewed and edited the DEIR and circulated it for public review and comment from September 22, 2006 until November 6, 2006. A notice of availability of the DEIR was published in the local newspapers, posted on the Project site, and was distributed to known interested individuals and organizations. Copies of the DEIR were available at the Department of Regional Planning and in local public libraries during the 45-day review period.

A Supplement to the Final Environmental Impact Report (FEIR) was filed in May 2008 to address the Zone Change application, and to address the requirement for an Updated Mitigation Monitoring Program which includes Global Climate Change Mitigation Measures. The analysis of this Supplement to the FEIR has produced no findings of any additional impacts related to the project. The County also analyzed, reviewed and edited the FEIR. The responses to public agency comments on the DEIR, which are contained in the FEIR, were provided to such public agencies at least 10 days prior to the effective date of this Resolution, which certifies the FEIR. Both the DEIR and FEIR reflect the County's independent judgment.

The County Regional Planning Commission (the "Commission") conducted a public hearing on November 15, 2006 to receive comments on the DEIR and the TTM from all interested parties. The Commission then closed the public hearing and deliberated upon the adequacy of the DEIR and the TTM and, thereafter, directed Staff to prepare the FEIR, Final Conditions of Approval and Final Resolution(s) of Approval. On [*DATE], the Commission, which is the decision-making body of the County with regards to such matters, certified the FEIR, adopted these findings and approved the Project.

SECTION 1 - POTENTIAL ENVIRONMENTAL IMPACTS THAT WERE DETERMINED TO BE LESS THAN SIGNIFICANT DURING THE INITIAL STUDY PROCESS.

Upon completion of the Initial Study process, the determination was made, pursuant to CEQA Guideline 15128, that analyses of Geotechnical Hazards; Flood Hazards; Fire Hazards; Water Quality; Air Quality; Archaeological/Cultural Resources; Mineral Resources; Agricultural Resources; Visual Qualities; Traffic/Access; Utilities; Land Use; and Several General "Other Factors" and Other Environmental Safety Factors were not required in the EIR, since such potential impacts were determined not to be significant

**FINDINGS OF FACT REGARDING
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The findings set forth in each section are supported by substantial evidence in the record of the approval of the Project. In accordance with the provisions of CEQA and the CEQA Guidelines, the County adopts these findings as part of its certification of the FEIR for the Project.

BACKGROUND.

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Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

August 7, 2008

Bruce W. McClendon FAICP
Director of Planning

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

FROM: Susan Tae, AICP, Supervising Regional Planner *SM*
Land Divisions Section

**SUBJECT: ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
OAK TREE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)**

August 20, 2008; AGENDA ITEM NO. 7 a, b, c, d, e

PROJECT BACKGROUND

Your Regional Planning Commission ("Commission") held a public hearing on November 15, 2006, June 18, 2008, July 9, 2008 and July 30, 2008 for Vesting Tentative Tract Map No. 53653, a residential subdivision proposal to create 92 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The project is located approximately 273 feet southwest of Sagecrest Circle west of Interstate 5 ("I-5") Freeway and The Old Road, between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal also required approval of Conditional Use Permit Case No. 2005-00088-(5) ("CUP") to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
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HOUSING PERMIT CASE NO. 2006-00001-(5)
August 7, 2008 RPC Memo

PAGE 2

Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

At time of the June 18, 2008 public hearing, the Findings of Fact and Statement of Overriding Considerations ("SOC"), in response to the final EIR comments regarding the seven factors that cannot be mitigated to less than significant, were not included in the materials distributed and the public hearing was continued to July 9, 2008. For the July 9, 2008 continued public hearing, the SOC were distributed to the Commission. Due to lack of quorum for July 9, 2008, this project was automatically continued to July 30, 2008.

During the July 30, 2008 public hearing, the Commission heard testimony from the applicant and the public. The Commission discussed their understanding regarding whether the project was continued for substantive issues, or for proper paperwork before the Commission could take action. The Commission also discussed concerns raised including single means of access, provision of fire station lot and utilities, market for senior projects, and potential for financing of open space maintenance after transfer to a public agency. After discussion, the Commission continued the matter to August 20, 2008, in order for a full Commission, including Commissioner Modugno, to consider the project and ensure all previous concerns raised have been addressed before taking action on the project.

Updated findings and corrected documents as requested by the Commission, are forthcoming.

ADDITIONAL CORRESPONDENCE

Since the distribution of materials for the July 30, 2008 public hearing, additional materials were received during the July 30, 2008 hearing and one additional letter of opposition (please see attached).

Materials received during the public hearing included: photographs of the site; a list of affordable Senior Housing and Assisted Living Facilities; and a paper from the California Attorney's General's Office regarding Mitigation Measures and Global Warming Resources.

An additional letter of opposition was received and requested the Commission's consideration of neighboring property owners, as well as commented on development within the City of Santa Clarita, need for improved infrastructure, traffic congestion, water, oak trees, Santa Susana Sensitive Habitat Area and the fire trail's adequacy (south of Sagecrest Circle).

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

ZONE CHANGE CASE NO. 2008-00004-(5)
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)
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August 7, 2008 RPC Memo

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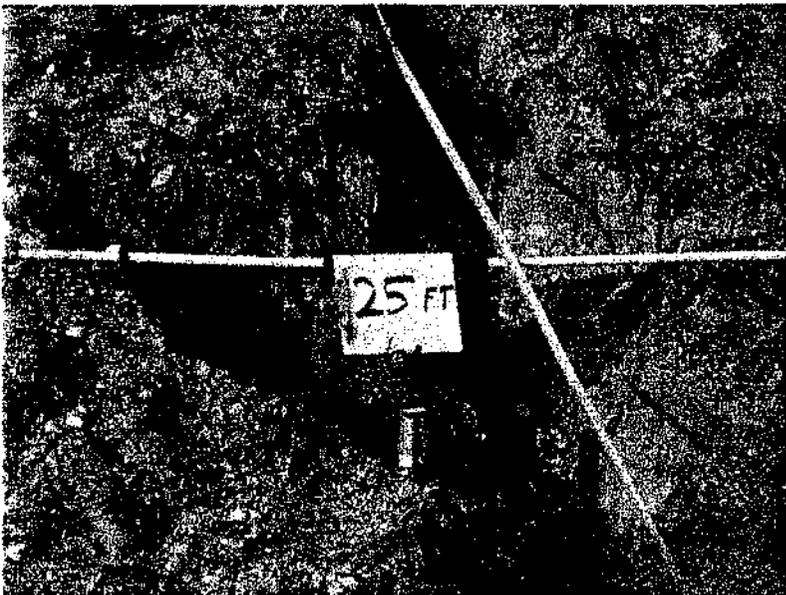
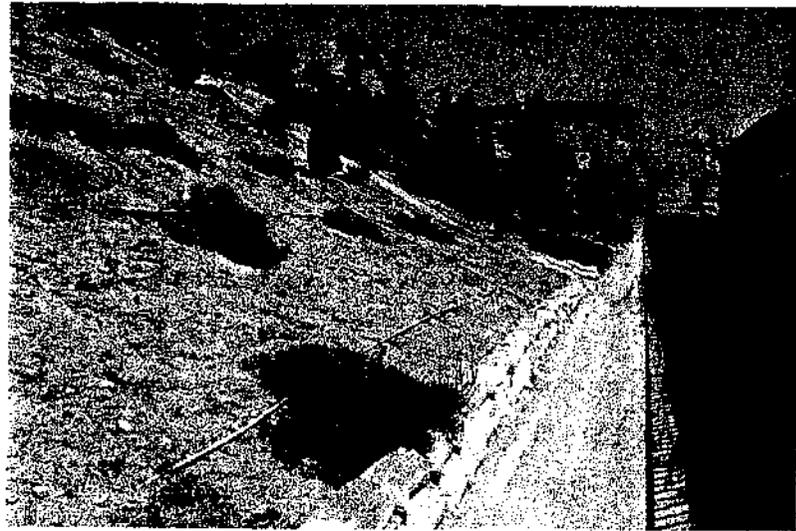
Staff recommends that the Commission close the public hearing, and adopt the environmental document. Staff also recommends the Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, certify the Final Environmental Impact Report, and adopt the Statement of Facts and Overriding Considerations."

Suggested Motion: "I move that the Regional Planning Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5) (with the conditions as added into the record); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors."

SMT:ACB
8/7/08

Attachment: Additional correspondence



DR Horton Newhall

Submitted into the
record for #53653
7/30/08
Agenda Item 8

Affordable Senior Housing and Assisted Living Facilities

Senior Housing

BOUQUET CANYON SENIORS

26705 Bouquet Canyon Rd.
Santa Clarita, 91350
(661) 297-3446
• 264 Affordable Units

CANTERBURY VILLAGE SENIOR APARTMENTS

23420 Avenida Rotella
Santa Clarita, 91355
(661) 255-9797
• 64 Affordable Units

CANYON COUNTRY SENIOR COMMUNITY

18701 Flying Tiger Dr.
Santa Clarita, 91351
(661) 251-2900
• 200 Affordable Units

CASTAIC LAKE SENIOR VILLAGE

31990 Castaic Rd.
Castaic, 91384
(661) 295-9599
• 150 Affordable Units

FOUNTAIN GLEN APARTMENTS

23941 Decoro Dr.
Santa Clarita, 91354
(661) 297-9000
• 8 Affordable Units

ORCHARD ARMS

23520 Wiley Canyon Rd.
Santa Clarita, 91321
(661) 255-5818 or
(800) 731-4663
www.hacola.org
• 182 Affordable Units
• Senior or Disabled

VALENCIA VILLAS

25827 Singing Hills Dr.
Santa Clarita, 91355
(661) 259-3921
• 76 Affordable Units

WHISPERING OAKS APARTMENTS

22816 Market St.
Santa Clarita, 91321
(661) 259-1583
• 13 Affordable Units

Assisted Living Facilities

CAPRI-RETIREMENT VILLA

24305 Lyons Ave.
Santa Clarita, 91321
(661) 255-3100
• Full Service Senior
Residential Care Facility
• 90 Apartment Units

SANTA CLARITA CONVALESCENT HOME

23801 Newhall Ave.
Santa Clarita, 91321
(661) 259-3660
• Skilled Nursing Home
with 24-hour Care
• 99 Bed Facility
• Rehabilitation Services

SUMMERHILL VILLA

24431 Lyons Ave.
Santa Clarita, 91321
(661) 254-9933
• 96 Residential Apartments
• Independent and Assisted
Living

SUNRISE AT STERLING CANYON

25815 N. McBean Pkwy.
Santa Clarita, 91355
(661) 253-3551
• Full Service Senior
Residential Care Facility
• 120 Apartment Units

- In Santa Clarita
Agenda Item # 8
7/30/08
#53653

Submitted into the
Administrative Record
for # 53653 7/30/08
Agenda # 8

Mitigation Measures and Global Warming Resources
California Attorney General's Office

(1) Global Warming Mitigation Measures

The following are some examples of the types mitigation that local agencies may consider under the California Environmental Quality Act (CEQA) to offset or reduce global warming impacts. The list, which is by no means exhaustive or obligatory, includes measures and policies that could be undertaken directly by the local agency, incorporated into the agency's own "Climate Action Plan,"¹ or funded by "fair share" mitigation fees; measures that could be incorporated as a condition of approval of an individual project; and measures that may be outside the jurisdiction of the local agency to impose or require but still appropriate for consideration in an agency's environmental document.

While the lead agency must determine which particular mitigation measures, or suite of measures, is appropriate and feasible for a particular project, proponents of individual private projects are encouraged to take an active role in developing and presenting to lead agencies new and innovative ways to address the impacts of global warming.

Transportation

- Coordinate controlled intersections so that traffic passes more efficiently through congested areas.
- Set specific limits on idling time for commercial vehicles, including delivery and construction vehicles.
- Promote ride sharing programs *e.g.*, by designating a certain percentage of parking spaces for high-occupancy vehicles, providing larger parking spaces to accommodate vans used for ride-sharing, designating adequate passenger loading and unloading and waiting areas, and providing electronic message board space for coordinating rides.
- Create car-sharing programs. Accommodations for such programs include providing parking spaces for the car-share vehicles at convenient locations accessible by public transportation.²
- Create and/or expand existing vehicle buy-back programs to include vehicles with high greenhouse gas emissions.
- Require clean alternative fuels and electric vehicles.
- Develop the necessary infrastructure to encourage the use of alternative fuel vehicles (*e.g.*, electric vehicle charging facilities and conveniently located alternative fueling stations).³
- Increase the cost of driving and parking private vehicles by imposing tolls, parking fees, and residential parking permit limits.

- Develop transportation policies that give funding preference to public transit.⁴
- Design transportation centers where various public transportation modes intersect.
- Encourage the use of public transit systems by enhancing safety and cleanliness on vehicles and in and around stations.
- Assess transportation impact fees on new development in order to facilitate and increase public transit service.⁵
- Provide shuttle service to public transit.
- Offer public transit incentives.
- Incorporate bicycle lanes into street systems in regional transportation plans, new subdivisions, and large developments.
- Create bicycle lanes and walking paths directed to the location of schools and other logical points of destination and provide adequate bicycle parking.⁶ Ensure that non-motorized transportation systems are connected and not interrupted by impassable barriers, such as freeways.⁷
- Restore and/or expand school bus services. Where possible, use an alternative fuel school bus fleet.
- Require commercial projects to include facilities on-site to encourage employees to bicycle or walk to work.
- Provide public education and publicity about public transportation services.⁸
- Conduct a public information campaign on all options for individuals to reduce transportation emissions.
- Organize and lead a formal telecommute work program involving public agencies and private businesses. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences

Energy Efficiency and Renewable Energy

- Require energy efficient design for buildings.⁹ This may include strengthening local building codes for new construction and renovation to require a higher level of energy efficiency.¹⁰
- Adopt a “Green Building Program” to promote green building standards.¹¹
- Provide permitting incentives for energy efficient building projects, *e.g.*, by giving green projects priority in plan review, processing and field inspection services.¹²
- Fund and schedule energy efficiency audits of existing buildings by checking, repairing, and readjusting heating, ventilation, air conditioning, lighting, hot

water equipment, insulation and weatherization. (Facilitating or funding the improvement of energy efficiency in existing buildings could offset in part the global warming impacts of new development.) Offer financial incentives for adoption of identified efficiency measures.¹³

- Provide individualized energy management services for large energy users.
- Require the use of energy efficient heating and cooling systems, appliances and office equipment.¹⁴
- Fund incentives and technical assistance for lighting efficiency.¹⁵
- Require that projects use efficient lighting. (Fluorescent lighting uses approximately 75% less energy than incandescent lighting to deliver the same amount of light.)
- Require the use of Light Emitting Diode (LED) for traffic and street lighting.¹⁶
- Incorporate on-site renewable energy production (through, *e.g.*, participation in the California Energy Commission's New Solar Homes Partnership). Require project proponents to install solar panels, water reuse systems, and/or other systems to capture energy sources that would otherwise be wasted.¹⁷
- Streamline permitting and provide public information to facilitate accelerated construction of solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating, ventilation and air conditioning systems in existing buildings.¹⁸
- Provide innovative financing for energy efficiency and alternative energy projects. For example, allow property owners to pay for energy efficiency improvements and solar system installation through long-term assessments on individual property tax bills.¹⁹
- Fund incentives to encourage the use of energy efficient equipment and vehicles.
- Provide public education and publicity about energy efficiency and available programs and incentives.²⁰

Land Use Measures

- Encourage mixed-use, infill, and higher density development to reduce vehicle trips, promote alternatives to individual vehicle travel and promote efficient delivery of services and goods. Infill development generates fewer vehicle miles traveled (VMT) per capita and reduced emissions of greenhouse gases, and denser development is associated with increased public transit use.²¹ For example, a city or county could promote "smart" development by reducing developer fees or granting property tax credits for qualifying projects.²²
- Discourage development that will increase passenger vehicle VMT. Enact ordinances and programs to limit or prohibit sprawl – development that requires additional or longer passenger vehicle commutes between workplaces and residences.²³
- Incorporate public transit into project design.²⁴

- Require measures that take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.
- Preserve and create open space and parks. Preserve existing trees and require the planting of replacement trees for those removed in construction.
- Impose measures to address this “urban heat island” effect by, *e.g.*, requiring light-colored and reflective roofing materials and paint; light-colored roads and parking lots; shade trees in parking lots; and shade trees on the south and west sides of new or renovated buildings.²⁵ Darker colored roofs, pavement, and lack of trees may cause temperatures in urban environments to increase by as much as 6-8 degrees Fahrenheit as compared to surrounding areas.²⁶
- Facilitate “brownfield” development located near existing public transportation and jobs.
- Require pedestrian-only streets and plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling.²⁷

Water Conservation and Efficiency²⁸

- Design and implement a comprehensive water conservation strategy. The strategy may include many of the specific items that follow, plus other innovative measures that are appropriate for the location.
- Require water efficient landscapes.²⁹ Adopt a strong landscape ordinance with water budgets to assure efficient landscape design, installation, and maintenance in new construction.
- Encourage the use of reclaimed water for landscape irrigation in new developments and on public property. Provide necessary infrastructure to deliver and use reclaimed water.
- Require water efficient design for buildings. This may include strengthening local building codes for new construction and implementing a program to renovate existing buildings to require a higher level of water efficiency.
- Adopt a retrofit ordinance that will require installation of water-efficient fixtures upon the sale of homes.³⁰
- Adopt and enforce restrictions on watering methods (*e.g.*, prohibiting systems that apply water to non-vegetated surfaces) and controls on runoff.
- Require water efficiency training and certification for irrigation designers, installers and managers.
- Provide individualized water audits for large water users to identify conservation opportunities. Offer financial incentives for adoption of identified efficiency measures.
- Provide water audits for large landscape accounts. Offer financial incentives for efficient irrigation controls and other efficiency measures.
- Fund incentives and technical assistance for water efficiency.
- Adopt standards that prescribe the maximum allowable effective impervious area

for all new development and redevelopment projects. Require preservation of the existing hydrologic character of developed sites to manage storm water and protect the environment. (Retaining storm water runoff onsite can drastically reduce the need for energy-intensive imported water at the site.)

- Adopt conservation pricing to encourage efficient water use.³¹

Solid Waste Measures

- Require projects to reuse and recycle construction and demolition waste.
- Implement or expand city or county-wide recycling and composting programs for residents and businesses.
- Increase areas served by recycling programs
- Extend the types of recycling services offered (e.g., to include food and green waste recycling).
- Establish methane recovery in local landfills, wastewater treatment and animal operations plants to generate electricity.³²
- Provide public education and publicity about recycling services.

Carbon Offsets

- In some instances, a lead agency may find that measures that will directly reduce a project's emissions are insufficient. A lead agency may consider whether carbon offsets would be appropriate. The project proponent could, for example, fund off-site projects (e.g., alternative energy projects) that will reduce carbon emissions, or could purchase "credits" from another entity that will fund such projects. The lead agency should ensure that any mitigation taking the form of carbon offsets is specifically identified and that such mitigation will in fact occur.

(2) General Resources

The following web sites and organizations provide general information about mitigating global warming impacts at the local level. These sites represent only a small fraction of the available resources. Local agencies are encouraged to conduct their own research in order to obtain the most current and relevant materials.

- The U.S. Conference of Mayors' Climate Protection Agreement contains valuable information for the many local agencies that are joining the fight against global warming. The Agreement is available here:
http://www.coolcities.us/resources/bestPracticeGuides/USM_ClimateActionHB.pdf.
Nearly one hundred California cities have joined the "Cool Cities" campaign, which means they have signed the U.S. Mayor' Climate Protection Agreement and are taking concrete steps toward addressing global warming. These steps include preparing a city-wide greenhouse gas emissions inventory and creating and implementing a local Climate

Action Plan. Additional resources, including various cities' Climate Action Plans, are located at the Cool Cities website: <http://www.coolcities.us/resources.php>.

- In July 2007, Alameda County became one of twelve charter members of the "Cool Counties" initiative. Participating counties sign a Climate Stabilization Declaration, which is available at the website for King County (Washington State): <http://www.metrokc.gov/exec/news/2007/0716dec.aspx>. Participating counties agree to work with local, state, and federal governments and other leaders to reduce county geographical greenhouse gas emissions to 80% below current levels by 2050 by developing a greenhouse gas emissions inventory and regional reduction plan. Current member counties are recruiting new members and are committed to sharing information. Cool Counties contact information is available at: <http://www.kingcounty.gov/exec/coolcounties/Joinus.aspx>.
- Local Governments for Sustainability, a program of International Cities for Local Environmental Initiatives (ICLEI), has initiated a campaign called Cities for Climate Protection (CCP). The membership program is designed to empower local governments worldwide to take action on climate change. Many California cities have joined ICLEI. More information is available at the organization's website: <http://www.iclei.org/>.
- The Institute for Local Government, an affiliate of the California State Association of Counties and the League of California Cities, recently launched a program called the California Climate Action Network (CaliforniaCAN!). The program will provide information about the latest climate action resources, best practices, and case studies. More information is available at the CaliforniaCAN! website: <http://www.cacities.org/index.jsp?displaytype=§ion=climate&zone=ilsg>.
- The Governor's Office of Planning and Research provides valuable resources for lead agencies related to CEQA and global warming at <http://opr.ca.gov/index.php?a=ceqa/index.html>. Among the materials available are a list of environmental documents addressing climate change and greenhouse gas emissions and a list of local plans and policies addressing climate change.

(3) Notes

1. For example, the County of Marin adopted a Greenhouse Gas Reduction Plan in October, 2006 that sets reduction targets for government operations and for the County as a whole. See http://www.co.marin.ca.us/depts/CD/main/pdf/final_ghg_red_plan.pdf.
2. There are a number of car sharing programs operating in California, including City CarShare <http://www.citycarshare.org/>, Zip Car <http://www.zipcar.com/> and Flexcar <http://www.flexcar.com/>.

3. See the City of Santa Monica's Green Building Program at <http://www.greenbuildings.santa-monica.org/transportation/parkingcharging.html>.
4. San Francisco's "Transit First" Policy is listed in its Climate Action Plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>.
5. San Francisco assesses a Downtown Transportation Impact Fee on new office construction and commercial office space renovation within a designated district. The fee is discussed in the City's Climate Action plan. See Note 4.
6. See Marin County's Safe Routes to Schools program at <http://www.saferoutestoschools.org/>.
7. The City of La Mesa has a Sidewalk Master Plan and an associated map that the City uses to prioritize funding. As the City states, "The most important concept for sidewalks is connectivity. For people to want to use a sidewalk, it must conveniently connect them to their intended destination." See <http://www.ci.la-mesa.ca.us/index.asp?NID=699>.
8. The U.S. Conference of Mayors' Climate Action Handbook, cited above, lists education and outreach as key components to taking action against global warming.
9. Leadership in Energy and Environmental Design (LEED) administers a Green Building Ratings program that provides benchmarks for the design, construction, and operation of high-performance green buildings. More information about the LEED ratings system is available at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>. Build it Green is a non-profit, membership organization that promotes green building practices in California. The organization offers a point-based, green building rating system for various types of projects. See <http://www.builditgreen.org/guidelines-rating-systems>.
10. Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards establish a process which allows local adoption of energy standards that are more stringent than the statewide Standards. More information is available at the California Energy Commission's website. See http://www.energy.ca.gov/title24/2005standards/ordinances_exceeding_2005_building_standards.html.
11. The City of Santa Monica, for example, has instituted a Green Building Program. See Note 4 and <http://www.greenbuildings.santa-monica.org/>. The City of Pasadena also has a green building ordinance that applies to public and private buildings. See <http://www.ci.pasadena.ca.us/permitcenter/greencity/building/gbprogram.asp> and http://ordlink.com/codes/pasadena/index.htm?Search_Code=Begin+Searching+Municipal+Code. The City of San Francisco is considering adopting green building performance requirements that would apply to public and private buildings. See <http://www.sfenvironment.org/downloads/library/gbtfrrreleasev1.3.pdf>.

12. See "Green County San Bernardino," <http://www.greencountysb.com/> at p. 6.
13. Under Southern California Gas Company's Energy Efficiency Program for Commercial/Industrial Large Business Customers, participants are eligible to receive an incentive based upon 50% of the equipment cost, or \$0.50 per therm saved, whichever is lower, up to a maximum amount of \$1,000,000 per customer, per year. Eligible projects require an energy savings of at least 200,000 therms per year. See <http://www.socalgas.com/business/efficiency/grants/>.
14. Energy Star is a joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy that certifies energy efficient products and provides guidelines for energy efficient practices for homes and businesses. More information about Energy Star certified products is available at <http://www.energystar.gov/>. The Electronic Product Environmental Assessment Tool (EPEAT) is a system that ranks computer products based on their conformance to a set of environmental criteria, including energy efficiency. More information about EPEAT is available at <http://www.epeat.net/AboutEPEAT.aspx>.
15. As described in its Climate Action Plan, the City of San Francisco uses a combination of incentives and technical assistance to reduce lighting energy use in small businesses such as grocery stores, small retail outlets, and restaurants. The program offers free energy audits and coordinated lighting retrofit installation. In addition, the City offers residents the opportunity to turn in their incandescent lamps for coupons to buy fluorescent units. See Note 4.
16. For a discussion of the use of LED traffic lights, see the City of Berkeley's Resource Conservation and Global Warming Abatement Plan at <http://www.baaqmd.gov/pln/GlobalWarming/BerkeleyClimateActionPlan.pdf>.
17. At the direction of Governor Schwarzenegger, the California Public Utilities Commission (CPUC) approved the California Solar Initiative on January 12, 2006. The initiative creates a \$3.3 billion, ten-year program to install solar panels on one million roofs in the State. See <http://www.gosolarcalifornia.ca.gov/nshp/index.html>.
18. As part of its "Green County San Bernardino" program, the County is waiving permit fees for alternative energy systems and efficient heating and air conditioning systems. See <http://www.greencountysb.com/> at p. 3.
19. The City of Berkeley is in the process of instituting a "Sustainable Energy Financing District." See <http://www.cityofberkeley.info/Mayor/PR/pressrelease2007-1023.htm>.
20. See "Green County San Bernardino," <http://www.greencountysb.com/> at pp. 4-6.

21. See US EPA, Our Built and Natural Environments, A Technical Review of the Interactions between Land Use, Transportation, and Environmental Quality (Jan. 2001) at pp. 46-48 <http://www.epa.gov/dced/pdf/built.pdf>.
22. The City of Berkeley has endorsed this strategy in its Resource Conservation and Global Warming Abatement Plan. See Note 16.
23. Samples of local legislation to reduce sprawl are set forth in the U.S. Conference of Mayors' Climate Action Handbook, cited above.
24. The U.S. Conference of Mayors cites Sacramento's Transit Village Redevelopment as a model of transit-oriented development. More information about this project is available at <http://www.cityofsacramento.org/planning/projects/65th-street-village/>.
25. See the website for Lawrence Berkeley National Laboratory's Urban Heat Island Group at <http://eetd.lbl.gov/HeatIsland/LEARN/> and U.S. EPA's Heat Island website at www.epa.gov/heatisland/. To learn about the effectiveness of various heat island mitigation strategies, see the Mitigation Impact Screening Tool, available at <http://www.epa.gov/heatisd/resources/tools.html>.
26. Some local agencies have implemented a cool surfaces programs in conjunction with measures to address storm water run off and water quality. See, for example, The City of Irvine's Sustainable Travelways/Green Streets program at http://www.cityofirvine.org/depts/redevelopment/sustainable_travelways.asp; The City of Los Angeles's Green Streets LA program at <http://water.lgc.org/water-workshops/la-workshop/GreenStreetsDaniels.pdf/view>; see also The Chicago Green Alley Handbook at http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/GreenAlleyHandbook_Jan.pdf.
27. Palo Alto's Green Ribbon Task Force Report on Climate Protection recommends pedestrian streets under its proposed actions. See <http://www.city.palo-alto.ca.us/knowzone/agendas/grtf.asp>.
28. The California Energy Commission has found that the State's water-related energy use -- which includes the conveyance, storage, treatment, distribution, wastewater collection, treatment, and discharge -- consumes about 19 percent of the State's electricity, 30 percent of its natural gas, and 88 billion gallons of diesel fuel every year, and this demand is growing. See <http://www.energy.ca.gov/2007publications/CEC-999-2007-008/CEC-999-2007-008.PDF>. Accordingly, reducing water use and improving water efficiency can help reduce energy use and associated greenhouse gas emissions.

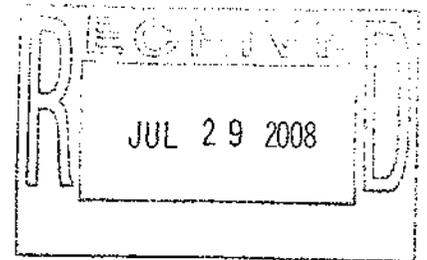
29. The Water Conservation in Landscaping Act of 2006 (AB 1881) requires the Department of Water Resources (DWR), not later than January 1, 2009, to update the Model Water Efficient Landscape Ordinance. The draft of the entire updated Model Water Efficient Landscape Ordinance will be made available to the public in December 2007. See <http://www.owue.water.ca.gov/landscape/ord/updatedOrd.cfm>.
30. See the City of San Diego's plumbing retrofit ordinance at <http://www.sandiego.gov/water/conservation/selling.shtml>.
31. The Irvine Ranch Water District in Southern California uses a five-tiered rate structure that rewards conservation. The water district has a baseline charge for necessary water use. Water use that exceeds the baseline amount costs incrementally more money. While "low volume" water use costs \$.082 per hundred cubic feet (ccf), "wasteful" water use costs \$7.84 per ccf. See http://www.irwd.com/AboutIRWD/rates_residential.php.
32. San Diego's Metropolitan Wastewater Department installed eight "digesters" at one of its wastewater treatment plants. Digesters use heat and bacteria to break down the organic solids removed from the wastewater to create methane. See <http://www.sandiego.gov/mwwd/facilities/ptloma.shtml>.

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RE: Map#53653 DR Horton Project

July 26, 2008

Ms. Susan Tae & Planning Commission
Dept. of Regional Planning
320 West Temple
Los Angeles, CA 90012



Dear Ms. Tae and Planning Commission,

I cannot believe that the planning commission is about to slam-dunk this project. The residents in our area have had little or NO involvement or input in YOUR process! You called for a meeting on July 9 and then you cancel. Then you move it to July 30th downtown during working hours knowing DAMN well! hardly anyone can make it there. This is so unfair and dishonest. We had a meeting several years ago on a much larger project for this same area; not another word and suddenly now you decide to go ahead with a slightly different project with no homeowners or residents involvement. The bottom line is you are going to open up that whole, amazingly beautiful, pristine valley for MORE housing. What an absolute waste of uncluttered beautiful mountain, valleys, oaks, and wildlife. This area will never be the same and is completely irreplaceable. Like we really need MORE housing (for the elderly or not). And what becomes of all the wildlife? This is only the beginning of more encroachment on their habitat. Then there is the increased potential of fires after this pristine area is opened up, danger for existing homes and proposed elderly folks.

We do not need more urban sprawl in the Santa Clarita Valley nor do we want it. Did you even consider the large proposed "Avenue of Santa Clarita" project across the freeway? You did not bother to mention that plan to anyone. I realize this falls under the approval process of Santa Clarita but it is your responsibility as a Planning???- Commission to let the folks getting dumped on, know the whole truth. More housing in a tumbling real estate market just what we need!

I would venture to say that in the last 10 years there have been 30,000+ homes and families added to the area along with hundreds of commercial fronts. What we need is improved infrastructure not more sprawl. Nothing has been done to improve I-5 and the massive amounts of traffic it handles. The new diamond lane only makes it worse. The freeway is littered with cracks, potholes and

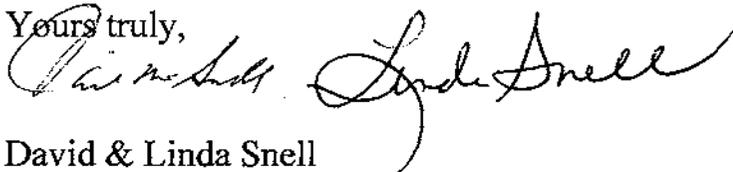
trucks and has become a parking lot in the last 10 years. There will be many more accidents and SIG alerts. When the next quake comes and the freeway bridges come down again the chaos will be unparalleled. The secondary roads in the area are clogged and very busy. We are facing major water shortages in our area and statewide. Where will the water come from? This new development would only mark the beginning of the destruction of the one remaining virgin area of beautiful heritage oak covered hills, and the miraculous Santa Susana mountain range. This property would serve the public much better as a major park rather than the beginning of more destructive sprawl.

We are strongly opposed to the continued unchecked and unwarranted development of the Santa Clarita Valley. Judging from the way this hearing process has been handled and even though you are duty bound to the people of the county of Los Angeles who pay for your salaries it appears DR Horton runs this planning committee. We need improved infrastructure, less traffic, less congestion, more unspoiled natural mountainous habitats and less building.

Furthermore, for the record, the fire trail, which runs approximately South off of Sagecrest Circle, does not qualify for a through road into the valley below. I attended one of your planning meetings in 2001 and pointed out that my house is on the uphill side of that road and that it would present a danger to my home and family. My house was built on a cut and fill lot by Larwin Builders and during the 1994 earthquake. Our lot experienced re-compaction so now my home sits on concrete piers. Even a retainer wall would not insure the safety of my home. At that time you were about to slam-dunk a 2-lane road through that tiny passageway. No one bothered to actually go out to the location and view it. The road was about to receive approval by viewing a flat map. Thank God I was in attendance to stand up for my property rights and my families safety. I ask...have any of you come to view what beauty you are about to destroy?

Thank you for your time and attention in this important matter.

Yours truly,

A handwritten signature in cursive script, appearing to read "David & Linda Snell". The signature is written in dark ink and is positioned to the right of the typed name.

David & Linda Snell
24718 Sagecrest Circle

Newhall, CA 91381 -Ph. (661) 255-1765, wk (323) 234-9281 ext 106



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

August 14, 2008

Bruce W. McClendon FAICP
Director of Planning

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

FROM: Susan Tae, Supervising Regional Planner
Land Divisions Section

SUBJECT: **ZONE CHANGE CASE NO. 2008-00004-(5)**
VESTING TENTATIVE TRACT MAP NO. 53653-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-00039-(5)
HOUSING PERMIT CASE NO. 2006-00001-(5)

August 20, 2008; AGENDA ITEM NO. 7 a, b, c, d, e
Supplemental Information

PROJECT BACKGROUND

Your Regional Planning Commission ("Commission") held a public hearing on November 15, 2006 and June 18, 2008 for Vesting Tentative Tract Map No. 53653, a residential subdivision proposal to create 93 single-family lots, one multi-family lot with 93 attached senior condominium units in two buildings, five open space lots, one recreation lot, six public facility lots and one fire station lot on approximately 234.8 gross acres. The project is located approximately 273 feet southwest of Sagecrest Circle west of Interstate 5 ("I-5") Freeway and The Old Road, between Calgrove Boulevard and Sagecrest Circle in the unincorporated Santa Clarita Valley. The proposal also required approval of Conditional Use Permit Case No. 2005-00088-(5) ("CUP") to ensure compliance with the requirements of hillside management, density controlled development, development within a Significant Ecological Area ("SEA"), and onsite project grading. Oak Tree Permit Case No. 2005-00039-(5) is also required to allow the removal of 162 oak trees (including 13 heritage oaks) and encroachment into the protected zone of 52 oak trees (including six heritage oaks). Housing Permit Case No. 2006-00001-(5) is required to authorize a density bonus up to 50 percent for the senior citizen housing development.

A Draft Environmental Impact Report ("EIR") was also prepared that identified potentially significant impacts of the project, including Geotechnical (Geology, Soils and Seismicity); Hydrology/Water Quality; Hazards; Noise; Air Quality; Biological Resources; Cultural Resources; Aesthetics; Traffic; Water and Wastewater; Schools; Fire Services; Sheriff Services; Solid Waste; Utilities (Electricity, Natural Gas); Libraries; and Parks and Recreation. Impacts that cannot be mitigated to less than significant include Aesthetics, Air Quality, Biological Resources, Geology, Noise, Cumulative Sheriff Services and Cumulative Solid Waste.

At time of the June 18, 2008 public hearing, the Findings of Fact and Statement of Overriding Considerations ("SOC"), in response to the final EIR comments regarding the seven factors that cannot be mitigated to less than significant, were not included in the materials distributed and the public hearing was continued to July 9, 2008. For the July 9, 2008 continued public hearing, the SOC were distributed to the Commission. Due to lack of quorum for July 9, 2008, this project was automatically continued to July 30, 2008.

During the July 30, 2008 public hearing, the Commission heard testimony from the applicant and the public. The Commission discussed their understanding regarding whether the project was continued for substantive issues, or for proper paperwork before the Commission could take action. The Commission also discussed concerns raised including single means of access, open space maintenance after transfer to a public agency. After discussion, the Commission continued the matter to August 20, 2008, in order for a full Commission, including Commissioner Modugno, to consider the project and ensure all previous concerns raised have been addressed before taking action on the project.

SUPPLEMENTAL INFORMATION

The project's zone resolution, findings and CEQA Findings of Fact and Statement of Overriding Considerations have been attached and are attached.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Commission close the public hearing, and adopt the environmental document. Staff also recommends the Commission approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and recommend approval of Zone Change Case No. 2008-00004-(5) to the Los Angeles County Board of Supervisors.

SMT:ACB
8/14/08

Attachment: Updated Zone Change Resolution, Findings and CEQA Findings of Fact and Statement of Overriding Considerations.

DRAFT
A RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
RELATING TO ZONE CHANGE CASE NO. 2008-00004-(5)

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted a public hearing regarding Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) on November 15, 2006 and June 18, 2008; and

WHEREAS, the Regional Planning Commission ("Commission") finds as follows:

1. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
2. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
3. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
4. Zone Change Case No. 2008-00004-(5) is a request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
5. Zone Change Case No. 2008-00004-(5) was heard concurrently with Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) at the June 18, 2008 public hearing. Zone Change Case No. 2008-

00004-(5) was previously not considered during the November 15, 2006 public hearing.

6. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
7. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
8. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
9. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
10. Approval of the vesting tentative tract map, conditional use permit, oak tree permit and housing permit will not become effective unless and until the Los Angeles County Board of Supervisors ("Board of Supervisors") has adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.
11. The applicant's site plan, labeled as "Exhibit A," depicts a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.
12. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories.

The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs

13. The project site is currently zoned A-2-1, A-2-2 and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP over the senior multi-family Lot No. 94.
14. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
15. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.

18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.
20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition.

Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap

streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.

27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project.

Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.

30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
33. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
34. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
35. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
36. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that

maps of depicting these areas have been included in the Environmental Impact Report ("EIR").

37. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.
38. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
39. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
40. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
41. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
42. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.

43. During the July 30, 2008, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
44. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.
45. During the July 30, 2008, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
46. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
47. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Mudugno and any issues that may have not been addressed.
48. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available and the annexation of the project into the Valencia Water Company could be further clarified.
49. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
50. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing and approved the public hearing.
51. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
52. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
53. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.

54. The zone change is consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
55. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Forester and Fire Warden, Parks and Recreation, Public Health and Regional Planning.
56. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping and other accessory structures, as shown on the site plan and Vesting Tentative Tract Map No. 53653.
57. Compatibility with surrounding land uses will be ensured through the related, subdivision, conditional use permit, oak tree permit, housing permit and environmental conditions.
58. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
59. Modified conditions warrant a revision in the zoning plan as it pertains to the subject property as residential housing is needed for the fast-growing senior population.
60. The subject property is a proper location for the recommended zoning classification in that the recommended zoning classification for the subject property is compatible with adjacent and/or nearby zoning classifications and/or land uses. There is existing C-3 zoning in the areas adjacent to the proposed zone change area, as well as north of the subject property along The Old Road.
61. The adoption of the proposed zoning classification will be in the interest of public health, safety and general welfare, and in conformity with good planning practices in that the proposed zoning classification implement a project that promotes higher-density residential development for seniors in a location near commercially-zoned properties and near local shopping. Transportation options will be provided by the project for the senior condominium residents.
62. Adoption of the proposed zone change will enable the development of the subject property as proposed.
63. The applicant in this case has satisfied the "Burden of Proof" for the requested Zone Change which is needed and appropriate.

64. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq. ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.
65. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
66. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
67. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
68. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
69. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.

70. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

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

1. Hold a public hearing to consider the above recommended zone change; and
2. Certify that the Final EIR has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto and reflects the independent judgment of the Board of Supervisors; and
3. Approve the Final EIR prepared for the project and certify that it has reviewed and considered the information contained therein; and
4. Approve and adopt the Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, find that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
5. Find that the proposed change of zone are consistent with the goals, policies and programs of the Santa Clarita Valley Area Plan, a component of the Los Angeles Countywide General Plan; and
6. Adopt Zone Change Case No. 2008-00004-(5) changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

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 August 20, 2008.

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

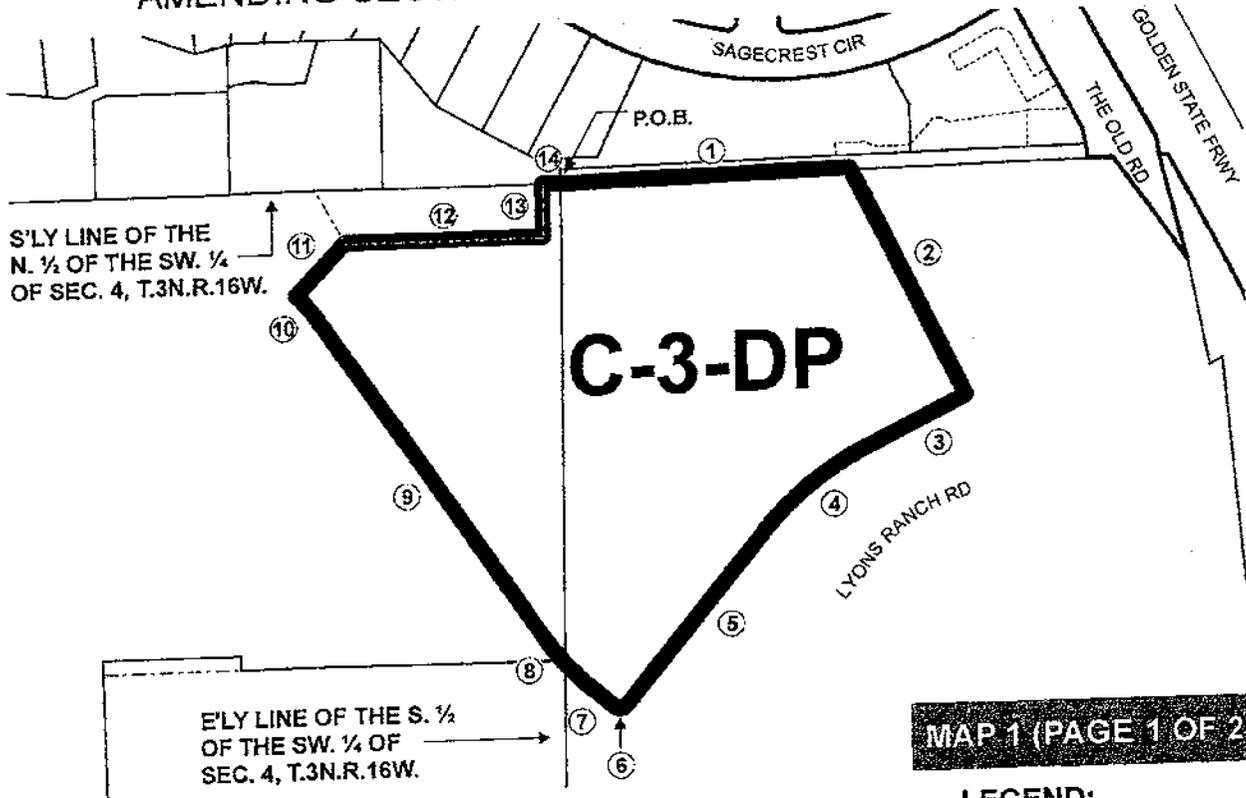
CHANGE OF PRECISE PLAN
NEWHALL ZONED DISTRICT

ADOPTED BY ORDINANCE: _____

ON: _____

ZONING CASE: **ZC 2008-00004 (5)**

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



MAP 1 (PAGE 1 OF 2)

LEGAL DESCRIPTION:

ALL THAT PORTION OF THE S. 1/2 OF SEC. 4, T.3N.R.16W., SAN BERNARDINO MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE S'LY LINE OF THE N. 1/2 OF THE SW. 1/4 OF SAID SEC. 4 WITH THE E. LINE OF SAID SW. 1/4 OF SAID SEC. 4, SAID INTERSECTION ALSO BEING AT AN ANGLE POINT IN THE S'LY LINE OF LOT 35 OF TR43792 AS PER MAP RECORDED IN BOOK 1071 PAGES 42 THROUGH 48, INCLUSIVE OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG THE N. LINE OF THE SW. 1/4 OF THE SE. 1/4 OF SAID SEC. 4,

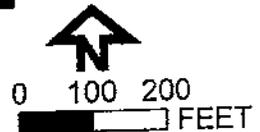
CONTINUE TO PAGE 2 OF MAP 1

DIGITAL DESCRIPTION: \ZCOZD_NEWHALL

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
HAROLD V. HELSLEY, CHAIR
BRUCE W. McCLENDON, PLANNING DIRECTOR

LEGEND:

- PARCELS
- STREET / RIGHT OF WAY
- LOT LINE
- CUT/DEED LINE
- EASEMENT LINE
- ZONE CHANGE AREA



COUNTY ZONING MAP
246H117

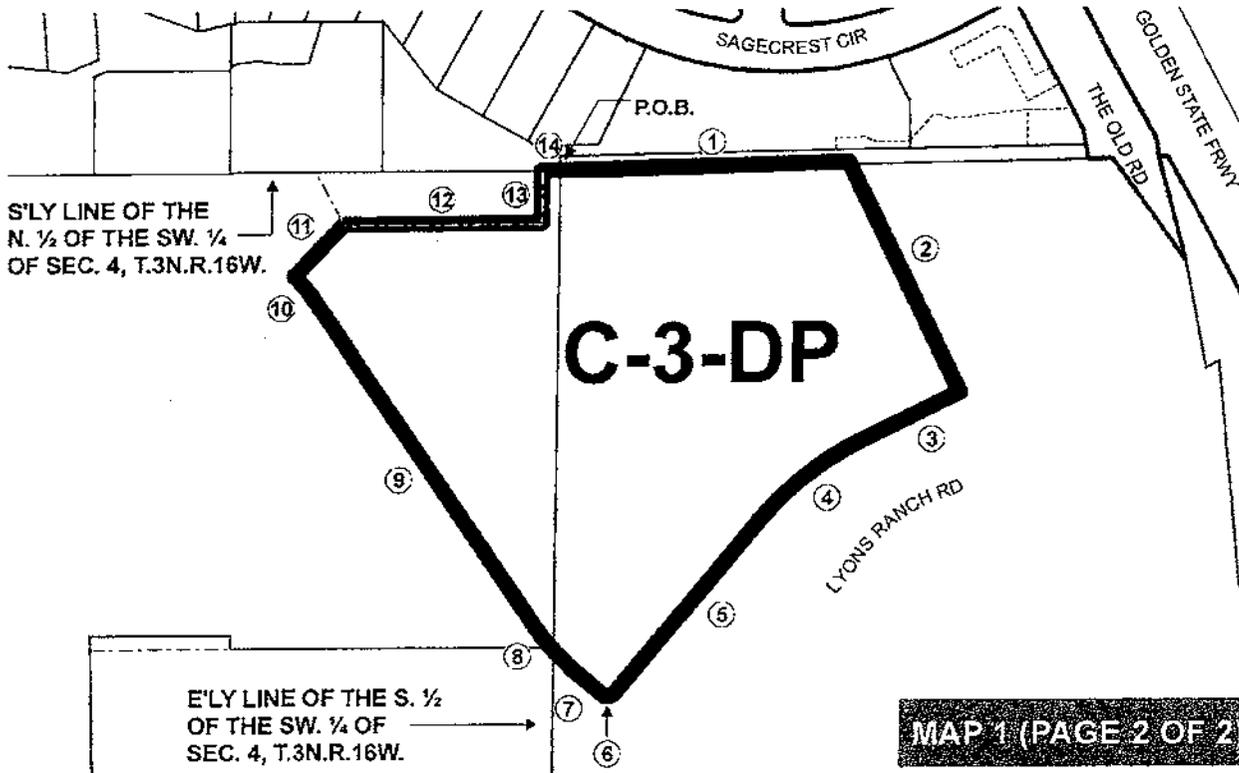
CHANGE OF PRECISE PLAN
NEWHALL ZONED DISTRICT

ADOPTED BY ORDINANCE: _____

ON: _____

ZONING CASE: **ZC 2008-00004 (5)**

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



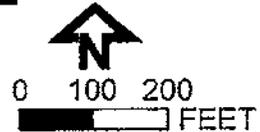
MAP 1 (PAGE 2 OF 2)

LEGAL DESCRIPTION: CONTINUED FROM PAGE 1 OF MAP 1

- ①—N.88°48'07"E. 399.90'
- ②—S.26°07'39"E. 356.62'
- ③—S.63°52'21"W. 153.66'
- ④—RADIUS: 432.00'
CENTRAL ANGLE: 24°19'32"
ARC DISTANCE: 183.41'
- ⑤—S.39°32'49"W. 303.55'
- ⑥—RADIUS: 13.00'
CENTRAL ANGLE: 90°00'00"
ARC DISTANCE: 20.42'
- ⑦—N.50°27'11"W. 36.30'
- ⑧—RADIUS:370.00'
CENTRAL ANGLE:15°58'43"
ARC DISTANCE: 103.19'
- ⑨—N.34°28'28"W. 541.88'
- ⑩—RADIUS: 230.00'
CENTRAL ANGLE: 11°21'06"
ARC DISTANCE: 45.57'
- ⑪—N.44°10'26"E. 99.28'
- ⑫—N.89°43'46"E. 275.00'
- ⑬—N.00°16'14"W. 75.00' TO
THE S'LY LINE OF THE
N. 1/2 OF THE SW. 1/4 OF
SAID SEC. 4
- ⑭—N.89°43'46"E. 25.21' TO
THE POINT OF BEGINNING

LEGEND:

- PARCELS
- STREET / RIGHT OF WAY
- LOT LINE
- CUT/DEED LINE
- EASEMENT LINE
- ZONE CHANGE AREA



COUNTY ZONING MAP
246H117

DIGITAL DESCRIPTION: VZCOZD_NEWHALL

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
HAROLD V. HELSLEY, CHAIR
BRUCE W. McCLENDON, PLANNING DIRECTOR

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Conditional Use Permit Case No. 2005-00088-(5) on November 15, 2006 and June 18, 2008. Conditional Use Permit Case No. 2005-00088-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. The applicant, D.R. Horton, is proposing a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres.
3. A conditional use permit ("CUP") is required to ensure compliance with the requirements of nonurban hillside management, density-controlled development, development within an SEA, residential use in a commercial zone, and onsite project grading pursuant to Sections 22.24.100, 22.24.150, 22.28.210, 22.56.010, 22.56.205, 22.56.215 of the Los Angeles County Code ("County Code") as well as ensure compliance with the proposed Development Program ("DP") zoning pursuant to Section 22.40.040 of the County Code.
4. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
5. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
6. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
7. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.

8. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
9. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
10. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.
11. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet
14. The Exhibit “A” dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west,

and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces

15. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
16. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
17. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
18. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
19. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots.

Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

20. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
21. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
22. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
23. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and

unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

24. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
25. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
26. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.

27. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
28. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
29. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
30. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request

to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

31. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
32. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
33. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
34. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
35. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
36. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
37. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family

homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

38. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
39. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
40. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
41. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
42. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
43. During the July 30, 2008, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
44. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a

Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.

45. During the July 30, 2008, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
46. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
47. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Mudugno and any issues that may have not been addressed.
48. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available and the annexation of the project into the Valencia Water Company could be further clarified.
49. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
50. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing and approved the public hearing.
51. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
52. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
53. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
54. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
55. Pursuant to Section 22.56.205 of the County Code, all commonly owned areas within the density-controlled development shall be permanently reserved by

homeowners association or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas. Open space Lot Nos. 102 and 103 shall be owned and maintained by the homeowners association. Open space Lot Nos. 104 through 107 shall be dedicated to a public agency to the satisfaction of Los Angeles County Department of Regional Planning ("Regional Planning").

56. Pursuant to Section 22.56.205 of the County Code, all dwelling unit types shall be single-family residences. The density-controlled development covers the project site with exception of the senior multi-family Lot No. 94 and fire station Lot No. 95. All proposed residential lots are single-family.
57. Pursuant to Section 22.56.205 of the County Code, the location, separation and height of buildings shall be governed by conditions. By County Code provisions, the single-family dwelling units may reach a maximum height of 35 above grade, and may be located on the lot in compliance with applicable yard setbacks.
58. Pursuant to Section 22.52.215 of the County Code, a minimum of 70 percent shall be provided as open space. The subject property is 234.8 acres in size, and provides 167.6 acres or 71.4 percent open space. Areas counted toward open space include undisturbed natural areas, graded slopes within private ownership, and unpaved portions of the debris basin and proposed park.
59. The applicant has submitted a development progress schedule for the DP zone pursuant to Section 22.40.050 of the County Code.
60. As a condition of approval of this grant, the permittee shall be required to comply with all applicable conditions for hillside management, SEA, DP, and density-controlled development as set forth in Sections 22.40.070, 22.56.205, and 22.56.215 of the County Code.
61. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of

Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

62. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
63. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
64. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
65. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
66. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
67. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
68. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.

69. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted Plan, a component of the General Plan;
- 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 or 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 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 service facilities as are required;
- E. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard;
- F. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area;
- G. That the proposed project is conveniently served by neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;
- H. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;
- I. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

- J. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;
- K. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;
- L. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resources from said requested development;
- M. That where necessary, fences or walls are provided to buffer important habitat areas from development;
- N. That 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
- O. That such development program provides necessary safeguards to ensure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Conditional Use Permit Case No. 2005-00088-(5) subject to the attached conditions.

DEPARTMENT OF REGIONAL PLANNING

CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5) Exhibit "A" Date: 7-11-2006

DRAFT CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and 93 senior attached condominium units, as modified from the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 9 and 57.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. The subject property shall be developed and maintained 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.
8. If inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall

reimburse Regional Planning for all inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

9. Within 5 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.
10. 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.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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 ("County Code").

12. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
13. No grading permit shall be issued prior to final map recordation, unless otherwise authorized by the Director of Regional Planning ("Director of Planning").
14. The subject property shall be graded, developed and maintained in substantial compliance with the approved vesting tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
15. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
16. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval. The CC&Rs shall include all of the project conditions, and include language that those conditions required to be in the CC&Rs may not be amended or eliminated by the homeowners association without approval from the Director of Planning.
17. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
18. The permittee or successor in interest, shall provide a minimum of 167.6 acres or 71.4 percent open space, which includes natural, undisturbed areas; graded slopes; park; trail; and unpaved debris basin area.
19. The permittee shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.

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20. The permittee shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.
21. The permittee shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
22. The permittee shall reserve in the CC&Rs the right for all residents within senior multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
23. The permittee shall provide in the CC&Rs that 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity.
24. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The subdivider shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients. If some or all of the offsite properties are acquired by a public agency, such access easement shall be retained, but may be modified to ensure continued access to privately-held properties.
25. As agreed to by the applicant, horsekeeping activities that comply with all County requirements, shall not be prohibited within the development. Include language in the CC&Rs and provide a draft copy of the CC&Rs to Regional Planning for review and approval.
26. This project is approved as density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acres Minimum Required Lot Area) in accordance with Section 22.56.205 of the County Code.
27. All commonly owned areas within the density-controlled development, shall be permanently reserved as open space. Such reservation shall be by establishment of a homeowners association, maintenance district or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas.

28. 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 areas or a share in the corporation or voting membership in an association owning the commonly owned areas.
29. All dwelling units within the density-controlled development (entire property except multi-family Lot No. 94 and fire station Lot No. 95) shall be single-family residences.
30. Prior to the issuance of any grading and/or building permit, site plans covering the development shall be submitted to and approved by the Director of Planning indicating that the proposed grading and/or construction:
 - a. complies with the conditions of this grant and the standards of the zone; and
 - b. is compatible with hillside and SEA resources.
31. No structure shall exceed 35 feet in height, except for chimneys and rooftop antennas, except for the main residential structures within multi-family Lot No. 94 which shall not exceed 50 feet in height. Prior to any issuance of any building permit, a site plan including exterior elevations and major architectural features shall be submitted to and approved by the Director of Planning, as a revised Exhibit "A," to ensure compliance.
32. A minimum of two covered automobile parking spaces for each single family residential lot shall be provided and continuously maintained and developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicle parking only and shall not be used for storage, automobile repair, or any other unauthorized use.
33. A minimum of 172 automobile parking spaces, as depicted on the approved Exhibit "A" (dated July 11, 2006) or on an approved revised Exhibit "A", shall be provided and continuously maintained on multi-family Lot No. 94, developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&Rs.
34. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence that contractual arrangements have

been made with the local utilities to install underground all new facilities necessary to furnish services in the proposed development.

35. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
36. Detonation of explosives or any other blasting device or material is prohibited unless required permits have been obtained and adjacent property owners have been notified.
37. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m., and Saturday between the hours of 8:00 a.m. and 5:00 p.m. Sunday or holiday operations are prohibited. 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.
38. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works.
39. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activities is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high wind (i.e. greater than 20 mph average over one hour) to prevent excessive amounts of dust.
40. The permittee shall, upon commencement of any grading activity allowed by this grant, diligently pursue all grading to completion.
41. No construction equipment or vehicles, including construction crew's personal vehicles, shall be parked or stored on any existing public or private streets.
42. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.
43. All construction and development within the subject property shall comply with the applicable provisions of the Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County.
44. 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

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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.

45. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence. Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.
46. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with the ordinances and County Building and Plumbing Codes.
47. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Public Health ("Public Health"). Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.
48. If during construction of the project, 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.
49. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with State Seismic Hazard Safety laws to the satisfaction of Public Works.
50. 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 to the satisfaction of and approval by Public Works.
51. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of Public Works.
52. During construction, all large-size truck trips shall be limited to off-peak commute periods.
53. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on state highways.
54. All graded slopes (cut and fill) shall be revegetated. Prior to the issuance of any grading or building permit, three copies of a landscape plan, which may be incorporated into a revised Exhibit "A," shall be submitted to and approved by the Director of Planning. The landscape plan 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, and shall use reclaimed water.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of Regional Planning and the Los Angeles County Forester and Fire Warden ("Forester and Fire Warden"). Their 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. No invasive species are permitted.

The landscaping plan must show that landscaped areas shall contain minimum 75 percent locally indigenous species, including trees, shrubs and ground covering. However, if the permittee demonstrates to the satisfaction of the Director of Planning that compliance with this requirement is not possible due to County fire safety requirements, then the Director of Planning may determine that a lower percentage of such planting shall be required. In those areas where the Director of Planning approves a lower percentage, the amount of such required locally indigenous vegetation shall be at least 50 percent. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by the Director of Planning and the Forester and Fire Warden. Fire retardant plants shall be given first consideration.

Timing of Planting. Prior to the issuance of grading or building permits for any development, the permittee shall submit a landscaping phasing plan for the landscaping associated with the construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

55. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program ("MMP"). Prior to recordation, submit a copy of the covenant to the Director of Planning for review and approval.
56. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
57. Within 30 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program. The permittee shall retain the services of a qualified Environmental/Mitigation

Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.

58. Except as otherwise modified herein, the permittee shall comply with all of the following permit conditions for Development Program zoning:
- a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the program shall be built, erected, or moved onto any part of the multi-family Lot No. 94;
 - b. No existing building or structure which under the program is to be demolished shall be used;
 - c. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered;
 - d. All improvements shall be completed prior to the occupancy of any structures within multi-family Lot No. 94; and
 - e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

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FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR OAK TREE PERMIT CASE NO. 2005-00039-(5)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Oak Tree Permit Case No. 2005-00039-(5) on November 15, 2006 and June 18, 2008. Oak Tree Permit Case No. 2005-00039-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Housing Permit Case No. 2006-00001-(5).
2. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
3. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
4. Oak Tree Permit Case No. 2005-00039-(5) is a request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).

The applicant submitted an Oak Tree Report as prepared and amended by Interface Management Services (arborist: Doug Nickles) and Trees, etc., a division of RDI and Associates, Inc., the consulting arborist, dated September 2006, that identifies and evaluates 1,395 oak trees on the subject property.

5. The applicant proposes to remove 162 oak trees and encroach into the protected zone of 52 oak trees. The proposed removals and encroachments are due to potential impacts from construction and development of the property including debris basins, roads, and grading.
6. The Los Angeles County Forester and Fire Warden ("Forester"), has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The Forester has recommended approval of the requested oak tree removals, subject to recommended conditions of approval, including replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 428 mitigation oak trees.
7. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre

Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior multi-family Lot No. 94. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.

8. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
9. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
10. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet
11. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide “A” Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
12. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the “back portion” of the development, and provision of full

monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

13. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
14. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
15. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
16. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.
17. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior

housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.

18. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
19. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
20. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

21. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.

22. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.

23. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the

- public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
24. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 25. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
 26. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
 27. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
 28. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
 29. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.
 30. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the

project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.

31. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
32. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
33. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
34. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
35. During the July 30, 2008, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
36. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.
37. During the July 30, 2008, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
38. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water

- Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
39. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Mudugno and any issues that may have not been addressed.
 40. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available and the annexation of the project into the Valencia Water Company could be further clarified.
 41. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 42. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing and approved the public hearing.
 43. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
 44. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
 45. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
 46. The necessary drainage improvements for soil erosion control will be designed in accordance with the standards of the Los Angeles County Department of Public Works as a condition of approval of the associated vesting tentative tract map.
 47. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
 48. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural

resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

49. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
50. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
51. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
52. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
53. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
54. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.

55. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
56. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code;
- B. That the proposed removal of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
- C. That in addition to the above facts, that the removal of up to 74 oak trees and the encroachment of 71 oak trees is necessary for development reasons as continued existence of the trees at the present location frustrates the planned improvements or proposed use of the subject property to such an extent that a) alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive; or b) Placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized;
- D. That the proposed removal and encroachment of the oak trees will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.

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

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Oak Tree Permit Case No. 2005-00039-(5) subject to the attached conditions.

**DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT CASE NO. 2005-00039-(5)**

DRAFT CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the Los Angeles County Forester and Fire Warden ("Forester") at 323-890-4330.)

1. This grant authorizes the removal of 162 trees of the Oak genus identified on the applicant's site plan and Oak Tree Report, subject to all of the following conditions of approval. This grant also authorizes encroachment within the protected zone of 54 trees of the Oak genus also identified on the applicant's site plan and Oak Tree Report.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions have been recorded as required by Condition No.4 and until all required monies have been paid pursuant to Condition No. 9 and 10.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in such full compliance shall be a violation of these conditions.
7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.
9. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a

Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Los Angeles County Fire Department ("Fire Department") a sum of \$600.00. Such fee shall be used to compensate the Forester \$100 per inspection 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 initial inspection of temporary fencing (required to secure the protected zone of the remaining Oak trees), prior to the commencement of construction and five subsequent annual inspections until the conditions of approval have been met. The Director of Regional Planning ("Director of Planning") and the Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the report on file by Interface Management Services and Trees, etc., the consulting arborists, dated September 2006.
12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forester stating that he or she has been retained by the permittee to perform or supervise the work, and that her or she agrees to report to the Director of Planning and Forester any failure to fully comply with the conditions of this grant. The arborist shall prepare a schedule of construction activities wherein the arborist will be present on the project site to ensure compliance with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
13. 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. 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 Forester for the life of the Oak Tree Permit or the Vesting Tentative Tract Map No. 53653.
14. The permittee shall install temporary chain-link fencing, not less than four feet in height, to secure the protected zone of the remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall

not be removed without approval of the Forester. The term "protected zone" refers to the area extending five feet beyond the dripline of the Oak tree (before pruning), or 15 feet from the trunk, whichever is greater.

15. 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. If the conditions of approval are not present on site during a monitoring inspection of an active project, the Forester will give an immediate "Stop Work Order." This will be administered both verbally and in writing. The "Stop Work Order" will be rescinded after the conditions of approval are present on the site and all employees associated with the project are fully aware of these conditions.
16. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak trees 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 Fire Department. In no case shall more than 20 percent of the tree canopy of any one tree be removed.
17. Except as otherwise expressly authorized by this grant, the 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 Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

18. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for 149 trees for a total of 298 15-gallon trees.

The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) trees for 13 heritage oak trees for a total of 130 24-inch (24") box trees. In addition, the permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachment.

19. Each non-Heritage Oak mitigation tree shall be at least a 15-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.

Each Heritage Oak mitigation tree shall be at least a twenty-four inch (24") box specimen in size and measure two inches or more in diameter one foot above the base unless otherwise specified by the Forester. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees

shall measure a minimum of two inches in diameter one foot above the base or as deemed appropriate by the Forester.

20. This total of 428 mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* or *Quercus lobata* depending on which species of tree was removed or lost due to its permitted encroachment. The seed shall be grown from a local seed source and be of high-quality.
21. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
22. All required 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 in locations approved by the project arborist in consultation with the Forester. In circumstances where on-site planting is shown to be infeasible, the mitigation trees may be planted at an off-site location approved by the Forester, or 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 Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
23. 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 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.
24. 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 Forester, including any loss of trees.
25. 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.
26. Prior to the planting of the trees, 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 Forester and Director of Planning.
27. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

28. 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.
29. 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.
30. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited. If the applicant encroaches or removes an Oak tree not specified in the Oak Tree Report all work must stop immediately. A new Oak Tree Report, which accurately identifies the project conditions must be submitted for approval through the permitting process. The applicant will be responsible to pay all associated fees for the new Oak Tree Permit.
31. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.
32. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.
33. 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.
34. Any violation of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.
35. Should any future inspection disclose that the subject property is being used in violation of any condition of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the Fire Department for all enforcement efforts necessary to bring the subject property into compliance. The Director of Planning and the Forester shall retain the right to make regular and unannounced site inspections.
36. 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 the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or as to be a nuisance.

37. The permittee shall defend, indemnify and hold harmless Los Angeles County ("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.

38. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay Regional Planning an initial deposit of \$5,000.00, 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 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 in accordance with Section 2.170.010 of the Los Angeles County Code.

41. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.

42. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.

43. This grant shall terminate upon the completion of the authorized oak tree removal and the completion of all required mitigation and monitoring to the satisfaction of the Forester and Regional Planning.

DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR HOUSING PERMIT CASE NO. 2006-00001-(5)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Housing Permit Case No. 2006-00001-(5) on November 15, 2006 and June 18, 2008. Housing Permit Case No. 2006-00001-(5) was heard concurrently with Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), and Oak Tree Permit Case No. 2005-00039-(5).
2. Housing Permit Case No. 2006-00001-(5) is a request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3 (Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.
8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of

Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.

9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) to C-3-DP (Unlimited Commercial – Development Program) for the senior condominium development. The Development Program (“DP”) designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked “Exhibit A.” No other development will be permitted on the property unless a new conditional use permit (“CUP”) is first obtained.
10. Vesting Tentative Tract Map No. 53653 is a related request to create 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
11. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
12. Oak Tree Permit Case No. 2005-00039-(5) is a related request to removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
13. The Exhibit “A” dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second means of access; and requests for fire station to be constructed as part of the

project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.

19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was designed with consideration of economic constraints, and conversely Alternative

- No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.
27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
- Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.

On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.

30. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
31. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
32. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
33. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
34. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
35. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as a way to preserve and protect access opposed to a road developed to full public

road standards that would enable future zone changes and proposals of increased densities.

36. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
37. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
38. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
39. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
40. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
41. During the July 30, 2008, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
42. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.

43. During the July 30, 2008, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
44. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
45. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Mudugno and any issues that may have not been addressed.
46. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available and the annexation of the project into the Valencia Water Company could be further clarified.
47. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
48. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing and approved the public hearing.
49. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
50. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
51. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
52. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified herein and by Housing Permit Case No. 2006-00001-(5).
53. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical,

hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.

54. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
55. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
56. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
57. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.
58. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
59. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.

60. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
61. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the requested use is consistent with the General Plan;
- B. That the requested use at the location will not:
- a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
 - b. Be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or
 - c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or 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 this Title 22, 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:
- a. By highways or streets of sufficient width, and improved as necessary to carry out the kind and quantity of traffic such use would generate; and
 - b. By other public or private service facilities as are required;
- E. That the proposed project at the location proposed has been designed to be complementary to the surrounding area in terms of land use patterns and design;

- F. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs; and
- G. That modification of the maximum building height is necessary to make the housing units economically feasible; and do not have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation; found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Housing Permit Case No. 2006-00001-(5) subject to the attached conditions.

**DEPARTMENT OF REGIONAL PLANNING
HOUSING PERMIT CASE NO. 2006-00001-(5)**

Exhibit "A" Date: 7-11-2006

DRAFT CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and a 93-unit senior housing project, including a density bonus of 62 units, as depicted on the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 7 and 17.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. Within 5 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is

responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.

8. 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.
9. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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 ("County Code").

10. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
11. The subject property shall be graded, developed and maintained in substantial compliance with the approved tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the

Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.

12. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
13. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval. The CC&Rs shall include all of the project conditions, and include language that those conditions required to be in the CC&Rs may not be amended or eliminated by the homeowners association without approval from the Director of Planning.
14. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653.
15. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program. Prior to recordation, submit a copy of the covenant to the Director of Planning for approval.
16. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
17. Within 5 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program ("MMP"). The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.
18. The following housing permit conditions shall apply:
 - a. As agreed to by the applicant, ninety-three (93) condominium units shall be reserved for senior citizens in perpetuity; and
 - b. The permittee shall submit for review and approval by County Counsel a deed restriction, covenant or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation, that complies with all pertinent federal, state and local housing laws, to ensure the

continuing availability of the 93 total multi-family units to senior citizens in perpetuity. The document shall contain remedies for violations of the covenant including but not limited to monetary penalties. The approved document shall be recorded in the office of the Los Angeles County Recorder prior to or concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 53653.

19. As agreed to by the applicant, a transportation program for residents shall be provided by the development. Submit a copy of the program for Regional Planning review, and include language in the CC&Rs to Regional Planning for review and approval.

DRAFT
FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 53653

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Vesting Tentative Tract Map No. 53653 on November 15, 2006 and June 18, 2008. Vesting Tentative Tract Map No. 53653 was heard concurrently with Zone Change Case No. 2008-00004-(5), Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
2. Vesting Tentative Tract Map No. 53653 proposes a residential development of 93 single-family lots, one multi-family lot with 93 new attached senior condominium units within two buildings, which includes a 62-unit density bonus for the reservation of at least half of the proposed condominium units for seniors in perpetuity, as well as five open space lots, six public facility lots, one park lot and one fire station lot on 234.8 gross acres. One single-family lot is required to be eliminated due to density, for a maximum of 92 single-family lots.
3. The subject site is located approximately 273 feet southwest of Sagecrest Circle, west of the Golden State ("I-5") Freeway and The Old Road between Calgrove Boulevard and Sagecrest Circle in Newhall Zoned District.
4. The irregularly-shaped property is 234.8 gross acres in size with slight to steeply sloping terrain. Approximately one-third of the subject property has zero to 25 percent slopes, one-third has 25 to 50 percent slopes, and one-third has slopes greater than 50 percent.
5. Access to the proposed development is provided by The Old Road, an 80-foot wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The main access road serving the project will be 64-foot wide "A" Street with additional interior access provided by 64-foot collector streets, and 60-foot and 58-foot wide local streets.
6. The project site is currently zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial), which were established by Ordinance No. 7168 on July 5, 1957. The project proposes a zone change on 9.3 acres from A-2-1 and A-2-2 to C-3-DP (Unlimited Commercial – Development Program) over the senior multi-family Lot No. 94.
7. Surrounding zoning includes RPD-1-1.4U (Residential Planned Development – One Acre Minimum Required Lot Area – 1.4 Dwelling Units per Net Acre) and C-3

(Unlimited Commercial) to the north; City of Santa Clarita to the east; A-2-2 and R-R (Resort and Recreation) to the south; and A-2-2 to the west.

8. The subject property consists of four vacant lots. Surrounding uses include single-family residences to the north; I-5 Freeway and single-family residences (City of Santa Clarita) to the east; park and vacant property to the south; and vacant property to the west.
9. Zone Change Case No. 2008-00004-(5) is a related request to change the zoning on 9.3 acres of the subject property from A-2-1 and A-2-2 to C-3-DP for the senior condominium development. The Development Program ("DP") designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit ("CUP") is first obtained.
10. Conditional Use Permit Case No. 2005-00088-(5) is a related request to ensure compliance with the requirements of nonurban hillside management; density-controlled development; development within an SEA, DP overlay zone, and residential use in a commercial zone; and onsite project grading.
11. Oak Tree Permit Case No. 2005-00039-(5) is a related request to authorize removal of 162 oak trees (including 13 heritage oaks) and encroachment within the protected zone of 52 oak trees (including six heritage oaks).
12. Housing Permit Case No. 2006-00001-(5) is a related request to authorize a 50 percent density bonus associated with a senior citizen housing development along with modification of the maximum building height of 35 feet to 50 feet.
13. The vesting tentative tract map and exhibit map dated July 11, 2006, depict a residential development of 93 attached senior condominiums in two buildings, and 93 single-family lots in clustered design. The single-family lots range from approximately 9,350 square feet to 3.2 acres in size. Grading consists of 2,090,350 cubic yards of cut and fill (total of 4,180,700 cubic yards) to be balanced onsite. Also depicted is a fire station location along The Old Road as well as desilting basins, a private park and a 12-foot wide hiking and riding trail traversing the property. Open space consists of 167.6 acres (71.4 percent), including 123.6 acres of natural open space. The project also depicts access to offsite properties through two tap streets to the west, and one tap street to the east. The senior multi-family lot also proposes a private recreational building, pool and spa, and will contain 172 parking spaces.

14. The property is depicted in the Non-urban 2 ("N2") and Hillside Management ("HM") land use category of the Santa Clarita Valley Areawide Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and HM land use categories. The proposed 186 dwelling units exceed the maximum 123 dwelling units permitted by the N2 and HM land use categories for residential development. However, the Plan supports a density bonus of up to 50 percent for the senior development for a maximum of 185 dwelling units. One single-family residential lot will be required to be eliminated at the time of final map recordation to comply with the Plan's maximum density. The property is also designated within two Significant Ecological Areas ("SEAs") (Lyon Canyon, and Santa Susana Mountains); the project proposes development within the boundaries of both SEAs.
15. The single-family residential portion of the project is consistent with the existing zoning classifications. Single-family residential development is permitted in the A-2 zone pursuant to Section 22.24.120 of the Los Angeles County Code ("County Code"). The applicant has requested a CUP to authorize a clustered design within three areas as a density-controlled development pursuant to Section 22.24.150 and 22.56.205 of the County Code, which reduces the lot sizes to less than the one acre and two acres required but maintains an average of one and two acres per lot throughout the project (excluding the fire station and senior multi-family portion of the development) and reserves the undeveloped portion of the project as permanent open space.
16. The multi-family senior condominium portion of the project is consistent with the proposed C-3-DP zoning classification as the applicant has requested a CUP to permit a residential use in a commercial zone pursuant to Section 22.28.210 of the County Code. The applicant has also requested a CUP to comply with the proposed DP zone to ensure that the development will comply with the proposed designs and exhibits as submitted to the Commission.
17. Of the project's 93 condominium units, the applicant proposes that all 93 dwelling units be set aside for seniors in perpetuity to qualify for the density bonus as applied for under the associated housing permit.
18. Twenty-four (24) comment letters were submitted to the Commission. Twenty (20) letters were in opposition to the project, with concerns related to lack of access being provided by this project to adjoining properties to the west and northwest, and a desire to retain horsekeeping abilities on the proposed single-family lots. Concerns also include requests for reduction in project size to reduce impacts to the SEAs as well as a question regarding the provision of an adequate second

- means of access; and requests for fire station to be constructed as part of the project, and disclosure regarding fire danger. Changed circumstances due to the recent Wanger decision with respect to water supply; and request for project changes in order to preserve more oak trees for an adjacent wildlife corridor, including elimination of the "back portion" of the development, and provision of full monetary value of removed trees to the Los Angeles County Oak Tree Fund ("Oak Fund"), were also raised in written correspondence.
19. Four letters were received by the Commission with neutral comments regarding provision of water from the Valencia Water Company, and comments regarding the Draft Environmental Impact Report ("EIR") including recommended mitigation measures.
 20. During the November 16, 2006 public hearing, the Commission heard a presentation from staff. Staff presented the proposed subdivision with the associated CUP, oak tree permit and housing permit. After opening the public hearing, the Commission also heard testimony from the applicant as well as the public.
 21. During the November 16, 2006 public hearing, the applicant presented the history of their project including an original proposal with the City of Santa Clarita for a much larger development. A modified project was submitted by the applicant to the County of Los Angeles for processing, and was designed to be consistent with the General Plan as well as provide for dedication of open space, trails to be open to the public, and creation of a private park lot with tot lot and other amenities. The project will improve public safety by providing a fire station location as well as emergency access to properties further west of The Old Road. School district mitigation agreements have also been finalized with the Newhall and William S. Hart Union School Districts, and the project was designed to preserve significant natural resources with additional enhancement of habitat.
 22. Ten (10) people testified during the November 16, 2006 public hearing: four representing the applicant, two in support of the project, and four in opposition. Those in support of the project addressed the project's provision of dirt trails, and offsite access to the southwest (as depicted on the tentative map). Additional issues raised during the public hearing in opposition to the project, included comments related to provision of senior housing elsewhere that is much closer to shopping, increased paving of land resulting in less recharge and loss of riparian habitat, insufficient information in the Draft EIR regarding water supply and presence of perchlorate, and preservation of additional oak trees within the project. Concerns also presented addressed the project's significant and unavoidable impacts to seven factors in the Draft EIR, and recommendation for redesign to the Draft EIR's Alternative No. 4.

23. During the November 16, 2006 public hearing, the applicant responded that claims for offsite access via prescriptive easements have yet to be verified by the applicant, and while "not interested" in constructing additional roads, the applicant indicated their willingness to maintain access. The proposed market-rate senior housing will be for active seniors with onsite access to private recreational facilities, and within short distance to shopping locations. The impacts to the SEA are primarily from the debris basin lot, which would have been required with any alternative of the project. The applicant also indicated that the SEA Technical Advisory Committee ("SEATAC") confirmed that a debris basin is a compatible use with the SEA. The project was designed with up to 71 dwelling units with a single means of access in the southwest portion. Land is available on the property for onsite oak mitigation, and efforts will be focused where previous oak habitat exists or previously existed. The applicant also committed to placing no restrictions for horsekeeping on the property. Alternative No. 4 was considered by the applicant, but was determined to be infeasible based on the cost of acquiring and developing the property with high infrastructure costs. The project however was designed to provide benefits, including public access and a location for a fire station as well as maintaining the most sensitive habitat on the property as undisturbed.
24. During the November 16, 2006 public hearing, the Commission discussed the project and its impacts to oak trees and the SEA. The Commission discussed that while the project considers a large number of oak removals, including heritage oak trees, the property is within private ownership and project itself has benefits. The project has been mitigated to the extent feasible, and grading has been balanced onsite. Senior housing in this price range is needed, and shopping is available close to the development. The provision of offsite access via depicted tap streets allows for further development in private ownership, and with additional development comes a greater amount of open space dedication and contiguous open space.
25. During the November 16, 2006 public hearing, the Commission also expressed concerns with the development, including need for greater consideration of the tap streets and how they will affect future development. The project proposed is better than that previously proposed with the City of Santa Clarita, but further study of Alternative No. 4 was necessary to examine recharge, include a water supply assessment, and additional analysis in the Draft EIR regarding grading. A motion to continue the public hearing to a date certain to address these concerns was made, but did not pass.
26. During the November 16, 2006 public hearing, the Commission indicated that they felt there was sufficient information in all areas of the project, and that provision of tap streets allow for access to be resolved for landlocked parcels. The project was

designed with consideration of economic constraints, and conversely Alternative No. 4 as indicated by the applicant, was infeasible. Fire sprinklers will be provided in the homes and the project was designed to comply with the maximum of 75 dwelling units on a single means of access with 71 homes.

27. After considering all testimony, the Commission closed the public hearing on November 16, 2006 and indicated their intent to approve Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), and Housing Permit Case No. 2006-00001-(5); and directed staff to return with final documents for approval including the Final EIR. The Commission also directed the applicant to work with the offsite property owners ("Kantor and Speer parties") to resolve the access issues before final action.
28. After the close of public hearing on November 16, 2006, the applicant worked with the Kantor and Speer parties in addressing concerns regarding provision of offsite access. The applicant, and Kantor and Speer parties discussed various potential access routes, with the ultimately conclusion of three options:
 - Option 1: This access route would be through the subject property in the general vicinity of debris basin Lot No. 96 and through open space Lot No. 104. An access easement could be granted through the subject property, with environmental review, engineering design and ultimate construction the responsibility of the Kantor and Speer parties.
 - Option 2: Access rights may already exist along the northern property line of the subject property. Access rights through prescriptive easements however, would have to be established through legal means by the Kantor and Speer parties, and can be done at any time independent from the subject project.
 - Option 3: This access route would be through the northern Larwin development, and lies outside the boundaries of the subject project. Negotiations on the terms of the access easement between Larwin and the Kantor and Speer parties were never finalized, and can be done at any time independent from the subject project. Engineering design and ultimate construction would be the responsibility of the Kantor and Speer parties.
29. Subsequent to the close of public hearing on November 16, 2006, the applicant was required to file an application for a zone change and amended CUP request to address the multi-family use in the existing A-2 zone. The zone change proposed changing the A-2-1 and A-2-2 zones to C-3-DP on 9.3 acres (senior

- multi-family Lot No. 94) of the subject property. The amended CUP includes the DP zone and request to permit a residential use in a commercial zone.
30. On May 7, 2008, the Commission heard a presentation from staff for discussion and possible action regarding the additional entitlements required to implement the project as originally presented. On May 7, 2008, the Commission re-opened the public hearing to consider the zone change and amended CUP request, and directed staff to prepare proper notice of the re-opened public hearing to be held on June 18, 2008.
 31. During the June 18, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
 32. During the June 18, 2008 public hearing, the applicant mentioned a preference for option No. 1 which would be an easement near debris basin Lot No. 96 and open space Lot No. 104 since it would not require future modifications to the tentative map.
 33. During the June 18, 2008 public hearing, the Commission requested disclosure to future purchasers of the potential for the project site to contain means of access to future developments. The applicant responded in agreement.
 34. During the June 18, 2008 public hearing, the Commission expressed their concerns regarding the water source, status of the project's water report and preliminary annexation. The applicant clarified that the project would be annexed to the Valencia Water District, that additional information regarding not being served water had not been received, and that additional information will be provided at the next public hearing.
 35. During the June 18, 2008 public hearing, the Commission expressed concerns regarding the replacement of 1,002 oak trees and the possibility of fitting the trees and a single family residence within each lot. The applicant clarified by stating that the site supports oak trees, an oak woodland will be re-created, 83 percent of the project oak trees and 72 percent of the oak woodland are to remain, and that maps of depicting these areas have been included in the Environmental Impact Report ("EIR").
 36. During the June 18, 2008 public hearing, the Commission further discussed offsite access options as presented by staff. The Commission commented whether the Fire Department would require the width to be 20 to 30 feet; and that this issue is a balancing act between providing access to a limited number of single family homes in order to not create landlocked parcels, and creating new roads to future development. An enhanced access from what is existing today was discussed as

a way to preserve and protect access opposed to a road developed to full public road standards that would enable future zone changes and proposals of increased densities.

37. During the June 18, 2008 public hearing, staff mentioned no Findings of Fact and Statement of Overriding Consideration, which is required prior to final action on the project, were included in the distributed package. The public hearing was continued to July 2, 2008 and later continued to July 30, 2008 due to lack of quorum.
38. During the July 30, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
39. Five (5) people testified during the July 30, 2008 public hearing: four in opposition and one in support of Tract Map Condition Nos. 22 and 23 regarding offsite access. Issues raised by testifiers in opposition included: existing stock of senior citizen housing with specific mention of the number of senior citizen dwelling units approved and pending in the area; availability of amenities for senior citizens in the area; limited road access; fire facility not built; fire hazards; disturbance of ecological resources; removal of oak trees; request for bonding of all conditions by the applicant; slope failure in the Santa Clarita Area; and water availability.
40. During the July 30, 2008 public hearing, the applicant stated that: the senior citizen units will be outside the canyon and easily accessed ; 70 percent of the project will be open space dedicated to a public agency; open space includes trails; the Department of Parks and Recreation have an interest in the open space; the Sensitive Ecological Area within the project will be preserved; significant slope failure reports have been analyzed and mitigated; and a water analysis was included in the Draft EIR.
41. During the July 30, 2008 public hearing, the Commission expressed concerns regarding projects being improved and not developed, resulting in disturbed undeveloped areas. The applicant stated in reply, that D.R. Horton would not improve the site unless there was a market to support it.
42. During the July 30, 2008, the Commission noted that the transportation contribution noted by the applicant will be a "Dial-a-ride" type of service paid by the community and public transportation.
43. During the July 30, 2008 public hearing, the Commission noted that a pad is provided for by the project and will be available to the County for future needs of a Fire Station Facility. Fire Department staff noted that it has not yet been determined whether a fire station is required for the community.

44. During the July 30, 2008, the Commission requested the Findings and Statements of Overriding Considerations Section 1.3 mention fire hazards and fire services.
45. During the July 30, 2008 public hearing, the Commission expressed concern for the projects water availability and annexation procedure to the Valencia Water Company. Staff from the Department of Public Works stated that the annexation of the project into the Valencia Water Company will be a discretionary procedure including a public hearing, after action by the Commission is taken.
46. During the July 30, 2008 public hearing, the Commission expressed concern regarding the absence of Commissioner Mudugno and any issues that may have not been addressed.
47. After hearing all testimony, on July 30, 2008 the Commission continued the public hearing to August 20, 2008 to a date when all Commissioners could be available and the annexation of the project into the Valencia Water Company could be further clarified.
48. During the August 20, 2008 public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public.
49. After hearing all testimony, on August 20, 2008 the Commission closed the public hearing and approved the public hearing.
50. As agreed to by the applicant, the Commission required disclosure of future access through the subject property to all future home buyers.
51. As agreed to by the applicant, the project shall not restrict future horsekeeping activities on the property.
52. As agreed to by the applicant, provision of transportation options for the senior development shall be incorporated into the project.
53. The proposed project is required to comply with the development standards of the A-2, C-3 and C-3-DP zones pursuant to Sections 22.24.170, 22.28.220 and 22.40.070 of the County Code, except as otherwise modified by Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5).
54. The proposed subdivision and the provisions for its design and improvement are consistent with the goals and policies of the Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.

55. The site is physically suitable for the type of development and density being proposed, since the property has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs, and will have flood hazards and geologic hazards mitigated in accordance with the requirements of Los Angeles County Department of Public Works.
56. 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 geologic and soils factors are addressed in the conditions of approval.
57. The design of the subdivision and the proposed improvements will cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is located within two Significant Ecological Areas, and does contain any stream courses or high value riparian habitat.
58. The design of the subdivision provides for future passive or natural heating or cooling opportunities as feasible.
59. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the tentative tract map, provide adequate protection for any such easements.
60. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
61. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.
62. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.

63. This tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
64. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, hydrology/water quality, hazards, noise, air quality, biological resources, cultural resources, aesthetics, traffic, water and wastewater, schools, fire services, sheriff services, solid waste, utilities (electricity and natural gas), libraries, and parks and recreation. Based on the Initial Study and project revisions, a Final EIR has been prepared for this project. The Final EIR consists of the Draft EIR dated September 2006 and the Responses to Comments and identifies mitigation measures to be implemented as part of the project. The Findings of Fact and Statement of Overriding Considerations ("Findings and SOC") are incorporated herein by this reference, as if set forth in full.
65. The Commission reviewed and considered the Final EIR and found that it reflects the independent judgment of the County. As stated in the Final EIR and Findings of Fact and SOC, implementation of the project will result in specifically identified significant effects upon the environment. Except for adverse impacts upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), identified significant adverse effects can be reduced to acceptable levels with the mitigation measures identified in the Final EIR and incorporated as conditions for this project.
66. With respect to the adverse effects upon aesthetics, air quality, biological resources, geology, noise, sheriff services (cumulative) and solid waste (cumulative), the Commission determined that the substantial benefits resulting from the project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings and SOC.
67. A Mitigation Reporting and Monitoring Program ("MMP") consistent with the conclusions and recommendations of the Final EIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
68. The MMP in conjunction with the Final EIR identified in detail how compliance with its measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.

69. This project has an impact on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
70. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the MMP.
71. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR was completed in compliance with CEQA and the State and County guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the project; indicates that it certified the Final EIR at the conclusion of its hearing on the project and adopted the Findings of Fact, SOC and MMP, finding that pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, found that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in those findings; and determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the project as stated in the Findings of Fact and SOC; and
2. Approves Vesting Tentative Tract Map No. 53653 subject to the attached conditions and recommendations of the Los Angeles County Subdivision Committee.

DRAFT CONDITIONS:

1. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance). Also, conform to the requirements of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the Mitigation Monitoring Program.
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), the subdivider shall conform to the applicable requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial) zones as well as proposed C-3-DP (Unlimited Commercial – Development Program) zone.
3. In accordance with Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), this land division is approved as a density-controlled development in a nonurban hillside management area, in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 and A-2-2 zone. If multiple final maps are recorded, the average area of all lots shown on each final unit map and all previously recorded final unit maps shall comply with the minimum lot area requirements of the A-2-1 and A-2-2 zone. This land division is also approved with a senior housing component of modification to maximum permitted building height of 35 feet to allow a 50-foot high building height, for the two main residential buildings, in accordance with Section 22.56.202 of the County Code.
4. Recordation of the final map is contingent upon the effectuation of an ordinance by the Los Angeles County Board of Supervisors, changing the zoning of 9.3 acres of the property within multi-family Lot No. 94 from A-2-1 and A-2-2 to C-3-DP.
5. The subdivider shall submit a copy of the project Conditions, Covenants and Restrictions ("CC&Rs") and any covenants or maintenance agreements as proposed, to the Los Angeles County Department of Regional Planning ("Regional Planning") for review and approval.
6. The subdivider shall submit evidence that the conditions of the associated Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) have been recorded.
7. The subdivider shall record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures. Prior to

- recordation, the subdivider submit a draft copy of the covenant to the Director of Regional Planning ("Director") for review and approval.
8. The subdivider shall provide disclosure to future purchasers of the potential for the project site to contain means of access to future developments in the form of a written document, to the satisfaction of Regional Planning prior to final map.
 9. Permission is granted to adjust lot lines to the satisfaction of Regional Planning.
 10. The subdivision shall provide at least 40 feet of street frontage at the property line for each lot fronting on a cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. The subdivision shall provide approximately radial lot lines for each lot.
 11. The subdivider shall show The Old Road, "A" Street, "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, and "G" Street as dedicated streets on the final map.
 12. The subdivider shall show "H" Street and "I" street as future streets on the final map.
 13. The subdivider shall place a note or notes on the final map, to the satisfaction of Regional Planning, that a portion of this subdivision (Lot No. 94) is approved as a condominium project for a total of 93 residential units whereby the owners of the units of air space will hold an undivided interest in the common areas, which will in turn provide the necessary access and utility easements for the units.
 14. The subdivider shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
 15. The subdivider shall reserve in the CC&Rs the right for all residents within multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
 16. The subdivider shall provide in the CC&Rs that at least 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity.
 17. The subdivider shall dedicate to the County of Los Angeles on the final map, the right to prohibit the construction of any structures on the open space areas as depicted on the open space exhibit as individual open space lots (Lot Nos. 103 through 107), and shall record "Open Space-Building Restriction Area" over those open space on the final map.
 18. The subdivider shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain

- language requiring that access for emergency purposes shall not be prohibited over said open space lots.
19. The subdivider shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.
 20. The subdivider shall number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of Regional Planning.
 21. Permission is granted to create additional open space lots to the satisfaction of Regional Planning.
 22. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The subdivider shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients. If some or all of the offsite properties are acquired by a public agency, such access easement shall be retained, but may be modified to ensure continued access to privately-held properties.
 23. Prior to final map approval, the subdivider shall submit an amendment to the approved vesting tentative map, to depict the elimination of one single-family lot and depict the location of the easement to the offsite properties with all other necessary associated changes to the satisfaction of Regional Planning and Los Angeles County Subdivision Committee ("Subdivision Committee").
 24. No grading permit shall be issued prior the recordation of a final map, unless the Director determines that the proposed grading conforms to the conditions of this grant and the conditions of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
 25. The subdivider shall provide slope planting and an irrigation system in accordance with the Grading Ordinance. The subdivider shall include conditions in the tract's CC&Rs which would require continued maintenance of the plantings for lots having planted slopes. Prior to final map approval, the subdivider shall submit a draft copy of the document to be recorded, to Regional Planning.
 26. Prior to the issuance of a grading and/or building permit, the subdivider shall submit three copies of a landscape plan which may be incorporated into a

- revised site plan. The landscape plans shall be approved by the Director as required by Conditional Use Permit Case No. 2005-00088-(5) prior to any work on the property.
27. Per Section 21.32.195 of the County Code, the subdivider shall plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential lot. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
 28. The subdivider shall plant or cause to be planted at least 69 trees of a non-invasive species within multi-family residential Lot No. 94 in addition to the required front yard tree. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
 29. Within five days of tentative map approval, remit processing fees (currently \$2,656.75) 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 California Public Resources Code and Section 711 of the California 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 project subject to this requirement is final, vested or operative until the fee is paid.
 30. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Draft Environmental Impact Report ("EIR") for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53653. Comply with all such mitigation measures in accordance with the attached Mitigation Monitoring Program ("MMP"). After completion of the appeal period, record a covenant and agreement, and submit a copy to Regional Planning for approval, agreeing to the mitigation measures imposed by the Draft EIR for this project. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to Regional Planning as frequently as may be required by the department. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.
 31. Within 30 days of approval, deposit the sum of \$3,000.00 with Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the MMP.

32. The subdivider 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, and employees to attack, set aside, void or annul this tract map approval, or related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 65499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action or proceeding and the County shall cooperate fully in the defense.

33. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay 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 subdivider, or subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional fund to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

 - b. At the sole discretion of the subdivider, 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 subdivider according to Section 2.170.010 of the County Code.

Except as modified herein above, this approval is subject to all those conditions set forth in Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5); the attached MMP; and the attached reports recommended by the Subdivision Committee, which also consists of members of the Public Works, Fire Department, Department of Parks and Recreation, and Public Health.

**FINDINGS OF FACT REGARDING
FINAL ENVIRONMENTAL IMPACT REPORT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS
FOR
D.R. HORTON'S LYONS CANYON PROJECT
TENTATIVE TRACT MAP NO. RMTR53653
CONDITIONAL USE PERMIT NUMBER RCUP200500088
OAK TREE PERMIT NO. ROAK200500039
ZONE CHANGE PERMIT NO. RZC200800004**

INTRODUCTORY FINDINGS.

Pursuant to Public Resources Code Section 21000, et seq. ("**CEQA**") and California Code of Regulations, Title 14, Section 15000, et seq. ("**CEQA Guidelines**"), no public agency shall approve or carry out a project where an Environmental Impact Report (the "**EIR**") has been certified, which identifies one or more significant impacts on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant impacts, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

1. The project's potentially significant effects on the environment will be mitigated or avoided through implementation of the described mitigation measures and/or changes or alterations that have been required in, or incorporated into, the project. Any remaining impacts will be less than significant (hereinafter, "**Finding 1**").
2. Changes or alterations to the project are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency (hereinafter, "**Finding 2**").
3. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR (hereinafter, "**Finding 3**")

For those significant impacts that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological or other benefits of the project outweigh the significant impacts on the environment.

Regional Planning Commission (the "**Commission**") of the County of Los Angeles (the "**County**") hereby approves Tentative Tract Map No. RMTR53653 ("**TTM**"), Conditional Use Permit Number RCUP200500088, Oak Tree Permit No. ROAK200500039, and Zone Change

Permit No. RZC200800004 (collectively, the "**Project**") and certifies the Final EIR ("**FEIR**"), State Clearinghouse Number 2003031086, which consists of and/or relies upon and incorporates the draft EIR, including all appendices thereto and all supporting materials referenced therein (the "**DEIR**"); all comments on the DEIR, all responses thereto, and all supporting materials referenced therein; the Project description; all revisions to the DEIR, if any, and all revised impact descriptions and other supporting documents, if any; all testimony and written comments received at any public hearing relating to the Project; the County's General Plan, as amended, and all environmental documents relating thereto; the Santa Clarita Valley Area Plan, and all environmental documents relating thereto; the County's General Plan, and all environmental documents relating thereto; the County's Land Use Policy Map; the Castaic Lake Water Agency 2005 Urban Water Management Plan; these findings and this Statement of Overriding Considerations made by the County and the Mitigation Monitoring and Reporting Program ("**MMRP**") adopted by the County for the Project; all final County Staff reports relating to the DEIR, the FEIR and/or the Project; all other public reports, documents, studies, memoranda, maps, or other planning documents relating to the Project; and all matters of common knowledge to the County, including but not limited to the County's policies, guidelines and regulations.

The County finds that the FEIR has been completed in compliance with CEQA, was presented to the decision-making body of the County and the decision-making body reviewed and considered the information contained in the FEIR prior to certifying the FEIR and approving the Project. The FEIR reflects the independent judgment and analysis of the County and has been completed in compliance with CEQA and the CEQA Guidelines. The County's decision-making body has received, reviewed, and considered the information contained in the FEIR, the application for the Project, all testimony at public hearings and submissions from public officials and others, departments of the County, the applicant, community associations, and other public agencies and all other information in the record prior to its approval of the Project.

The documents described above, comprising the record of proceedings, are located in the County's offices, 320 West Temple Street, Los Angeles, California 90012.

Having received, reviewed and considered the foregoing information, as well as any and all other information in the record, the County's decision-making body hereby makes findings pursuant to, and in accordance with, Section 21081 of the Public Resources Code.

ORGANIZATION OF FINDINGS.

- Section 1 of these findings discusses those potential environmental impacts of the Project that were reviewed during the Initial Study process, but were found to be less than significant.
- Section 2 discusses those potential environmental impacts of the Project that are not significant.
- Section 3 discusses those potential environmental impacts that have been mitigated to a level of insignificance.

- Section 4 discusses those unavoidable environmental impacts that cannot be mitigated to a level of insignificance.
- Section 5 discusses those potential cumulative impacts that are not significant.
- Section 6 discusses those potential cumulative impacts that have been mitigated to a level of insignificance.
- Section 7 discusses those cumulative impacts that cannot be mitigated to a less than significant level.
- Section 8 discusses the potential growth-inducing impacts of the Project.
- Section 9 discusses the alternatives to the Project as discussed in the DEIR and FEIR.
- Section 10 contains findings regarding the Mitigation Monitoring Program.
- Section 11 contains the Statement of Overriding Considerations.

The findings set forth in each section are supported by substantial evidence in the record of the approval of the Project. In accordance with the provisions of CEQA and the CEQA Guidelines, the County adopts these findings as part of its certification of the FEIR for the Project.

BACKGROUND.

In June 2005, the applicant filed with the County (i) a Zoning and Subdivision Application; (ii) an Initial Study Questionnaire; (iii) a Request for an Oak Tree Permit; (iv) a Burden of Proof Statement for a Conditional Use Permit; (v) a Density Bonus Application; (vi) supporting photographs of the Project site; (vii) a Vicinity Map; and (viii) a Slope Density Analysis. A Zone Change Application with pertinent Burden of Proof was filed for the proposed development of 93 multi-family condominium dwelling units for senior citizens on April 17, 2008.

The Project includes a mix of single-family residential, senior housing, public facilities and open space uses. Specifically, the 234.8-acre Project site will include (a) 93 single-family detached residential units situated on 46.9 gross acres, which shall be subdivided into 93 separate lots; (b) 93 senior condominium units, which shall be situated on a 9.26-acre parcel; (c) 128.87 acres of open space, which shall be divided into 5 open space parcels; (d) a recreational parcel consisting of 1.39 acres; (e) 6 basin lots, which shall cumulatively amount to 26.51 acres; (f) a 2.05-acre parcel, upon which will sit a to-be-constructed fire station; (g) 9.78 acres of graded areas, which, following grading, shall be preserved as open space; and (h) 10.04 acres of streets.

An Initial Study was prepared for the Project on June 15, 2005. Impact areas identified by the Initial Study, as potentially significant, were: Geology, Soils and Seismicity; Hydrology and Water Quality; Hazards and Hazardous Materials; Noise; Air Quality; Biological Resources; Cultural Resources; Mineral Resources; Aesthetics and Visual Resources; Traffic and Circulation; Water and Wastewater; Schools/Education; Fire Services; Sheriff Services; Solid Waste; Electricity; Natural Gas; Library Services; Parks and Recreation; and Land Use.

The Initial Study concluded that certain other impacts related to the Project will be less than significant, due to the Project's inability to create any such impacts; or due to the absence of any characteristics of the Project that were likely to produce impacts of this type. Pursuant to CEQA Section 21100 and CEQA Guideline 15128, the effects which the Initial Study determined not to be significant are not required to be included in primary analysis sections of the DEIR. Those effects are listed in Section 1.

A Notice of Preparation was circulated from July 11, 2005 to August 9, 2005.

The DEIR for the Project was prepared in accordance with CEQA, the CEQA Guidelines and the County's guidelines for the implementation of CEQA and the CEQA Guidelines. The County has relied on Section 15084(d)(3) of the CEQA Guidelines, which allows acceptance of a DEIR prepared by the applicant, consultants retained by the applicant or any other person.

The County analyzed, reviewed and edited the DEIR and circulated it for public review and comment from September 22, 2006 until November 6, 2006. A notice of availability of the DEIR was published in the local newspapers, posted on the Project site, and was distributed to known interested individuals and organizations. Copies of the DEIR were available at the Department of Regional Planning and in local public libraries during the 45-day review period.

A Supplement to the Final Environmental Impact Report (FEIR) was filed in May 2008 to address the Zone Change application, and to address the requirement for an Updated Mitigation Monitoring Program which includes Global Climate Change Mitigation Measures. The analysis of this Supplement to the FEIR has produced no findings of any additional impacts related to the project. The County also analyzed, reviewed and edited the FEIR. The responses to public agency comments on the DEIR, which are contained in the FEIR, were provided to such public agencies at least 10 days prior to the effective date of this Resolution, which certifies the FEIR. Both the DEIR and FEIR reflect the County's independent judgment.

The County Regional Planning Commission (the "**Commission**") conducted a public hearing on November 15, 2006 to receive comments on the DEIR and the TTM from all interested parties. The Commission then closed the public hearing and deliberated upon the adequacy of the DEIR and the TTM and, thereafter, directed Staff to prepare the FEIR, Final Conditions of Approval and Final Resolution(s) of Approval. On [*DATE], the Commission, which is the decision-making body of the County with regards to such matters, certified the FEIR, adopted these findings and approved the Project.

SECTION 1 - POTENTIAL ENVIRONMENTAL IMPACTS THAT WERE DETERMINED TO BE LESS THAN SIGNIFICANT DURING THE INITIAL STUDY PROCESS.

Upon completion of the Initial Study process, the determination was made, pursuant to CEQA Guideline 15128, that analyses of Geotechnical Hazards; Flood Hazards; Fire Hazards; Water Quality; Air Quality; Archaeological/Cultural Resources; Mineral Resources; Agricultural Resources; Visual Qualities; Traffic/Access; Utilities; Land Use; and Several General "Other Factors" and Other Environmental Safety Factors were not required in the EIR, since such potential impacts were determined not to be significant

1.1. GEOTECHNICAL HAZARDS.

The Project is not considered a sensitive use (school, hospital or public assembly site) located in close proximity to a geotechnical hazard. The Project will not be located on an expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), and will not create a related substantial risk to life or property.

1.2. FLOOD HAZARDS.

The Project site is not in or subject to high mud/low conditions.

1.3. FIRE HAZARDS.

The Project site is located in Fire Zone 4 (Very High Fire Hazard) due to wildfire hazard, but is not located in close proximity to other potentially dangerous fire hazard conditions/uses (such as refineries, flammables, explosives or manufacturing).

The proposed use does not constitute a potentially dangerous fire hazard.

1.4. WATER QUALITY.

The Project site is located in an area known to have perchlorate water contamination problems. However, the Project is not proposing the use of individual on-site water wells and thus all water used for drinking and irrigation will meet or exceed state water quality standards.

The Project will not require the use of private sewage disposal systems.

1.5. AIR QUALITY.

The Project will not exceed the state's criteria for regional significance (generally 500 dwelling units for residential uses or 40 gross acres, 650,000 SF of floor area or 1,000 employees for non-residential uses).

The Project will not conflict with or obstruct implementation of the applicable air quality plan.

The Project will not violate any air quality standard or contribute substantially to an increased or Project-air quality violation.

1.6. ARCHAEOLOGICAL/CULTURAL RESOURCES.

The Project does not contain any known historic structures or site.

The Project will not cause a substantial adverse change in the significance of a historical or archaeological resource as defined in CEQA Guideline 15064.5.

1.7. MINERAL RESOURCES.

The Project will not result in the loss of availability of a known mineral resource that will be of value to the region and residences of the state.

The Project will not result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan.

1.8. AGRICULTURAL RESOURCES.

The Project will not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses.

The Project will not conflict with existing zoning for agricultural use or a Williamson Act contract.

The Project will not involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Prime Farmland to non-agricultural use.

1.9. VISUAL QUALITIES.

The Project will not likely create substantial sun shadow, light or glare problems.

1.10. TRAFFIC/ACCESS.

The Project will not result in hazardous traffic conditions.

The Project will not conflict with adopted policies supporting alternative transportation (e.g. bus stops, bicycle racks).

1.11. UTILITIES.

The Project will not create problems with providing utility services, such as electricity, gas or propane.

1.12. OTHER FACTORS (GENERAL).

The Project will not result in an inefficient use of energy resources.

1.13. OTHER FACTORS (ENVIRONMENTAL SAFETY).

There are no residential units, schools or hospitals located within 500 feet that could be potentially affected by on-site hazardous materials.

The Project will not create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment.

The Project will not emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The Project is not located on a site that is included in a list of hazardous materials sites pursuant to Government Code Section 65962.5 and, as a result, will not create a significant hazard to the public or environment.

The Project will not result in safety hazards for people in the Project area related to airports or airstrips, because the Project site is not located within an airport land use plan, within two miles of a public or public use airport or within the vicinity of a private airstrip.

The Project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

1.14. LAND USE.

The Project will not physically divide an established community.

SECTION 2 - POTENTIAL ENVIRONMENTAL IMPACTS THAT ARE NOT SIGNIFICANT (NO MITIGATION REQUIRED).

2.1. GEOLOGY, SOILS AND SEISMICITY - SURFACE FAULT RUPTURE.

Please refer to DEIR page 5.1-14 for an analysis of Project impacts related to Geology, Soils and Seismicity - Surface Fault Rupture.

Potential Effects and Rationale Supporting Finding:

No known active or potentially active faults exist within, or project onto, the proposed Project site. As such, there will be no potential for surface fault rupture of an active or potentially active fault. No impact is anticipated in this regard.

Finding:

Based upon the DEIR, the FEIR and the entire record of proceedings, the County finds that any impact to people or structures due to surface fault rupture, as a result of the Project, will be less than significant. Consequently, no mitigation measures are required for this less-than-significant impact.

2.2. GEOLOGY, SOILS AND SEISMICITY - SEISMIC GROUNDSHAKING.

Please refer to DEIR page 5.1-14 for an analysis of Project impacts related to Geology, Soils and Seismicity – Seismic Groundshaking.

Potential Effects and Rationale Supporting Finding:

The proposed Project site may experience groundshaking as a result of an earthquake along any of the active or potentially active faults in the region, as is the case in all of Southern California. As a result, the proposed structures are required to be designed, engineered and constructed to meet all applicable local and state seismic safety requirements, including those of the Uniform

Building Code. Given compliance with applicable seismic safety requirements, impacts on the proposed development from seismic groundshaking will be less than significant.

Finding:

Based upon the DEIR, the FEIR and the entire record of proceedings, the County finds that any impact to people or structures due to seismic groundshaking, as a result of the Project, will be less than significant. Consequently, no mitigation measures are required for this less-than-significant impact.

2.3. HAZARDS -- LISTED HAZARDOUS MATERIAL SITES.

Please refer to DEIR pages 5.3-33 through 5.3-34 for an analysis of Project impacts related to Hazards – Listed Hazardous Material Sites.

Potential Effects and Rationale Supporting Finding:

The Phase I Environmental Site Assessment (“**ESA**”) prepared for the proposed Project reviewed a database of government-regulated properties having known and/or recognized environmental conditions that have potential environmental concerns on or in the vicinity of the Project site. Only one listed site is located within the Project boundaries, which was determined not to pose a health risk. No impacts are expected relative to listed hazardous materials sites within the Project boundaries. Moreover, the DEIR concluded that there is only a low probability that listed off-site properties in the search vicinity have impacted or are currently impacting the Project site.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less-than-significant impacts to Hazards – Listed Hazardous Material Sites.

2.4. HAZARDS -- EMERGENCY RESPONSE/EVACUATION PLANS.

Please refer to DEIR pages 5.3-35 to 5.3-36 for an analysis of Project impacts related to Hazards – Emergency Response/Evacuation Plans.

Potential Effects and Rationale Supporting Finding:

The proposed circulation plan for the Project includes two major access points located off of The Old Road. These proposed on-site roadways will provide evacuation routes for the site to The Old Road, Calgrove Boulevard and Interstate 5. Given these evacuation routes, it is not anticipated that the design of the Project will preclude implementation of an evacuation plan, which will provide for the safe movement of future residents. Consequently, no significant impacts are expected to occur with regard to emergency evacuation of the Project site or its surroundings.

Finding:

For the foregoing reasons it is found that implementation of the Project will result in less-than-significant impacts related to Hazards – Emergency Response/Evacuation Plans.

2.5. NOISE-STATIONARY NOISE IMPACTS.

Please refer to DEIR page 5.4-20 for an analysis of Project impacts related to stationary noise impacts.

Potential Effects and Rationale Supporting Finding:

The residential development proposed by the Project will likely include stationary noise sources associated with everyday residential activities. However, existing background noise levels associated with vehicle travel along local roadways and the I-5 freeway are anticipated to be much higher than typical household sources of stationary noise. Therefore, stationary noise impacts are considered less than significant.

Finding:

For the foregoing reasons, the Project will have a less-than-significant stationary noise impact.

2.6. AIR QUALITY – OPERATIONS.

Please refer to DEIR pages 5.5-20 through 5.5-23 and for an analysis of the Project's operational air quality impacts.

Potential Effects and Rationale Supporting Finding:

The Project-related increase in CO concentrations at all eight intersections will be 0.2 ppm or less for a one-hour period and 0.1 ppm or less for the eight-hour period. Since no Federal or State standards will be exceeded, no CO "hot spot" will occur. Therefore, no air pollution control measures are necessary or recommended for operational air quality impacts.

Finding:

For the foregoing reasons, the Project will have a less-than-significant operational air quality impact.

2.7. CULTURAL RESOURCES – HISTORIC RESOURCES.

Please refer to DEIR pages 5.7-14 through 5.7-15 for an analysis of the Project's impacts related to historic resources.

Potential Effects and Rationale Supporting Finding:

No archaeological sites or potentially significant resources were identified within the Project site as a result of the field survey.

Finding:

For the foregoing reason, the Project will have a less-than-significant impact upon the site's historic resources.

2.8. MINERAL RESOURCES -- LOSS OF MINERAL RESOURCES AND MINERAL RESOURCE RECOVERY SITES.

Please refer to DEIR pages 5.8-1 through 5.8-3 for an analysis of the Project's impacts related to loss of mineral resources and mineral resource recovery sites.

Potential Effects and Rationale Supporting Finding:

The Project site is not located in a designated Mineral Resource Zone or other known or potential mineral resource area. Development associated with the proposed Project will not result in permanent loss of -- or loss of access to -- any mineral resource that is located within a designated Mineral Resource Zone or other known or potential mineral resource area.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact with regards to the loss of mineral resources and mineral resource recovery sites.

2.9. TRAFFIC -- CONGESTION MANAGEMENT PROGRAM.

Please refer to DEIR pages 5.10-33 through 5.10-34 for an analysis of the Project's traffic impacts related to the County's Congestion Management Program ("CMP").

Potential Effects and Rationale Supporting Finding:

The County's CMP requires that the Project address certain subject areas with regards to traffic impacts. However, that analysis is not required given the data collected from the County's CMP monitoring locations near the Project site. Moreover, the mainline freeway analysis that was prepared for the Project in accordance with the County's CMP indicated that the proposed Project will not have a significant impact to the I-5 Freeway mainline.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact with regards to the County's CMP.

2.10. TRAFFIC -- PUBLIC TRANSIT.

Please refer to DEIR pages 5.10-34 through 5.10-35 for an analysis of the Project's traffic impacts related to public transit.

Potential Effects and Rationale Supporting Finding:

CMP guidelines indicate that no transit trips would ordinarily be generated by the proposed Project on existing transit routes. However, a fixed route bus line is anticipated to be added.

Nevertheless, the transit trips expected to be generated by the proposed Project will not be significant and do not require mitigation.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact on public transit.

2.11. WATER AND WASTE WATER – DISTRIBUTION.

Please refer to DEIR pages 5.11-18 through 5.11-19 for an analysis of the Project's impacts to water distribution.

Potential Effects and Rationale Supporting Finding:

Although the Project will utilize water distribution facilities to serve proposed uses, the on-site water system has been designed to meet the pressure and flow performance criteria of each of the potential water purveyors. Moreover, the Project's water system will meet all the design requirements of each respective purveyor, thereby precluding the possibility of adverse impacts on existing off-site water distribution facilities.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact on water distribution.

2.12. WATER AND WASTE WATER – WATER DEMANDS.

Please refer to DEIR page 5.11-20 for an analysis of the Project's impacts to water demand.

Potential Effects and Rationale Supporting Finding:

Based on projected maximum day and peak-hour water demands for the Project, and upon other water supply analysis used or referred to in the DEIR, adequate water supplies will be available to serve the Project during normal years, single dry years, and multiple dry years.

Finding:

For the foregoing reasons, the Project will have a less-than-significant impact on water demands.

2.13. SHERIFF SERVICES – OPERATIONAL IMPACTS-COUNTY EMERGENCY/EVACUATION PLANS AND INCREASED DEMAND FOR CALIFORNIA HIGHWAY PATROL.

Please refer to DEIR pages 5.14-6 through 5.14-7 for an analysis of the Project's operational impacts related to County emergency response/evacuation plans and increased demand for California Highway Patrol ("CHP") services.

Potential Effects and Rationale Supporting Finding:

The Project's simple circulation system provides alternative evacuation routes for the site. Given these alternative evacuation routes, it is not anticipated that the Project will preclude implementation of an evacuation plan, which will provide for the safe movement of future residents.

Moreover, while at build-out the Project may create an increased demand for CHP services in the area, the DEIR determined that such impacts will remain less than significant.

Finding:

For the foregoing reasons, the Project will have a less-than-significant operational impact related to County emergency response/evacuation plans and to increased demand for CHP services.

2.14. ELECTRICITY – PROJECT-SPECIFIC.

Please refer to DEIR pages 5.16-2 through 5.16-4 for an analysis of Project-specific impacts to electricity.

Potential Effects and Rationale Supporting Finding:

Implementation of the Project will incrementally increase demands on electricity supplies and distribution infrastructure and will potentially have a cumulative impact on the same. Project-related electricity demand will only represent a 0.00095% increase of Southern California Edison's ("SCE") annual power deliveries. Although the Project and related projects will create additional demands on electricity supplies and distribution infrastructure, these demands are well within the service capabilities of SCE.

Finding:

For the foregoing reasons, the Project will have a less-than-significant Project-specific impact on electricity.

2.15. NATURAL GAS – PROJECT-SPECIFIC.

Please refer to DEIR pages 5.17-3 through 5.17-5 for an analysis of Project-specific impacts on natural gas.

Potential Effects and Rationale Supporting Finding:

Project-related natural gas demand is only projected to represent 0.0014 percent of Southern California Gas Company's ("SCGC") annual deliveries. Existing pipelines are adequate to serve the Project's natural gas demands. All on-site natural gas distribution pipelines will be installed to serve proposed uses, at the expense of the applicant. No other improvements related to natural gas are necessary. Although the proposed Project will create additional demands on natural gas supplies and distribution infrastructure, these demands are well within the service capabilities of SCGC.

Finding: For the foregoing reasons, the Project will have a less-than-significant Project-specific impact on natural gas.

2.16. PARKS AND RECREATION - IMPACTS TO REGIONAL PARKS, STATE AND FEDERAL RECREATION AND FORESTS AND LOCAL TRAILS.

Please refer to DEIR pages 5.19-11 through 5.19-12 for an analysis of the Project's impacts upon regional parks, state parks and federal recreation areas and forests, and local trails.

Potential Effects and Rationale Supporting Finding:

The Project proposes a total of 8.25 acres of active and passive park space within 129.5 acres of dedicated open space. It is not expected that the Project residents will, in any appreciable manner, need to use regional parks that are located off-site. It is anticipated that new residents of the Project will use the state and federal recreation areas and forests. In fact, the Lyons Canyon Ranch plan will provide trail linkages to the Santa Monica Mountains Conservancy property located south of the Project site. As such, increased usage will be considered a potentially adverse impact. However, the state and National Forest facilities charge user fees for water sports and overnight camping at the reservoirs and camping areas. Additionally, state and federal taxes, which will be paid by residents and businesses located within the Project site, will be available for maintenance of these facilities.

Finding:

For the foregoing reasons, the Project will have less-than-significant impacts upon regional parks, state parks and federal recreation areas and forests, and local trails.

SECTION 3 - POTENTIAL ENVIRONMENTAL IMPACTS THAT HAVE BEEN MITIGATED TO A LEVEL OF INSIGNIFICANCE.

3.1. GEOLOGY, SOILS AND SEISMICITY - GROUND FAILURE.

Please refer to DEIR pages 5.1-15 through 5.1-16 for an analysis of potential Project impacts related to ground failure.

Potential Effect and Rationale for Finding:

Development associated with the Project could expose people or structures to potential substantial adverse effects from ground failure. These potentially substantial adverse effects are related to the geologic conditions of the Project site, which are potentially subject to soil settlement and collapse, ground lurching, liquefaction, and lateral spreading.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to ground failure to less-than-significant levels because they will help prevent soil settlement and collapse, ground lurching, liquefaction and lateral spreading.

3.1.1. GEO1. All on-site soils that are prone to settlement and collapse in areas proposed for development of structures shall be removed and replaced with engineered fill.

3.1.2. GEO2. If identified during on-site grading by a registered Geotechnical Engineer and/or Geologist, Holocene-age alluvium shall be removed and replaced with engineered fill in areas proposed for development where alluvium directly overlies bedrock, to preclude the possibility of ground lurching.

3.1.3. GEO3. All liquefaction-prone soils identified during on-site grading by a registered Geotechnical Engineer and/or Geologist shall be removed from areas proposed for development and replaced with engineered fill.

Finding:

With regards to impacts related to ground failure, for the foregoing reasons, the Commission adopts Finding 1.

3.2. GEOLOGY, SOILS AND SEISMICITY - LANDSLIDES AND SLOPE STABILITY.

Please refer to DEIR pages 5.1-16 through 5.1-18 for an analysis of potential Project impacts related to landslides and slope stability.

Potential Effects and Rationale for Finding:

Development associated with the Project could expose people or structures to potential substantial adverse effects from landslides or other slope failures. Although the probability of such adverse effects actually occurring is low, it is possible the Project site could experience seismically-induced landslide and rock fall and/or deep landslides and slope failures.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to landslides and slope stability to less-than-significant levels by providing necessary and appropriate set-backs and surface drainage.

3.2.1. GEO4. Setbacks from over-steepened slopes or grading of slopes to a shallower angle, as recommended in the Project's Geotechnical Report, shall be required to minimize rock fall hazards to development along the northern boundary of the Project site.

3.2.2. GEO5. Adequate structural setbacks for homes and commercial sites shall be required, and surface drainage shall be directed away from the toe of the affected steep slopes, in order to prevent landslides or other slope failures in on-site areas susceptible to block- and/or toppling-type failures.

Finding:

With regards to impacts related to landslides and slope stability, for the foregoing reasons, the Commission adopts Finding 1.

3.3. GEOLOGY, SOILS, AND SEISMICITY – SOIL EROSION.

Please refer to DEIR pages 5.1-18 through 5.1-19 for an analysis of potential Project impacts related to soil erosion.

Potential Effects and Rationale for Finding:

Development associated with the Project could result in substantial wind or water soil erosion or the loss of topsoil, either on- or off-site. If it were to occur, this erosion would likely be caused by grading, loss of vegetative cover, construction of cut slopes, run-off from construction of impermeable surfaces and channelization of surface run-off collected from such surfaces and natural drainages.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to soil erosion to less-than-significant levels by providing necessary and appropriate protective cover and surface drainage controls.

3.3.1. GEO6. As soon as grading is completed for each lot, establish a protective vegetative cover in all disturbed areas via planting and/or seeding, then place a temporary protective cover, such as jute netting, mulch, hay or other non-erodible form of ground cover, until a vegetative cover is established.

3.3.2. GEO7. Divert surface drainage from cut-and-fill slopes via brow ditches; collect surface drainage in ditches with relatively shallow gradients; and provide a means to inhibit sediment runoff into natural drainages until a protective vegetative cover effectively mitigates further soil erosion. Place energy-dissipating devices in drainages subject to increased runoff.

3.3.3. GEO8. When grading, attempt to minimize the area of disturbance. A construction staging plan shall accompany the final grading plan and shall clearly delineate the limits of grading and identify any construction staging areas that are located outside of the proposed grading boundary.

Finding:

With regards to impacts related to soil erosion, for the foregoing reasons, the Commission adopts Finding 1.

3.4. GEOLOGY, SOILS AND SEISMICITY – EXPANSIVE SOILS.

Please refer to DEIR pages 5.1-19 through 5.1-20 for an analysis of potential Project impacts related to expansive soils.

Potential Effects and Rationale for Finding:

On-site expansive soils could pose a risk to people and structures associated with the development of the Project.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to expansive soils to less-than-significant levels by using specific foundation designs.

3.4.1. GEO9. Incorporate recommended foundation designs, where applicable, to preclude any adverse effects on proposed structures in areas characterized by expansive soils, including but not limited to, post-tensioned slabs, mat-slabs, or other foundation systems for residential structures.

Finding:

With regards to impacts related to expansive soils, for the foregoing reasons, the Commission adopts Finding 1.

3.5. GEOLOGY, SOILS AND SEISMICITY – PALEONTOLOGICAL RESOURCES.

Please refer to DEIR page 5.1-21 for an analysis of potential Project impacts related to paleontological resources.

Potential Effects and Rationale for Finding:

The Project will move approximately 3.8 million cubic yards of earth, which will be balanced on-site, including cutting and filling of hillside areas and canyon bottoms. Loss of on-site fossil beds, consisting of marine vertebrate and macroinvertebrate fossils will destroy portions of the fossil record. The scientific value of these fossil beds could be lost.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to paleontological resources to less-than-significant levels by protecting and preserving fossil beds, should any be found on-site.

3.5.1. GEO10. Fossil beds impacted by the Project should be excavated by a qualified paleontologist to gather and record which species of vertebrate and macroinvertebrate fauna existed on-site during the Pliocene. The fossil record should be preserved in an appropriate museum, such as the Natural History Museum of Los Angeles County, and the results published for the benefit of the scientific community and general public. (Same as mitigation measure CR6).

Finding:

With regards to impacts related to paleontological resources, for the foregoing reasons, the Commission adopts Finding 1.

3.6. HYDROLOGY AND WATER QUALITY - DRAINAGE.

Please refer to DEIR pages 5.2-17 through 5.2-22 for an analysis of potential Project impacts related to drainage.

Potential Effects and Rationale for Finding:

Development associated with the Project will alter the drainage pattern of the Project site which could result in increased run-off and potential flooding.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to drainage to less-than-significant levels by installing and constructing appropriate and necessary debris and detention basins, culverts, drains, channels and outlets.

3.6.1. HWQ1. Debris/detention basins are planned on the westerly side of the intersection of "A" Street and "F" Street and the northerly side of the intersection of "A" Street and "D" Street. In addition to the debris basins, additional detention basins will be placed in series above each debris basin to prevent the debris basins from becoming jurisdictional dams under the California Division of Safety of Dams. The result of these basins will not only retain the debris that would usually accumulate at the existing double 8-foot by 8-foot box culvert, but they will significantly retard storm water runoff from the Project area.

In addition to these drainage improvements the following items will also be required:

3.6.1.1. The development area adjacent to the double 8-foot by 8-foot culvert shall be raised to reduce the flooding potential. The final elevation shall be determined by the Federal Emergency Management Agency ("**FEMA**") during its review of a Conditional Letter of Map Revision request.

3.6.1.2. In addition, the County shall require the developers to obtain a drainage acceptance letter from the property owner immediately downstream of the double 8-foot by 8-foot culvert (mobile home park) prior to issuance of grading permits.

3.6.1.3. The proposed debris/detention basin shall be cleared/maintained as necessary by the County Department of Public Works Flood Control Division, as appropriate.

3.6.2. HWQ2. Storm drains, culverts, channels and outlets shall be designed per County and FEMA design standards.

3.6.3. HWQ3. Erosion protection (or energy dissipating structures) shall be placed at outlets to natural drainage channels in order to minimize the potential for erosion, subject to approval by the County Department of Public Works Flood Control Division, as appropriate.

Finding:

With regards to impacts related to drainage, for the foregoing reasons, the Commission adopts Finding 1.

3.7. HYDROLOGY AND WATER QUALITY – HYDROLOGY/STORMWATER FLOW RATES.

Please refer to DEIR pages 5.2-23 through 5.2-26 for an analysis of potential Project impacts related to stormwater flow rates.

Potential Effects and Rationale for Finding:

The development associated with the Project could increase storm water flow rates, which could lead to sedimentation and other impacts to surrounding watersheds.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to stormwater flow rates to less-than-significant levels by installing and constructing appropriate and necessary debris and detention basins, culverts, drains, channels and outlets.

3.7.1. Mitigation Measures: See mitigation measures **HWQ1** through **HWQ3**, listed above and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to impacts related to stormwater flow rates, for the foregoing reasons, the Commission adopts Finding 1.

3.8. HYDROLOGY AND WATER QUALITY - FLOODPLAINS.

Please refer to DEIR page 5.2-27 for an analysis of potential Project impacts related to floodplains.

Potential Effects and Rationale for Finding:

The development associated with the Project could place structures in a designated flood hazard zone.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to floodplains to less-than-significant levels by insuring compliance with FEMA and by installing and constructing appropriate and necessary debris and detention basins.

3.8.1. HWQ4. Any construction in the FEMA Zone A shall require a Conditional Letter of Map Revision prior to issuance of grading permits. A Letter of Map Revision shall be required prior to building occupancy.

3.8.2. Other Mitigation Measures: See also, mitigation measure HWQ1, listed above and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to impacts related to floodplains, for the foregoing reasons, the Commission adopts Finding 1.

3.9. HYDROLOGY AND WATER QUALITY – WATER QUALITY.

Please refer to DEIR pages 5.2-28 through 5.2-32 for an analysis of potential Project impacts related to water quality.

Potential Effects and Rationale for Finding:

Development associated with the Project will increase pollutant loads in the local storm drain system and receiving water bodies.

Required Mitigation Measures:

The following required mitigation measures will reduce Project impacts related to water quality to less-than-significant levels by insuring compliance with the State Water Resources Control Board, implementing the County's Best Management Practices, providing necessary education programs and by implementing and including several other programs and facilities.

3.9.1. HWQ5. Project developers shall prepare and submit a Notice of Intent to comply with the Construction General Permit to the State Water Resources Control Board.

3.9.2. HWQ6. Project developers shall prepare a Stormwater Pollution Prevention Plan ("SWPPP") per requirements of the Construction-General National Pollution Discharge Elimination System ("NPDES") Permit.

3.9.3. HWQ7. Project developers shall comply with post-construction Best Management Practice ("BMP") requirements as detailed in the County Standard Urban Stormwater Mitigation Plan ("SUSMP").

3.9.4. HWQ8. Project developers shall construct and maintain all structural stormwater filtration devices as shown on Figure 5.2-5 of the DEIR. The final location of the proposed

structural stormwater filtration systems shall be determined by the County Department of Public Works prior to issuance of building permits.

3.9.5. HWQ9. In order to limit the amount of coliform leaving the site in stormwater runoff, Project developers shall implement public education programs for residents concerning the clean-up of pet waste. Also, pet waste disposal bags and containers shall be provided around parks and other areas of high pet traffic.

3.9.6. HWQ10. The County Department of Public Works shall be responsible for the operation and maintenance of any debris/detention basins on the site, which include:

- Dispersion of alluvial sediment deposition at inlet structures, thus limiting the extended localized ponding of water.
- Periodic sediment removal to ensure adequate storage and treatment volume.
- Monitoring of the basin to ensure it is completely and properly drained.
- Outlet rise cleaning.
- Vegetation management to prevent marsh vegetation from taking hold, and to limit the growth of habitat for disease-carrying fauna.
- Removal of graffiti, litter, vegetative and other debris.
- Preventative maintenance on monitoring equipment.
- Vegetative stabilization of eroding banks.

3.9.7. HWQ11. The County Department of Public Works shall be responsible for the operation and maintenance of any stormwater filters on the site, to include:

- Providing adequate access for inspection and maintenance.
- Removal of accumulated trash, paper and debris.
- Corrective maintenance, including removal and replacement of top layers of media.
- Complete replacement of filter media every 3 to 5 years.
- Periodic removal of vegetative growth.

3.9.8. HWQ12. The County Department of Public Works shall be responsible for the operation and maintenance of any stormwater clarifiers on the site, which include:

- Inspection prior to the beginning of the storm season.
- Regular inspection following storm events.

- Removal of accumulated sediment, trash and debris.

3.9.9. HWQ13. Pesticide applications shall be managed through educational and other source control efforts, including the installation of efficient landscape irrigation systems in common areas and the development of guidance on applying these types of chemicals for contractors maintaining landscape areas. Examples of material which may be used for education may include educational pamphlets currently available through the County and/or other sources (i.e., <http://www.americoceans.org/runoff/epa-bro.htm>). Because of the concerns regarding indicators of human pathogens, education programs shall emphasize animal waste management, such as the importance of cleaning up after pets and not feeding wild animals, such as pigeons, seagulls, ducks and geese. The applicant shall create and distribute these pamphlets to landscape contractors prior to on-site planting.

3.9.10. HWQ14. The applicant shall prepare an herbicide/pesticide program to be utilized by landscaping contractors on commonly-owned landscaped areas. This program shall include requirements to minimize the use of herbicides and pesticides in these landscaped areas and shall be prepared and in place prior to on-site planting.

Finding:

With regards to impacts related to water quality, for the foregoing reasons, the Commission adopts Finding I.

3.10. HAZARDS - HAZARDOUS MATERIALS.

Please refer to DEIR page 5.3-26 for an analysis of potential Project impacts related to hazardous materials.

Potential Effects and Rationale for Finding:

Construction of the Project has the potential to expose people to sources of potential health hazards, as a result of past and future on-site activities. These hazards are identified as Recognized Environmental Conditions (“**RECs**”) in the Phase I ESA and in the DEIR. Hazardous materials will, for the most part, be addressed prior to and during construction, since the Project – as a residential development – does not contemplate routine transportation, use or disposal of hazardous materials.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to hazardous materials to less-than-significant levels by removing such materials, if encountered.

3.10.1. HAZ1. If unknown wastes or suspect materials are discovered during construction by the contractor, which he/she believes may involve hazardous waste/materials, the contractor shall:

- Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area;

- Notify the Project engineer of the implementing agency;
- Secure the areas directed by the Project engineer; and
- Notify the implementing agency's Hazardous Waste/Materials Coordinator.

Finding:

With regards to impacts related to hazardous materials, for the foregoing reasons, the Commission adopts Finding 1.

3.11. HAZARDS - ABANDONED OIL WELLS.

Please refer to DEIR pages 5.3-27 through 5.3-28 for an analysis of potential Project impacts related to abandoned oil wells.

Potential Effects and Rationale for Finding:

Implementation of the Project has the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving explosion or the release of hazardous materials into the environment resulting from existing on-site abandoned oil wells.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to on-site abandoned oil wells to less-than-significant levels by implementing and following California Department of Oil, Gas, and Geothermal Resources ("**DOGGR**") standards.

3.11.1. HAZ2. If deemed appropriate by the Project's geotechnical engineer, the on-site abandoned oil well shall be re-abandoned per current California DOGGR standards prior to issuance of any grading permit.

Finding:

With regards to impacts related to abandoned oil wells, for the foregoing reasons, the Commission adopts Finding 1.

3.12. HAZARDS - DEBRIS PILES.

Please refer to DEIR page 5.3-28 for an analysis of potential Project impacts related to debris piles.

Potential Effects and Rationale for Finding:

Construction and operation of the Project has the potential to expose people to existing sources of potential health hazards resulting from the potential presence of hazardous materials associated with various on-site debris piles. During a 2004 site visit, no evidence was discovered that would indicate the presence of hazardous materials associated with on-site debris. The

mitigation measures discussed below shall be implemented to ensure all debris is properly removed and disposed of at an appropriate facility, and that all potentially impacted soils are sampled and remediated as deemed necessary by affected regulatory agencies.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to on-site debris piles to less-than-significant levels by removing and appropriately disposing of such debris.

3.12.1. HAZ3. All miscellaneous debris shall be removed off-site and properly disposed of at an approved landfill facility prior to issuance of building permits. Once removed, a visual inspection shall be completed by a representative from the County Department of Public Works, of the areas beneath the removed materials. Any stained soils observed underneath the removed materials shall be sampled. Based on the results of the sampling, the applicant's consultant and a representative from the County Department of Public Works shall determine the level of remediation efforts that may be required (if any).

Finding:

With regards to impacts related to on-site debris piles, for the foregoing reasons, the Commission adopts Finding 1.

3.13. HAZARDS - ABOVE-GROUND STORAGE TANKS.

Please refer to DEIR page 5.3-29 for an analysis of potential Project impacts related to above-ground storage tanks.

Potential Effects and Rationale for Finding:

Construction and operation of the Project has the potential to expose people to existing sources of potential health hazards resulting from the potential presence of hazardous materials associated with above-ground storage tanks. There is only one known abandoned aboveground storage tank ("**AST**") located on-site. There is no indication of hazardous materials associated with the on-site AST, however there is a potential for the presence of such materials within and near that tank. As recommended in the Phase I ESA, and included as mitigation below, this tank will be removed prior to construction activities, and visual inspections and sampling (if warranted) will be conducted to determine the need for further remedial action.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to the on-site AST to less than significant levels by removing and properly disposing of that tank.

3.13.1. HAZ4. One 500-gallon abandoned AST was observed atop a hill within the central portion of the Project site. The tank shall be removed and properly disposed of at an appropriate landfill facility prior to issuance of building permits. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining (an indication of contamination

migration into the subsurface). If observed, stained soils shall be tested to identify appropriate remedial activities (if necessary).

Finding:

With regards to impacts related to an on-site AST, for the foregoing reasons, the Commission adopts Finding 1.

3.14. HAZARDS - POWER LINES/TRANSFORMERS.

Please refer to DEIR pages 5.3-29 through 5.3-30 for an analysis of potential Project impacts related to power lines/transformers.

Potential Effects and Rationale for Finding:

Construction and operation of the Project has the potential to expose people to existing sources of potential health hazards resulting from the potential presence of polychlorinated biphenyls (PCBs) associated with on-site transformers. Power lines and transformers are located on-site, and one fallen power line, with associated transformer box, was discovered in the central portion of the Project site. The power line/transformer and underlying concrete slab will be removed and properly disposed of, and surrounding soils will be sampled for PCBs prior to construction activities, as recommended in the Phase I ESA. If necessary, nearby soils will be removed or otherwise remediated to the satisfaction of affected regulatory agencies.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to on-site power lines or transformers to less-than-significant levels by removing and properly disposing of such power lines and transformers.

3.14.1. HAZ5. The fallen power line and transformer shall be removed off-site and properly disposed of at an approved landfill facility prior to issuance of building permits. Additionally, other transformers on-site shall be removed/relocated during site construction/demolition. This removal/relocation shall be conducted under the purview of the local utility to identify proper handling procedures regarding potential PCBs. The concrete on which the power line and transformer fell shall be removed and properly disposed of at an approved landfill facility. Any stained soils observed underneath the concrete shall be sampled. Results of the sampling (if necessary) will indicate the level of remediation efforts that may be required.

Finding:

With regards to impacts related to power lines/transformers, for the foregoing reasons, the Commission adopts Finding 1.

3.15. HAZARDS - CONCRETE STORAGE STRUCTURE.

Please refer to DEIR pages 5.3-30 through 5.3-31 for an analysis of potential Project impacts related to an on-site concrete storage structure.

Potential Effects and Rationale for Finding:

There is a concrete storage structure located on-site which contains various debris and equipment, which have not yet been characterized, and which could contain materials that are considered hazardous. The contents of the structure will be removed and properly disposed of, and the interior surfaces will be inspected for evidence of hazardous materials. If necessary, the concrete structure itself may be removed and properly disposed and, if also necessary, sampling and remediation will be conducted to the extent necessary to reduce the associated health risks from hazardous materials to an acceptable level.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to an on-site concrete storage structure to less-than-significant levels by removing and properly disposing of the contents of that structure.

3.15.1. HAZ6. The contents of the concrete structure shall be removed off-site and properly disposed of at an approved landfill location prior to the issuance of building permits. Once removed, a visual inspection of the area beneath the removed materials shall be performed. Any stained concrete or soil (depending on material) observed underneath the removed materials shall be sampled. Results of the sampling (if necessary) will indicate the level of remediation efforts that may be required. If concrete is present and staining is noted, the concrete shall be removed and disposed of at an appropriate permitted facility. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining (an indication of contamination migration into the subsurface). If observed, stained soils shall be tested to identify appropriate remedial activities (if necessary).

Finding:

With regards to impacts related to an on-site concrete storage structure, for the foregoing reasons, the Commission adopts Finding 1.

3.16. HAZARDS – UNDOCUMENTED PIPES.

Please refer to DEIR pages 5.3-31 through 5.3-32 for an analysis of potential Project impacts related to undocumented pipes.

Potential Effects and Rationale for Finding:

Undocumented pipes at the Project site may have been used for agricultural irrigation purposes, but also may indicate the presence of an underground storage tank (“UST”). If part of an irrigation system, the pipes are not expected to pose any hazardous materials risks and will be removed from the site and disposed of at an appropriate facility. If associated with an

unrecorded or otherwise unknown UST, the removal of the pipes and UST may involve hazardous materials, depending on the contents of the UST. Although the Phase I ESA government records search and on-site investigations concluded that no USTs are currently located within the Project site, if a UST is discovered during subsequent investigations and/or site grading, the recommendations contained in the Phase I ESA will be implemented as appropriate.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to undocumented pipes or a possible on-site UST to less-than-significant levels by investigating such pipes and removing and properly disposing of the UST, if any.

3.16.1. HAZ7. The terminus of all undocumented pipes shall be defined. The primary concern with pipes that extend into the ground surface is the potential for the pipe(s) to act as a ventilation apparatus for an undocumented UST. Should a UST be present, the UST shall be removed and properly disposed of at an approved landfill facility prior to issuance of building permits. Once removed, a visual inspection of the areas beneath and around the removed UST shall be performed. Any stained soils observed underneath the UST shall be sampled. Results of the sampling (if necessary) will indicate the level of remediation efforts that may be required.

Finding:

With regards to impacts related to undocumented pipes, for the foregoing reasons, the Commission adopts Finding 1.

3.17. HAZARDS – WATER WELL.

Please refer to DEIR page 5.3-32 for an analysis of potential Project impacts related to an on-site water well.

Potential Effects and Rationale for Finding:

The water well observed on the Project site is not expected to pose a health risk relative to hazardous materials. It was likely used for irrigation purposes associated with former agricultural operations, and therefore it would have a low potential to have resulted in the presence of substantial hazardous materials concentrations. Nonetheless, as recommended in the Phase I ESA, the well and associated structures and any equipment will be removed and disposed of properly, a visual inspection of the areas beneath the removed materials (if present) will be performed, and soil sampling around the well will be performed, as determined appropriate by a qualified Phase II professional. With implementation of the Phase I ESA recommendations, included as mitigation measures, the water well will pose no hazardous materials risk to residents and workers at the Project site.

Required Mitigation Measures:

The following required mitigation measure will reduce Project impacts related to the on-site water well to less than significant levels by removing and properly abandoning such well.

3.17.1. HAZ8. The on-site water well shall be properly removed and abandoned prior to issuance of a building permit pursuant to the latest procedures required by the County Department of Health Services with closure responsibilities for the wells. Any associated equipment (i.e., piping) shall be removed off-site and properly disposed of at a permitted landfill. A visual inspection of the areas beneath the removed materials (if present) shall be performed. Soil sampling around the well shall be performed, as determined appropriate by a qualified Phase II professional.

Finding:

With regards to impacts related to on-site water well, for the foregoing reasons, the Commission adopts Finding 1.

3.18. HAZARDS – PESTICIDES.

Please refer to DEIR pages 5.3-32 through 5.3-33 for an analysis of potential impacts related to past use of pesticides on the Project site.

Potential Effects and Rationale for Finding:

Implementation of the Project could have the potential to expose people to existing sources of potential health hazards resulting from the potential presence of pesticide residues from past agricultural operations at the site.

Required Mitigation Measures:

The following required mitigation measure will reduce impacts related to possible past use of pesticides on the Project site to less-than-significant levels by performing the proper investigations and, if necessary, remediation.

3.18.1. HAZ9. The Project site was utilized for agricultural purposes in the past and may contain pesticide residues in the soil. Soil sampling shall occur throughout the Project site, especially in areas of past development (as identified within the historical aerial photographs) prior to issuance of building permits. The sampling shall determine if pesticide concentrations exceed established regulatory requirements and shall identify proper handling procedures that may be required.

Finding:

With regards to impacts related to pesticides, for the foregoing reasons, the Commission adopts Finding 1.

3.19. HAZARDS – OFF-SITE PETROLEUM PIPELINE.

Please refer to DEIR pages 5.3-32 through 5.3-33 for an analysis of potential impacts related to an off-site petroleum pipeline.

Potential Effects and Rationale for Finding:

Construction and operation of the Project has the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving explosion or the release of hazardous materials into the environment associated with an off-site petroleum pipeline.

Required Mitigation Measures:

The following required mitigation measures will reduce impacts related to an off-site petroleum pipeline to less-than-significant levels by avoiding any disturbance to the same.

3.19.1. HAZ10. Pipeline operators shall be notified in advance of any grading activity in the vicinity of the off-site oil pipeline. Any specific requirements of the operator to avoid disturbance that could create a safety hazard shall be fully implemented. Possible methods to protect underground utilities include dielectric coating, cathodic protection, mortar coating or encasement in cement slurry or concrete.

3.19.2. HAZ11. Prior to grading in the vicinity of the off-site oil pipeline, the location of the pipeline shall be marked. Underground Service Alert shall be notified 48 hours in advance of grading and shall clear the pipeline location prior to grading activity.

Finding:

With regards to impacts related to an off-site petroleum pipeline, for the foregoing reasons, the Commission adopts Finding 1.

3.20. NOISE – LONG TERM TRAFFIC NOISE IMPACTS.

Please refer to DEIR pages 5.4-13 through 5.4-19 for an analysis of long term traffic noise impacts.

Potential Effects and Rationale for Finding:

Development associated with the Project could result in a permanent increase in traffic-related noise in the Project area. Specifically, residential units planned on the exterior portions of the Project fronting The Old Road, and near the I-5, could be exposed to high noise levels. With regards to off-site uses, Project-related traffic noise increase along roadway segments in the Project vicinity will be mostly small and negligible. With regards to on-site uses, the fire station will act as a partial barrier to noise. Moreover, noise barriers will be required along the property lines or along the perimeter of outdoor active use areas of the residential lots (including the fire station) that are along, and directly exposed to, traffic noise from The Old Road and I-5. If no outdoor active use areas are proposed along the eastern edge of these frontline dwelling units or the fire station, no sound walls will be required along the eastern property boundary to attenuate traffic noise. Balconies or decks proposed on the second story of these units are prohibited on the eastern side of single-family dwelling units within Lots 79-90, the fire station, and the attached senior housing units, because they will be directly exposed to The Old Road and I-5 traffic noise. Balconies or decks on Lots 79-90 and the senior housing units are allowed on the side of the building facing away from the street, and on any lots outside of the 65 dBA CNEL impact zone.

With regards to interior noise, facade enhancements, such as double-paned windows with sound transmission class (STC) ratings higher than standard building construction provides, will be required to achieve the 45 dBA CNEL interior noise standard for those units along the far eastern edge of the Project site, Lots 79-83, the fire station and the attached senior housing units.

Required Mitigation Measures:

The following required mitigation measures will reduce long-term noise impacts related to traffic to less-than-significant levels by providing necessary and appropriate sound barriers and by implementing specific designs and using specific materials that will reduce the same.

3.20.1. N3. A sound barrier, with a minimum wall height of six feet, is required for ground-floor frontline outdoor active use areas on the following lots: Lots 79 through 81 and Lots 83-86. Frontline second story balconies or decks are prohibited.

3.20.2. N4. A sound barrier, with a minimum wall height of seven feet, is required for ground-floor frontline outdoor active use areas on Lot 82. Frontline second-story balconies or decks are prohibited.

3.20.3. N5. A sound barrier, with a minimum wall height of five feet, is required for ground-floor frontline outdoor active use areas on the following lots: Lot 87-90. Frontline second-story balconies are prohibited.

3.20.4. N6. Balconies or decks shall be prohibited on walls with direct second story (or higher) exposure for Lots 79 through 90, the fire station or the attached senior housing, which are directly exposed to traffic noise from The Old Road and I-5. Balconies or decks on the side of the building facing away from the street or outside of the 65 dBA CNEL impact zone shall not require sound wall protection and thus are allowed.

3.20.5. N7. Mechanical ventilation, such as an air-conditioning system, for all units in the senior housing lot and the fire station.

3.20.6. N8. Windows with a minimum STC-30 rating are required for bedrooms exposed to I-5 traffic on Lots 79-84, except for Lot 82, where windows with a minimum STC-32 rating are recommended for bedrooms exposed to I-5 traffic.

3.20.7. N9. Windows with a minimum STC-34 rating are required for sleeping quarters associated with the proposed fire station.

Finding:

With regards to impacts related to long-term traffic noise impacts, for the foregoing reasons, the Commission adopts Finding 1.

3.21. AIR QUALITY – OPERATIONAL.

Please refer to DEIR pages 5.5-19 through 5.5-20 for an analysis of operational air quality impacts related to the Project.

Potential Effects and Rationale for Finding:

With regards to area sources emissions, the Project will result in stationary source emissions from natural gas usage and consumer products. The emissions associated with area sources will be small when compared to mobile source emissions.

With regards to mobile sources emissions, the Project is estimated to generate 1,261 vehicular trips per day. Total Project-related emissions for CO, ROC, and NO_x will be less than the South Coast Air Quality Management District's ("SCAQMD") daily emissions thresholds. Therefore, no significant regional air quality impacts will occur as a result of operation of the proposed Project.

Required Mitigation Measures:

The following required mitigation measures will reduce operational air quality impacts to less-than-significant levels by implementing and using more energy-efficient materials and designs.

3.21.1. AQ5 Future on-site buildings shall incorporate design principles of the Energy Star program and/or Leadership in Energy and Environmental Design (LEED) program, and associated energy-saving features, including energy-efficient heating and cooling systems, tight construction and ducts, improved insulation, high-performance windows and built-in energy efficient appliances.

3.21.2. AQ6 All public and private parking areas (i.e. recreational facilities, trailhead parking, senior housing parking) shall be planted with trees to ensure shading and prevent heat buildup.

Finding:

With regards to air quality impacts related to the Project's operation, for the foregoing reasons, the Commission adopts Finding 1.

3.22. AIR QUALITY – ODORS.

Please refer to DEIR page 5.5-24 for an analysis of impacts related to objectionable odors resulting from the Project.

Potential Effects and Rationale for Finding:

Development associated with the Project will create objectionable odors that could adversely affect people in the vicinity of the Project site. Specifically, construction will involve operation of diesel-powered equipment and application of paint and other architectural coatings, which create odorous emissions. However, construction-related odors will be temporary in nature, as they will only occur during the construction period, and will be adequately minimized through implementation of all applicable mitigation measures (below).

The proposed residential uses on the Project site, once constructed, are not anticipated to generate objectionable odors that will be noticeable to surrounding uses. Residential uses typically do not generate objectionable odors. Nonetheless, all such uses will be required to

comply with SCAQMD Rule 402, Nuisance, which will preclude the possibility of impacts to surrounding uses resulting from nuisance odor.

Required Mitigation Measures:

The following required mitigation measures will reduce impacts related to objectionable odors to less-than-significant levels by implementing certain standards that minimize construction-related emissions and by using low emission-producing materials.

3.22.1. Mitigation Measures: See mitigation measures AQ1 through AQ4, discussed below in Section 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to impacts related to objectionable odors, for the foregoing reasons, the Commission adopts Finding 1.

3.23. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO SPECIAL STATUS PLANT SPECIES OBSERVED ON-SITE.

Please refer to DEIR pages 5.6-90 through 5.6-104 for an analysis of direct impacts to special status plant species observed on-site related to the Project.

Potential Effects and Rationale for Finding:

No federal or state listed plant species were observed on the Project site; however, 27 special-status plant species have the potential to occur in the vicinity of the Project site. Of these 27 special-status plant species, only 7 were actually observed on-site. Those 7 species are *Ambrosia confertiflora* (Weakleaf Burweed); *Calochortus clavatus var. gracilis* (Slender Mariposa Lily); *Calochortus plummerae* (Plummer's Mariposa Lily); *Calystegia peirsonii* (Peirson's Morning-glory); *Ericameria ericoides ssp. ericoides* (Mock Heather); *Juglans californica var. californica* (Southern California Black Walnut); and *Navarretia hamata ssp. hamata* (Skunk Navarretia). Development associated with the Project could potentially have significant direct impacts on these 7 special status plant species observed on-site. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce direct impacts to special status plant species to less than significant levels by conducting necessary and appropriate surveys, preserving habitat, implementing preserve maintenance programs and by relocating, transplanting and propagating such species.

3.23.1. BIO1 Supplemental Surveys. Prior to site disturbance activities associated with the proposed project, supplemental seasonal field surveys for *Ambrosia confertiflora*, and any other special-status plant species, should be conducted to clearly determine and to mark off the exact

locations and numbers of plants onsite in the development footprint as well as those to be preserved. Surveys should be conducted in the spring prior to construction to flag locations of special-status plants within and immediately adjacent to the project site. As many seeds as possible of populations within the grading areas shall be salvaged and planted in preserve areas. Rancho Santa Ana Botanic Garden would be an appropriate facility to conduct the salvage, storage, and ongoing propagation of these special-status plant species.

Avoidance and Protection. Areas with *Ambrosia confertiflora*, and other special-status plant species, outside of the development footprint shall be avoided and preserved in perpetuity through an appropriate recordable legal instrument. The legal document shall be recorded prior to issuance of a grading permit. A qualified botanist shall survey for, and appropriately mark, all populations of special-status plant species at Lyons Canyon Ranch that are to be avoided and preserved. Where avoidance and protection is not possible, mitigation shall be accomplished through seed planting.

Seed Collection and Propagation. A seasonal survey shall be conducted in suitable habitat after the flowering season and shall be obtained from the native trees, shrubs, herbs, and grasses cleared from the project site during construction activities. The survey shall be conducted by a qualified botanist familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned, and stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery experienced with propagating special-status plant species and grown out to 1-gallon container size. The best time to sow seed is in the fall in conjunction with the onset of rain. These plants shall be planted in suitable preserved habitat onsite at a ratio of 10 plants for every 1 plant impacted by the project. The propagated plants shall be maintained and monitored for a period of five (5) years after initial planting, with annual reports submitted to the County.

Determine Final Mitigation Sites. A site analysis plan must be conducted to determine potential planting areas and to identify the most appropriate mitigation site(s) acceptable to the Los Angeles County Department of Regional Planning, which should be conducted prior to seed collection. A detailed mitigation plan shall be prepared and submitted to the appropriate agency(ies) for review prior to implementation. The plan must be prepared by a qualified botanist as determined by Los Angeles County Director of Planning. Potential mitigation areas for special-status plant species onsite are shown above on Exhibit 5.6-21, Potential Special-Status Plant Species Mitigation Areas. The estimated mitigation area available for relocation and plantings of *Ambrosia confertiflora* and other special-status plant species is approximately 5.58 acres.

Prepare Detailed Mitigation Plan. Following seed collection, special-status species plantings shall be planted into suitable mitigation sites in the undeveloped portions of the project site, or in an adjacent undeveloped acreage that shall be preserved in perpetuity. A qualified botanist shall be selected by the applicant that is acceptable to the County to prepare and implement a detailed mitigation plan, which shall include the following requirements:

- Following collection, seeds shall be stored by a qualified nursery, or by an institution with appropriate storage facilities. Then, the upper 12 inches of topsoil

from the special-status plant species locations shall be scraped, stockpiled, and re-spread at the selected mitigation site(s).

- The mitigation site(s) shall be located in dedicated open space on the project site, or at an appropriate offsite location acceptable to the County. The site shall be selected based on the species habitat requirements and to promote growth of the individual plantings and the population as a whole.
- The mitigation site(s) shall be prepared for seeding and plantings as described in a detailed restoration plan.
- The topsoil shall be re-spread in the selected location as approved by the project biologist. Approximately sixty percent (60%) of the seeds shall be planted in the site during the fall, following soil preparation. Forty percent (40%) of the seeds shall be kept in storage by a qualified nursery for subsequent seeding, if necessary.
- A detailed maintenance and monitoring plan for the mitigation site shall be developed by a qualified botanist prior to issuance of the grading permit. The plan shall include descriptions of maintenance activities appropriate for the site, monitoring requirements, and annual reporting requirements. The project botanist shall have the full authority to suspend any operation on the project site that is directly impacting special-status plants outside the approved development footprint, and to suspend any activity related to the special-status plants that is not consistent with the restoration plan. Any dispute regarding the consistency of an action with the restoration plan shall be resolved by the applicant and the County of Los Angeles Department of Regional Planning.
- The performance criteria developed in the maintenance and monitoring plan shall include requirements for a minimum of 60 percent germination of the amount of plant material collected and transferred to the mitigation site. This assumes that there will be a 40 percent mortality of the seed plantings. The performance criteria should also include percent cover created by the established plants, density, and seed production requirements, and shall be developed by the project botanist following habitat analysis of other existing high-quality special-status species habitat. Performance monitoring shall be conducted by a qualified botanist.
- If the seed germination goal of 60 percent is not achieved following the first season, remediation measures shall be implemented prior to planting with the remaining 40 percent of collected seeds. Remedial measures shall include at a minimum: soil testing and amendments, control of invasive species, and physical disturbance of the planted areas by raking (or similar actions) to provide scarification of the seed.
- Potential seed sources from donor sites shall also be identified in case it becomes necessary to collect additional seeds for use on the site, following performance of

remedial measures. The contractor shall provide a list of any materials that must be obtained from other than onsite sources prior to planting. Unacceptable plant material will be rejected, at the contractor's expense, by restoration specialists.

- Site shall be maintained and monitored for five years to ensure that the newly created special-status species populations are self-sustaining, with annual reports submitted to the County.

3.23.2. BIO2. Implement Conditions of Approval Related to Preserve Maintenance. The Project shall provide for the establishment of a Home Owners' Association ("**HOA**") and the preparation of Conditions, Covenants, and Restrictions ("**CC&Rs**") prior to the recordation of the final tract map as a condition of Project approval. The HOA shall be governed by CC&Rs that describe all aspects of property maintenance of common area preserves and biological resource mitigation areas under control of the HOA. The HOA shall be fully funded, pursuant to, and consistent with, the recorded CC&Rs.

The HOA shall be responsible to maintain all common areas consistent with the applicable mitigation measures and conditions of approval adopted by the County. The applicable mitigation measures and conditions of approval that fall under the responsibility of the HOA shall be explicitly specified in the CC&Rs, and shall be verified by the County prior to recordation of the final tract map.

Prior to undertaking any activities within preserve areas, the HOA shall retain the services of a wildlands ecologist acceptable to the DRP and familiar with plants and wildlife native to the Santa Clarita region to provide review and approve of the specific activities in preserve parcels. The ecologist shall also oversee HOA maintenance staff, when performing the following maintenance, to ensure compliance with biological mitigation measures applicable to the Project site:

- Fuel modification within common areas;
- Maintenance of privately owned wetlands restoration areas;
- Maintenance of common areas designated as preserves or mitigation areas; and
- Maintenance of privately owned trails.

Said landscape architect and/or HOA shall not be responsible for maintenance or oversight of activities within lands dedicated to the County or any other agency. The HOA shall enforce the CC&Rs at all times through the terms outlined in the recorded CC&Rs.

3.23.3. BIO3. Supplemental Surveys. Prior to site disturbance activities associated with the Project, supplemental seasonal field surveys for *Calochortus plummerae* and *Calochortus clavatus* shall be conducted to clearly determine and to mark off the exact locations and numbers of plants on-site in the development footprint as well as those to be preserved. Surveys shall be conducted in the spring prior to construction to flag locations of *Calochortus* within and immediately adjacent to the Project site. All bulbs and seeds of populations within the grading areas shall be salvaged, translocated, and subsequently planted in preserve areas. Rancho Santa

Ana Botanic Garden would be an appropriate and County-acceptable facility to conduct the translocation, storage and ongoing propagation of these species.

Avoidance and Protection. Areas with *Calochortus* outside of the development footprint shall be avoided and preserved in perpetuity through an appropriate recordable legal instrument. The legal document shall be recorded prior to issuance of a grading permit. A qualified botanist shall survey for, and appropriately mark, all populations of *Calochortus* at Lyons Canyon Ranch that are to be avoided and preserved. Where avoidance and protection is not possible, mitigation shall be accomplished through seed collection, bulb translocation and subsequent planting.

Bulb Translocation. A pre-construction survey during the peak flowering period, approximately March through June, shall be conducted by a qualified botanist, acceptable to the DRP, in the areas of the Project site that will be disturbed, and all individual *Calochortus* plants shall be marked for subsequent relocation. Each impacted *Calochortus* bulb shall be clearly delineated with pin flags for collection by a qualified collector. Bulbs shall be collected after the flowering period when the plants are dormant. Where high lily concentrations exist on-site, the first ten inches or more of topsoil shall be moved in large blocks to the selected re-vegetation site. The salvaged bulbs or bulb-containing topsoil shall be translocated to an appropriate site(s) acceptable to the DRP within the preserved portions of the Project site.

Seed Collection and Propagation. *Calochortus* are typically grown from seed for mitigation purposes (Carol Bornstein, pers. comm. 30 January 2006). A seasonal survey prior to grading shall be conducted in suitable habitat during and after the flowering season to collect seeds. The survey shall be conducted by a qualified botanist acceptable to the DRP and familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned, stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery experienced with propagating *Calochortus* species and grown out to 1-gallon container size. The best time to sow seed is in the fall in conjunction with the onset of rain. *Calochortus* usually takes at least 3 years to achieve flowering size, depending upon the species (Carol Bornstein, pers. comm. 30 January 2006). These plants shall be planted in suitable preserved habitat on-site and acceptable to the DRP at a ratio of 10 plants for every 1 plant impacted by the Project. The propagated plants shall be maintained and monitored for a period of 5 years after initial planting, with annual reports submitted to the County.

Determine Final Mitigation Sites. A site analysis plan must be conducted prior to bulb collection to determine potential planting areas and to identify the most appropriate mitigation site(s) acceptable to the DRP. A detailed mitigation plan shall be prepared and submitted to the DRP for review prior to implementation. The plan must be prepared by a qualified botanist as determined by the County Director of Planning. Potential mitigation areas for *Calochortus* species on-site are shown on Exhibit 5.6-21 to the DEIR, Potential Special-status Plant Species Mitigation Areas. The estimated mitigation area available for relocation and plantings of *Calochortus* is approximately 28.53 acres.

Prepare Detailed Mitigation Plan. Following seed and bulb collection, the *Calochortus* shall be relocated into a suitable mitigation site in the undeveloped portion of the Project site, or in adjacent undeveloped acreage that shall be preserved in perpetuity. A qualified botanist shall be

selected by the applicant that is acceptable to the County to prepare and implement a detailed mitigation plan, which shall include the following requirements:

- Following collection, seeds and bulbs shall be stored by a qualified nursery, or by an institution with appropriate storage facilities. Then, the upper 12 inches of topsoil from the *Calochortus* locations shall be scraped, stockpiled and re-spread at the selected mitigation site(s).
- The mitigation site(s) shall be located in dedicated open space on the Project site, or at an appropriate offsite location acceptable to the County. The site shall be selected based on the species habitat requirements and to promote growth of the individual plantings and the population as a whole.
- The mitigation site(s) shall be prepared for seeding and bulb planting as described in a detailed restoration plan.
- The topsoil shall be re-spread in the selected location as approved by the Project biologist. Approximately 60 percent of the seeds and bulbs shall be planted in the site during the fall, following soil preparation. 40 percent of the seeds and bulbs shall be kept in storage by a qualified nursery for subsequent seeding, if necessary.
- A detailed maintenance and monitoring plan for the mitigation site shall be developed by a qualified botanist prior to issuance of the grading permit. The plan shall include descriptions of maintenance activities appropriate for the site, monitoring requirements, and annual reporting requirements. The Project botanist shall have the full authority to suspend any operation on the Project site that is directly impacting *Calochortus* plants outside the approved development footprint, and to suspend any activity related to the *Calochortus* plants that is not consistent with the restoration plan. Any dispute regarding the consistency of an action with the restoration plan shall be resolved by the applicant and the DRP.
- The performance criteria developed in the maintenance and monitoring plan shall include requirements for a minimum of 60 percent germination and transplantation of the amount of plant material collected and transferred to the mitigation site. This assumes that there will be a 40 percent mortality of the bulbs and seed plantings. The performance criteria should also include percent cover created by the established plants, density and seed production requirements, and shall be developed by the Project botanist following habitat analysis of an existing high-quality lily habitat. Performance monitoring shall be conducted by a qualified botanist.
- If the seed germination and bulb sprouting goal of 60 percent is not achieved following the first season, remediation measures shall be implemented prior to planting with the remaining 40 percent of collected seeds and bulbs. Remedial measures shall include at a minimum: soil testing and amendments, control of

invasive species and physical disturbance of the planted areas by raking (or similar actions) to provide scarification of the seed.

- Potential seed sources from backup donor sites shall also be identified in case it becomes necessary to collect additional seeds for use on the site, following performance of remedial measures.
- The site shall be maintained for 5 years to ensure *Calochortus* populations are self-sustaining.

3.23.4. BIO4. Plant *Juglans californica* var. *californica* On-site. To mitigate for the loss of 0.50 acre of *Juglans californica* Alliance, including the loss of approximately 10 individual Southern California Black Walnut trees, plant locally indigenous seeds (walnuts) of *Juglans californica* var. *californica* in a designated mitigation site. *Juglans californica* var. *californica* fruit (walnuts) shall be collected from locally indigenous (on-site) sources. Seeds shall be gathered when ripe and transferred to a native plant nursery experienced with propagating *Juglans californica* for seed storage and subsequent propagation. Seedlings shall be grown out to 1-gallon container size, preferably in liners rather than 1-gallon pots. Seeds are a viable source for mitigation and will be utilized for some replacement. However, nursery-grown plantings should have higher success. These plants shall be planted in suitable preserved habitat found on-site at a ratio of 10 plants for every 1 plant impacted by the Project. Since approximately 10 individuals of this species will be impacted from the Project, at least 100 trees will be required to mitigate for this species. The seedlings should be monitored and irrigated on a regular basis to ensure survival. *Juglans californica* can also be grown from mature stem cuttings and sprouted in a greenhouse. Rooted cuttings can then be planted at the mitigation site(s). Planting should occur on one or more of the preserve areas on-site on a north-facing slope adjacent to Coast Live Oak Woodland areas. With proper maintenance and monitoring, the impacts should be fully mitigable. No sensitive habitat shall be impacted during *Juglans* mitigation efforts. The planted plants shall be maintained and monitored for a period of 5 years after initial planting, with annual reports submitted to the County.

Potential *Juglans californica* var. *californica* mitigation areas on-site are shown in Exhibit 5.6-21 of the DEIR, Potential Special-status Plant Species Mitigation Areas. The estimated mitigation area available for plantings of *Juglans californica* var. *californica* is approximately 6.96 acres.

Finding:

With regards to direct impacts to special status plant species observed on-site, for the foregoing reasons, the Commission adopts Finding 1.

3.24. BIOLOGICAL RESOURCES - INDIRECT IMPACTS TO SPECIAL STATUS PLANT SPECIES.

Please refer to DEIR pages 5.6-104 through 5.6-107 for an analysis of indirect impacts to special status plant species observed on-site related to the Project.

Potential Effects and Rationale for Finding:

Indirect impacts to special-status plant species occurring on-site include (i) increased dust resulting from grading activities and increased urban pollutants, which will disturb soils and cause accumulation of dust on the surface of the leaves of trees, shrubs and herbs, thereby interrupting the plants' respiratory functions; and (ii) changes in water quality and water velocity resulting from urban runoff from the proposed development site, which could potentially adversely affect these plant species; and (iii) the introduction of invasive plant species. With implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce indirect impacts to special status plant species to less-than-significant levels by (i) complying with grading permit requirements; (ii) implementing conditions of approval for, and requiring County approval on all landscaping; (iii) by implementing certain standards that minimize construction-related emissions; and (iv) using low emission-producing materials.

3.24.1. BIO6. Apply for 401 Certification. Prior to the issuance of a grading permit, the applicant shall obtain coverage under the California Regional Water Quality Control Board's general permit for storm water discharge associated with construction activity and shall comply with all the provisions of the permit, including the development of a storm water pollution prevention plan, which includes provisions for the implementation of best management practices and erosion control measures. Best management practices shall include both structural and non-structural measures.

3.24.2. BIO7. Implement Conditions of Approval Related to Landscaping. The Project shall provide for the establishment of the HOA and the preparation of CC&Rs prior to the recordation of the final tract map as a condition of Project approval. The HOA shall be governed by CC&Rs that describe all aspects of property maintenance of common area landscape, and the overall regulation of aesthetics for the property grounds and buildings. The HOA shall be fully funded, pursuant to, and consistent with, the recorded CC&Rs.

The HOA shall be responsible for maintaining all common areas that are routinely maintained, consistent with the applicable mitigation measures and conditions of approval adopted by the County. The applicable mitigation measures and conditions of approval that fall under the responsibility of the HOA shall be explicitly specified in the CC&Rs, and shall be verified by the County prior to recordation of the final tract map.

Prior to landscaping installation, the HOA shall retain the services of a licensed landscape architect acceptable to the DRP and familiar with plants native to the Santa Clarita region to provide review and approval of the landscaping of individual parcels consistent with the plant list approved by the County Biologist. The landscape architect shall also oversee HOA maintenance staff, when performing the following maintenance, to ensure compliance with biological mitigation measures applicable to the Project site:

- Fuel modification within common areas;

- Maintenance of street or roadway landscaping;
- Maintenance of parks;
- Maintenance of landscaped common areas; and
- Maintenance of roadway landscaping.

The landscape architect and/or HOA shall not be responsible for maintenance or oversight of activities within lands dedicated in fee title to the County or any other agency. The HOA shall enforce the CC&Rs at all times through the terms outlined in the recorded CC&Rs.

3.24.3. BIO8. Submit Project Landscape Design for County Approval. Project landscape design shall be submitted by a qualified botanist to the County Biologist for review and approval. The review shall ensure that no invasive, exotic plant species such as those listed in the CNPS and California Invasive Plant Council 1999 List (CalIPPC 1999) and subsequent (draft) list for 2005 are used in any proposed landscaping, and that suitable substitutes are proposed. Only locally indigenous native species shall be used in landscaping along a boundary bordering open space/significant environmental area ("**SEA**"). Native plants used shall include coastal sage scrub, chaparral and woodland species that currently occur on the Project site.

3.24.4. BIO9 Comply with CC&R Landscape Plan Review. The CC&Rs shall prohibit planting any invasive exotic species listed by either CNPS or CalIPPC. Homeowner landscaping plans shall be submitted to the DRP for review and approval consistent with this requirement as described in the CC&Rs. The review shall ensure that no invasive exotic plant species are planted on-site in order to reduce the chance of inadvertent introductions or escapes of invasive exotic species into native habitats, including bordering open space areas and SEAs.

3.24.5. Additional Mitigation Measures. Implementing mitigation measures **AQ1** through **AQ4** (mitigation measures for dust control) will also help mitigate this potentially significant impact to a less-than-significant level. Mitigation measures **AQ1** through **AQ4** are discussed below in Section 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to indirect impacts to special status plant species observed on-site, for the foregoing reasons, the Commission adopts Finding 1.

3.25. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO GENERAL WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-107 through 5.6-111 for an analysis of Project-specific impacts to general wildlife species related to the Project.

Potential Effects and Rationale for Finding:

Project-specific impacts to general wildlife species include loss of and disturbance to (i) aquatic/semi-aquatic wildlife; (ii) amphibian wildlife, (iii) reptile wildlife; and (iv) mammal wildlife during construction; and loss of and disturbance to breeding and nesting birds during construction. The degree of these impacts is dependent on the use of heavy equipment and temporary and long-term streambed alteration on the Project site, disturbance of habitat as a result of timing of construction, temporary loss of foraging and cover habitat and temporary reductions in food sources. With the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce Project-specific impacts to general wildlife species to less-than-significant levels by implementing appropriate and necessary BMPs, by locating and, if necessary, relocating such species and by complying with the Migratory Bird Act.

3.25.1. BIO10 Implement BMPs. In order to minimize impacts to aquatic (riparian) habitat and aquatic wildlife due to alteration of the riparian habitat on-site, the construction activities shall be conducted during times of no active channel flows (during the dry season, generally June through October). However, if construction must be conducted while active flows are present within the riparian system, the following measures shall be implemented to minimize impacts:

- Equipment contact with the active channel should be avoided, and equipment should enter the active channel only within the permitted and demarcated areas;
- Flows should be diverted from the work area prior to initiating work;
- Sedimentation barriers should be installed downstream of any work areas within the active channel and should be maintained frequently to ensure they are working properly;
- Exposed groundwater should be allowed to settle behind a downstream diversion berm prior to discharge to the primary flow channel;
- Turbidity levels should be monitored and minimized to levels consistent with the Project's regional water quality control board General Permit for storm water discharge requirements (no greater than a 20 percent increase in turbidity downstream of the work areas); and
- All foreign materials and litter should be removed from the channel, including but not limited to trash, concrete, metal, fencing, rebar, Styrofoam, plastic and any dumped materials.

3.25.2. BIO11. Pre-construction Surveys and Relocation. Prior to grading or site-clearing activities, a qualified biologist acceptable to the DRP shall survey the construction areas of the site to determine if wildlife species are foraging, frequenting or nesting on or adjacent to the

construction areas. If any wildlife species are observed foraging, frequenting or nesting during construction activities, the wildlife biologist shall allow the wildlife species to escape or shall relocate the wildlife species to a preserved area with similar required habitat.

3.25.3. BIO12. Comply with Migratory Bird Treaty Act. To avoid violating the Migratory Bird Treaty Act or Fish and Game Code §3503, a qualified ornithologist shall survey the construction site(s) 2 weeks prior to initiation of site disturbance to identify any nests of birds that will be directly or indirectly affected by the construction activities. Bird nesting typically occurs from February through August. Some bird species nest outside this period. To protect any active nest sites, the following restrictions on construction are required between February and August (or until nests are no longer active as determined by a qualified biologist). Clearing limits shall be established a minimum of 300 feet in any direction from any occupied nest (or as otherwise deemed appropriate by the monitoring biologist). Access and land surveying shall not be allowed within 100 feet of any occupied nest (or as otherwise deemed appropriate by the monitoring biologist). On-site nests shall be avoided until vacated. Any encroachment into the 300/100-foot buffer area around the known nest shall only be allowed if it is determined by a qualified biologist that the proposed activity will not disturb the nest occupants. Construction during the non-nesting season shall occur at the site(s) only if a qualified biologist has determined that fledglings have left the nest. Occupied nests adjacent to the construction site(s) may need to be avoided for short durations to ensure nesting success. Any nest permanently vacated for the season need not be protected.

3.25.4. Additional Mitigation Measures. Implementing mitigation measure **BIO6** will also help mitigate these potentially significant impacts to less-than-significant levels. Mitigation measure **BIO6** is discussed below in Section 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to Project-specific impacts to general wildlife species, for the foregoing reasons, the Commission adopts Finding 1.

3.26. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO NESTS OF SPECIAL STATUS WILDLIFE SPECIES OBSERVED ON-SITE OR IMMEDIATELY ADJACENT TO THE PROJECT SITE.

Please refer to DEIR pages 5.6-111 through 5.6-118 for an analysis of direct impacts to nests of special status wildlife species observed on-site or immediately adjacent to the Project site.

Potential Effects and Rationale for Finding:

Special status wildlife species observed on-site or immediately adjacent to the Project site include Cooper's Hawk (*Accipiter cooperii*); Barn Owl (*Tyto alba*); Oak Titmouse (*Baeolophus inornatus*); Nuttall's Woodpecker (*Picoides nuttallii*); and the San Diego Desert Woodrat (*Neotoma lepida intermedia*). Potential direct impacts to special status wildlife species observed on-site or immediately adjacent to the Project site include (i) impacts to active nests of such species; (ii) impacts resulting in or related to habitat loss; and (iii) cumulative impacts to such species. There are several impacts to special status wildlife species that have been observed on-

site, or immediately adjacent to the Project site. However, it is important to note that the only impacts to special status wildlife species observed on-site, or immediately adjacent to the Project site, which are capable of mitigation to a less-than-significant level are those associated with the active nests. Impacts resulting in or related to habitat loss and cumulative impacts to such species will remain significant and unavoidable and, as a result, are discussed in Section 4, below. However, with the implementation of the recommended mitigation measures (described below), direct impacts to nests of special status wildlife species observed on-site, or immediately adjacent to the Project site, will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce direct impacts to nests of special status wildlife species observed on-site, or immediately adjacent to the Project site, to less-than-significant levels by performing necessary and appropriate surveys; by avoiding disturbance to sensitive areas; by maintaining buffers; by avoiding contact with such species; and by replacing or compensating habitats of such species.

3.26.1. BIO13. Preconstruction Surveys and Fencing off Sensitive Areas. Prior to grading or site-clearing activities, a qualified biologist acceptable to the DRP shall survey the construction areas of the site to determine if any special-status wildlife species are foraging, frequenting or nesting on or adjacent to the construction areas. If any special-status wildlife species are observed foraging, frequenting or nesting during construction activities, the area in which the special-status species was observed should be flagged or fenced off to protect the wildlife species. In addition, the equipment operators shall be informed of the species' presence and provided with pictures in order to help avoid impacts to this species to the maximum extent possible. As part of the environmental training, contractors and heavy equipment operators shall be provided with photographs of expected special-status wildlife species to identify them, and to avoid harming them during construction.

3.26.2. BIO14. Survey for Nests and Nesting Activity. 30 days prior to the onset of construction activities, a qualified biologist acceptable to the DRP shall survey within the limits of Project disturbance for the presence of any active raptor and bird nests. Any nest found during survey efforts shall be mapped on the construction plans and marked on the ground. If no active nests are found, no further mitigation is required. Results of the surveys shall be provided to the California Department of Fish and Game ("**CDFG**"). If nesting activity is present at any raptor nest site, the active nest site -- whether on-site or at nearby off-site locations -- shall be protected by maintaining a 100 to 300 foot buffer area away from construction activities, until nesting activity has ended, to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for bird species in the region of the Project site normally occurs from February through August.

3.26.3. BIO15. Avoid Contact or Harm to Special-status Species. To avoid impacts to all special-status wildlife species observed on-site, equipment operators shall avoid contact with or harm to any special-status species and any of their sources of cover (e.g. nest, midden, burrow). If a special-status wildlife species is encountered during construction activities, it shall be allowed to escape any danger that may result from construction work, and the on-site biological

monitor shall be notified in order to implement all measures necessary to protect the sensitive species.

3.26.4. BIO16. Replace Required Habitat of Observed Special-status Species. Existing habitat, required by observed or likely special-status wildlife species, shall be replaced, or compensated for, after all development activities have been completed, as provided in mitigation measures **BIO1**; **BIO2**; **BIO4**; and **BIO24** through **BIO35**, which are provided in this Section 3 and below in Section 4. Compensation for lost habitat on-site shall be accomplished at least in part through improving habitat conditions of preserved on-site habitats, such as through removal of invasive exotic plant species and replacing them with indigenous native species. A residual less-than-significant impact will remain, since there will be a reduction of the total net area of habitat available on-site.

3.26.5. Additional Mitigation Measures. Implementing mitigation measures **BIO11** and **BIO12** will also help mitigate these potentially significant impacts to less-than-significant levels. Mitigation measures **BIO11** and **BIO12** are discussed in this Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to direct impacts to nests of special status wildlife species observed on-site or immediately adjacent to the Project site, for the foregoing reasons, the Commission adopts Finding 1.

3.27. BIOLOGICAL RESOURCES - INDIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-125 through 5.6-130 for an analysis of indirect impacts to special-status wildlife species related to the Project.

Potential Effects and Rationale for Finding:

Potentially significant indirect impacts to special-status wildlife species include (i) noise impacts related to the Project's construction; (ii) impacts related to human activity; and (iii) lighting impacts resulting from the Project's operation. It is important to note, as discussed in Section 2, above, that some less-than-significant indirect impacts to special-status wildlife species will remain.

Required Mitigation Measures:

The following required mitigation measures will reduce indirect impacts to special-status wildlife species to less-than-significant levels by (i) installing protective perimeter fencing; (ii) using designs and materials that will reduce light impacts to such species; and (iii) implementing construction techniques and guidelines which minimize noise impacts.

3.27.1. BIO21. Install Perimeter Fencing. Perimeter fencing at houses on-site, adjacent to open space areas, shall be designed to prevent dogs from accessing open space areas on-site, and

keep wildlife from entering yards and homes as much as feasible. Details of acceptable fencing materials will be included in the CC&Rs.

3.27.2. BIO22 County Review of Project Plans. Prior to issuance of building permits, the County shall ensure that the following elements are included in all Project plans, as appropriate:

- All exterior lighting shall be designed and located as to avoid intrusive effects on adjacent residential properties and undeveloped areas adjacent to the Project site. Motion detectors, low-intensity street lighting, and low-intensity street lighting and low-intensity exterior lighting shall be used throughout the development. Lighting fixtures shall use shielding, if necessary, to prevent spill lighting on adjacent off-site areas;
- Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings and roadways;
- Fixtures and standards shall conform to state and local safety and illumination requirements;
- All trail and park lighting shall provide optimum public safety, while at the same time reducing nighttime light spillover and glare;
- Development projects shall use minimally reflective glass and all other materials used on exterior building and structures shall be selected to minimize reflective glare; and
- Automatic timers on lighting shall be designed to maximize personal safety during nighttime use while saving energy.

These measures will partially mitigate for adverse impacts of landscaping nuisance lighting impacting wildlife in adjacent open space areas of the Project site.

3.27.3. BIO23. Hooded Outdoor Lighting. Require all street and outdoor lighting to be hooded to direct away from, or prevent light from entering, open space areas of the Project site. Light intensity should be set as low as possible while meeting the primary objective of the outdoor lighting.

3.27.4. Additional Mitigation Measures. Implementing mitigation measures **BIO2**, **BIO13**, **BIO14** and **N1** through **N9** will also help mitigate these potentially significant impacts to less-than-significant levels. Mitigation measures **BIO2**, **BIO13**, **BIO14** and **N1** through **N9** are discussed in this Section 3 and below in Section 4 and are also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to indirect impacts to special-status wildlife species, for the foregoing reasons, the Commission adopts Finding 1.

3.28. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO VEGETATION-INCLUDING SENSITIVE HABITATS.

Please refer to DEIR pages 5.6-130 through 5.6-154 for an analysis of Project-specific impacts to vegetation-including sensitive habitats.

Potential Effects and Rationale for Finding:

The potential Project-specific impacts to vegetation – including impacts to sensitive habitats – include impacts to, and potential loss of, Grassland habitats; Lichen-Rock Outcrop habitats; Coastal Sage Scrub; Chaparral habitats; Southern California Black Walnut woodland; Coast Live Oak trees; Valley Oak trees; Scrub Oaks; Oak woodlands; and wetland habitats and plants. Only 3 of these Project-specific impacts concerning vegetation are capable of mitigation to a less-than-significant level. Those are the impacts related to potential loss of Grassland habitats; Coastal Sage Scrub; and Southern California Black Walnut woodland. Those impacts are addressed here in this Section 3. With the successful implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level. The remaining potential impacts to vegetation – including sensitive habitats – will remain significant and unavoidable and, as a result, are discussed below in Section 4.

Required Mitigation Measures:

The following required mitigation measures will reduce Project-specific impacts to vegetation, including those to sensitive habitats, to less-than-significant levels by (i) protecting and enhancing grasslands and coastal scrub brush; (ii) conducting necessary and appropriate surveys; (iii) preserving habitat; (iv) implementing preserve maintenance programs and (v) relocating, transplanting and propagating such vegetation.

3.28.1. BIO24. Protect and Enhance Grassland. The loss of 29.53 acres of Grassland vegetation shall be mitigated by enhancing at an acreage rate of 1.5 acres for each acre lost (1.5:1 replacement ratio), equaling 44.29 acres of required mitigation. Prior to implementation of any restoration, a detailed program shall be developed by the applicant for review and approval by the DRP and shall contain the following items:

- **Responsibilities and Qualifications Specified.** The responsibilities of the landowner, technical specialists, and maintenance personnel that shall supervise and implement the restoration plan shall be specified.
- **Protect Grassland Preserved On-site.** The Project shall preserve 8.43 acres of Grassland on-site in perpetuity by a legal instrument.
- **Enhance Degraded Grassland Preserved On-site.** Habitat enhancement of the required 44.29 acres of Grassland will include eradicating invasive exotics from the remaining Grassland on-site. The areas of Grassland, from which invasive species will be eradicated, will be planted with supplemental native Grassland grasses and herbs. This will increase native ground-layer cover to match desired cover levels, and increase dominance by native species. Approximately 8.43 acres of Grassland vegetation will be avoided by the Project; however, the

Grassland on-site is contaminated with invasive exotic plant species in varying amounts. Enhancement of up to 8.43 acres of degraded Grassland habitat on-site will mitigate for 19% of the area needed, based on the 1.5:1 enhancement ratio. An additional 35.86 acres will need to be preserved and enhanced, for a total of 44.29 acres of Grassland enhanced and protected. The lack of reasonable availability (the offsite component) may render this mitigation measure at least partially infeasible.

- **Mitigation Site Selection.** The site for the mitigation shall be determined in coordination with the applicant and resource agencies. The site shall be located on the proposed development site in a dedicated open space area or dedicated open space area shall be purchased offsite. Appropriate sites shall have suitable hydrology and soils for the establishment of target native species.
- **Site Preparation and Planting Implementation.** A seasonal survey shall be conducted in suitable habitat after the flowering season to collect seeds from the native grasses and wildflowers inhabiting Grassland habitats on-site. The survey shall be conducted by a qualified botanist acceptable to the DRP and familiar with the flora of the Santa Susana Mountains. Seeds shall be collected when ripe, cleaned and stored by a qualified nursery or institution with appropriate storage facilities, and transferred to a native plant nursery experienced with propagating native herbaceous grassland species and grown out to 1-gallon container size plantings. The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (i.e., duff); soil treatments (i.e., imprinting, de-compacting); temporary irrigation installation; erosion control measures (i.e., rice or willow wattles); seed mix application; and container plantings. The best time to sow seed is in the fall in conjunction with the onset of rain. These native annual and perennial grass and herb plantings shall be planted in suitable preserved habitat on-site. The propagated plants shall be maintained and monitored for a period of 5 years after initial planting, with annual reports submitted to the County. Mitigation measure **BIO1** (discussed in this [Section 3](#)) will aid in planting implementation.
- **Schedule.** A schedule shall be developed which includes planting to occur in late fall and early winter between October 1 and January 30.
- **Maintenance Plan/Guidelines.** The maintenance plan shall include: weed control; herbivore control; trash removal; irrigation system maintenance; maintenance training; and replacement planting.
- **Mitigation and Monitoring Plan.** A detailed mitigation plan shall be submitted for approval to the County prior to Project implementation. The mitigation plan shall include specifics regarding grassland enhancement, planting details, timing and monitoring proposed for grassland mitigation. The monitoring plan shall include: qualitative monitoring (i.e., photographs and general observations); quantitative monitoring (e.g. randomly placed transects); performance criteria as approved by the resource agencies; monthly reports for the first year and

bimonthly thereafter; and annual reports for 5 years that shall be submitted to the resource agencies. The site shall be monitored and maintained for 5 years to ensure successful establishment of Grassland habitat within the restored and created areas.

- **Long-term Preservation.** Long-term preservation of the site shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. An appropriate legal instrument over the area to be preserved shall be recorded prior to implementation of site grading to ensure protection in perpetuity.
- **Earth-moving Equipment.** Earth-moving equipment shall avoid maneuvering in any area identified as natural open space areas. Prior to grading, the open space limits shall be marked by the construction supervisor and the Project biologist. These limits shall be identified on the grading plan.

3.28.2. BIO25. Protect and Enhance Coastal Sage Scrub. The loss of 40.39 acres of Coastal Sage Scrub vegetation shall be mitigated by enhancing at an acreage rate of 1.5 acres for each acre lost (1.5:1 replacement ratio), equaling 60.58 acres of required mitigation. Prior to implementation of any restoration, a detailed program prior to issuance of a grading permit shall be developed by the applicant and shall contain the following items:

- **Responsibilities and Qualifications Specified.** The responsibilities of the landowner, technical specialists and maintenance personnel that shall supervise and implement the restoration plan shall be specified.
- **Protect Coastal Sage Scrub Preserved On-site.** The Project shall preserve 17.04 acres of Coastal Sage Scrub on-site in perpetuity by a legal instrument.
- **Enhance Degraded Coastal Sage Scrub Preserved On-site.** Habitat enhancement of the required 60.58 acres of Coastal Sage Scrub will include eradicating invasive exotics from the remaining Coastal Sage Scrub on-site. The areas of Coastal Sage Scrub, from which invasive species will be eradicated, will be planted with supplemental Coastal Sage Scrub species. This will increase native shrub canopy cover to match desired cover levels, and increase dominance by native species. Approximately 17.04 acres of Coastal Sage Scrub vegetation will be avoided by the Project; however, the Coastal Sage Scrub on-site is contaminated with invasive exotic plant species in varying amounts. Specifically, of the 17.04 acres avoided, 7.6 acres of Coastal Sage Scrub vegetation is highly infested with invasive exotic plants (*Salvia leucophylla-Brassica Alliance*). Enhancement of up to 17.04 acres of degraded Coastal Sage Scrub habitat on-site will mitigate for 28% of the area needed, based on the 1.5:1 enhancement ratio. An additional 43.54 acres will need to be preserved and enhanced, for a total of 60.58 acres of Coastal Sage Scrub enhanced and protected. The lack of reasonable availability (the offsite component) may render this mitigation measure at least partially infeasible.

- **Mitigation Site Selection.** The site for the mitigation shall be determined in coordination with the applicant and the lead and resource agencies. The site shall be located on the proposed development site in a dedicated open space area or dedicated open space area shall be purchased offsite. Appropriate sites shall have suitable hydrology and soils for the establishment of target native species.
- **Site Preparation and Planting Implementation.** The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (i.e., duff); soil treatments (i.e., imprinting, de-compacting); temporary irrigation installation; erosion control measures (i.e., rice or willow wattles); seed mix application; and container species.
- **Schedule and Maintenance.** A schedule shall be developed which includes planting to occur in late fall and early winter between October 1 and January 30. The maintenance plan shall include: weed control; herbivore control; trash removal; irrigation system maintenance; maintenance training; and replacement planting.
- **Mitigation and Monitoring Plan.** A detailed mitigation plan shall be submitted for approval to the County prior to Project implementation. The mitigation plan shall include specifics regarding grassland enhancement, planting details, timing, and monitoring proposed for Coastal Sage Scrub mitigation. The monitoring plan shall include: qualitative monitoring (i.e., photographs and general observations); quantitative monitoring (e.g. randomly placed transects); performance criteria as approved by the resource agencies; monthly reports for the first year and bimonthly thereafter; and annual reports for 5 years that shall be submitted to the resource agencies. The site shall be monitored and maintained for 5 years to ensure successful establishment of Coastal Sage Scrub habitat within the restored and created areas.
- **Long-term Preservation.** Long-term preservation of the site shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. An appropriate legal instrument over the area to be preserved shall be recorded prior to implementation of site grading to ensure protection in perpetuity.
- **Earth-moving Equipment.** Earth-moving equipment shall avoid maneuvering in any area identified as natural open space areas. Prior to grading, the open space limits shall be marked by the construction supervisor and the Project biologist. These limits shall be identified on the grading plan.

3.28.3. Additional Mitigation Measures. Implementing mitigation measures **BIO1**, **BIO2** and **BIO4** will also help mitigate these potentially significant impacts to less-than-significant levels. These mitigation measures are discussed in this [Section 3](#) and are also discussed in the MMRP, which is attached hereto as [Exhibit A](#) and incorporated herein by this reference.

Finding:

With regards to Project-specific impacts to vegetation-including sensitive habitats, for the foregoing reasons, the Commission adopts Finding 1.

3.29. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS RESULTING FROM PROJECT LANDSCAPING.

Please refer to DEIR page 5.6-165 for an analysis of Project-specific impacts resulting from Project landscaping.

Potential Effects and Rationale for Finding:

The Project will include landscaping adjacent to the natural vegetation. The landscaping may include ornamental species that are known to be particularly invasive. Subsequent homeowners may also plant invasive plant species in their yards. Seeds or propagules from invasive planted species may escape to natural areas and degrade the native vegetation, particularly along downstream riparian areas. These impacts will be considered adverse and potentially significant considering the two SEAs on the Project site. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measure will reduce Project-specific impacts resulting from Project landscaping to less-than-significant levels by implementing conditions of approval for, and requiring County approval on all landscaping.

3.29.1. Mitigation Measures: See mitigation measures **BIO7**, **BIO8** and **BIO9**, discussed above in this Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to Project-specific impacts resulting from Project landscaping, for the foregoing reasons, the Commission adopts Finding 1.

3.30. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS RELATED TO INTERFERENCE WITH WILDLIFE CORRIDORS WITHIN LYONS CANYON.

Please refer to DEIR page 5.6-172 for an analysis of Project-specific impacts related to interference with wildlife corridors within Lyons Canyon.

Potential Effects and Rationale for Finding:

The Project potentially creates a physical barrier to terrestrial wildlife movement to the east side of the Project site, and will interfere with movement within Lyons Canyon. Although 57% of the Project site will be preserved, portions of the remaining habitat will be isolated as relatively

small islands surrounded by development. Connected areas will be reduced in value due to edge effects of the new adjacent land use. This loss of habitat will not represent a significant impact to the most common wildlife species that use the Project site habitats. However, the use of these areas by special-status wildlife species could result in a significant adverse impact by preventing or restricting movement on-site. Nevertheless, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce Project-specific impacts upon wildlife corridors within Lyons Canyon to less-than-significant levels by (i) conducting necessary and appropriate surveys, preserving habitat and implementing preserve maintenance programs; (ii) avoiding disturbance to sensitive areas; (iii) maintaining buffers and avoiding contact with wildlife; (iv) replacing or compensating for wildlife habitats; (v) installing protective perimeter fencing; (vi) using designs and materials that will reduce light impacts; and (vii) implementing construction techniques and guidelines which minimize noise impacts.

3.30.1. Mitigation Measures: See mitigation measures **BIO1**; **BIO2**; **BIO13** through **BIO16**; **BIO21** through **BIO23**; **BIO24** through **BIO35**; and **N1** through **N9**, all of which are discussed in this Section 3 or below in Section 4, and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to Project-specific impacts related to interference with wildlife corridors within Lyons Canyon, for the foregoing reasons, the Commission adopts Finding 1.

3.31. CULTURAL RESOURCES - ARCHEOLOGICAL.

Please refer to DEIR pages 5.7-15 through 5.7-17 for an analysis of archeological impacts that are related to the Project.

Potential Effects and Rationale for Finding:

Implementation of the Project will have the potential to adversely affect the significance of archaeological resources at the Project site, including significant impacts to undiscovered human remains. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce archeological impacts to less-than-significant levels by (i) receiving instruction from the Project archaeologist regarding protecting and safely removing potentially significant materials; (ii) implementing a cultural resources monitoring program; and (iii) properly handling Native American remains, if any are discovered on-site.

3.31.1. CR1. A pre-grade meeting shall be conducted in which the Project archaeologist shall explain the procedures necessary to protect and safely remove potentially significant cultural materials.

3.31.2. CR2. A cultural resource monitoring program shall be instituted during the initial vegetation clearance and soil disturbance for the Project. The purpose of this monitoring program is to determine if any significant deposits not identified during the Phase I survey exist within the Project boundary. The monitoring shall be limited to the initial vegetation clearance phase of the grading program. If cultural deposits meeting the significance criteria defined in Public Resources Code Section 21083.2(g) are encountered, limited data recovery shall be conducted consistent with present financial and research limitations established in CEQA Guidelines. Native Americans shall be actively involved in the monitoring and any subsequent phases of the Project mitigation program. Participation shall include monitoring of archaeological investigations, construction monitoring and data analysis. The County shall retain control over the selection and participation of Native Americans in any program required for the Project.

3.31.3. CR3. If human remains are discovered during grading activities, the County Coroner's Office shall be notified immediately, per state law, and all activities in the immediate area shall cease, until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are Native American, the Native American Heritage Commission ("NAHC") shall also be contacted. The NAHC shall designate a Most Likely Descendent (MLD) who will make recommendations concerning the disposition of the remains in consultation with the property owner and Project archaeologist.

Finding:

With regards to archeological impacts, for the foregoing reasons, the Commission adopts Finding 1.

3.32. CULTURAL RESOURCES - PALEONTOLOGICAL.

Please refer to DEIR pages 5.7-17 through 5.7-18 for an analysis of paleontological impacts that are related to the Project.

Potential Effects and Rationale for Finding:

The Project site is composed of relatively recent alluvium in canyon bottoms and the fossil-bearing Saugus and Pico Formations in adjacent hillsides and ridges. Two fossil localities are recorded in or near the southeast corner of the Project site, and significant fossils have been recovered from the Saugus and Pico Formations at other localities in the general vicinity. Fossilized marine shell material is currently visible in some areas of the Project site, particularly in the south. The Project site has a relatively high potential to contain paleontological resources. As such, hillside, ridge and associated bedrock grading will be monitored so as to reduce such impacts to significant fossil resources to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce paleontological impacts to less-than-significant levels by (i) receiving instruction from the Project paleontologist regarding protecting and safely removing potentially significant materials; (ii) carefully monitoring grading; and (iii) properly excavating any fossil beds by a qualified paleontologist.

3.32.1. CR4. A pre-grade meeting shall be conducted in which the Project paleontologist shall explain the procedures necessary to protect and safely remove potentially significant fossil materials for study and curation at the Natural History Museum of Los Angeles County ("NHMLAC").

3.32.2. CR5. Monitoring of grading activities shall be conducted and shall include periodic screening of sediment samples to identify potential microfossil materials. Sediment samples may be removed in bulk and screened off-site to minimize interference with grading operations. The monitoring program shall be directed by a qualified paleontologist and shall consist of the recovery, preparation (to a point of identification) and cataloguing of fossil materials.

3.32.3. CR6. Fossil beds impacted by the Project should be excavated by a qualified paleontologist to gather and record which species of vertebrate and macroinvertebrate fauna existed on-site during the Pliocene. The fossil record should be preserved in an appropriate museum, such as the NHMLAC, and the results published for the benefit of the scientific community and general public.

Finding:

With regards to paleontological impacts, for the foregoing reasons, the Commission adopts Finding 1.

3.33. AESTHETICS - SHORT-TERM AESTHETIC IMPACTS RELATED TO CONSTRUCTION.

Please refer to DEIR pages 5.9-12 through 5.9-13 (erroneously referred to as Chapter 3.9 in the DEIR) for an analysis of short-term aesthetic impacts related to construction.

Potential Effects and Rationale for Finding:

The Project will result in grading and construction activities that will temporarily alter the existing character/quality of the Project site. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce short-term aesthetic impacts related to construction to less-than-significant levels by (i) carefully staging construction equipment so as to screen it from view; (ii) carefully aiming construction lighting away from surrounding

residential areas; and (iii) having the Project biologist review the above steps, so as to minimize impacts on wildlife.

3.33.1. AES1. Construction equipment staging areas shall be located a minimum of 500 feet from existing residential uses and appropriate screening (i.e., temporary fencing with opaque material), shall be used to buffer views of construction equipment and material, when feasible. Staging location shall be indicated on Project Final Development Plans and Grading Plans.

3.33.2. AES2. All construction-related lighting shall be located and aimed away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the City for review concurrent with Grading Permit applications for the subdivision of the lots.

3.33.3. AES3. The Project biologist shall review the construction staging and construction safety lighting plans and determine the most appropriate location for the staging of construction equipment and construction lighting so that impacts to wildlife are minimized. The Project biologist shall provide written certification of his/her approval of these plans to the County Biologist prior to issuance of a grading permit.

Finding:

With regards to short-term aesthetic impacts related to construction, for the foregoing reasons, the Commission adopts Finding 1.

3.34. AESTHETICS – LIGHT AND GLARE.

Please refer to DEIR pages 5.9-27 through 5.9-28 (erroneously referred to as Chapter 3.9 in the DEIR) for an analysis of Project-specific aesthetic impacts related to light and glare.

Potential Effects and Rationale for Finding:

The Project will introduce new sources of light and glare into the Project area. With the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce aesthetic impacts related to light and glare to less-than-significant levels by implementing location and design techniques to minimize intrusive effects of the same.

3.34.1. AES5. Prior to issuance of building permits, the County shall ensure that the following elements are included in all Project plans, as appropriate:

- All exterior lighting shall be designed and located as to avoid intrusive effects on adjacent residential properties and undeveloped areas adjacent to the Project site. Low-intensity street lighting and low-intensity exterior lighting shall be used

throughout the development to the extent feasible. Lighting fixtures shall use shielding, if necessary to prevent spill lighting on adjacent off-site uses;

- Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings, and roadways;
- Fixtures and standards shall conform to state and local safety and illumination requirements;
- All trail and park lighting shall provide optimum public safety, while at the same time reducing nighttime light spillover and glare;
- Development projects shall use minimally reflective glass and all other materials used on exterior buildings and structures shall be selected with attention to minimizing reflective glare; and
- Automatic timers on all lighting fixtures within any on-site recreational structures shall be included in the building design to maximize personal safety during nighttime use while saving energy and reducing light pollution. The timers shall be set so that structure lighting within common areas is turned off at 10:00 PM.

Finding:

With regards to impacts related to light and glare, for the foregoing reasons, the Commission adopts Finding 1.

3.35. TRAFFIC - INTERSECTIONS AND ROADWAY SEGMENTS.

Please refer to DEIR pages 5.10-21 to 5.10-33 for an analysis of Project-related traffic impacts to area intersections and roadways.

Potential Effects and Rationale for Finding:

Traffic impacts within the Project study area are based on the cumulative traffic volumes within the study boundaries pursuant to the County methodology. The incremental increase in traffic generated by the Project is compared to the baseline scenario in order to determine the significance of Project-related traffic impacts.

Existing plus Ambient Growth Traffic Conditions

Since occupancy of the Project site is anticipated in 2008, a 2008 horizon year was utilized for analysis purposes to determine Project-only impacts. To derive 2008 conditions, County staff specified a 3.8 percent per year growth rate for this portion of Los Angeles County. Traffic volumes for existing plus ambient growth conditions plus Project conditions within the study area are shown in Exhibit 5.10-9 of the DEIR. The Horizon Year peak hour turning movement volumes for intersections in the study area are illustrated in Exhibits 5.10-10 and 5.10.11 of the DEIR for the AM and PM peak hours, respectively. Table 5.10-7 provides the corresponding intersection capacity utilization (“**ICU**”) values and also lists ICUs for existing conditions. The

ICU tabulations indicate that none of the study area intersections are forecast to exceed the available capacity by the Horizon Year (2008), either with or without the Project.

Interim Year (2015) Traffic Conditions

The cumulative traffic conditions are based on the Interim Year setting. This setting forms the basis for identifying the potential cumulative traffic impacts of the Project together with other planned and pending development projects. The Interim Year traffic volumes represent existing plus ambient growth plus Project plus related Project conditions. Table 5.10-8 of the DEIR provides the corresponding ICU values and also listed for comparison purposes are the ICUs for existing conditions.

The Project will generate approximately 1,261 new vehicle trips per day, with approximately 90 trips in the AM peak hour and approximately 121 trips in the PM peak hour.

Interim Year (2015) volumes that include Project-generated traffic are provided in Exhibits 5.10-12, 5.10-13 and Exhibit 5.10-14 of the DEIR for the AM and PM peak hours, respectively. Peak hour ICU values can be found in Table 5.10-8, which provides a comparison between existing plus ambient growth (no Project) conditions and Interim Year with Project conditions. Table 5.10-8 indicates that several intersections will experience a significant impact due to the cumulative impact of Project traffic and related traffic (refer to Table 5.10-2 for significant impact criteria). The following five intersections are significantly impacted:

Freeway Ramp Intersections

- I-5 SB Ramps/Marriott & Pico Canyon Rd – LOS C (PM Peak Hour);
- I-5 NB Ramps & Lyons Ave – LOS D (PM Peak Hour); and
- I-5 SB Ramps & Calgrove Blvd – LOS D (PM Peak Hour)

County Intersections

- The Old Road & Pico Canyon Rd – LOS C (PM Peak Hour); and
- Chiquella Lane & The Old Road – LOS C (PM Peak Hour)

Although the Project will increase traffic volumes at local intersections and along roadways in the Project area, implementation of recommended mitigation measures will reduce such impacts to a level less than significant. Traffic impacts, before and after implementation of applicable mitigation measures, are summarized in Table 5.10-9.

Traffic Signal Warrants

Two of the study locations are currently stop sign controlled intersections. See Table 4-3, included in Appendix D of the DEIR. This table summarizes peak hour traffic volumes for these locations and evaluates them using the Caltrans peak hour volume warrant.

The following locations meet the peak hour volume warrant for existing plus ambient growth plus Project conditions:

- I-5 SB Ramps & Calgrove Blvd; and
- Chiquella Lane & The Old Road

No additional locations meet the peak hour volume warrant when related projects are included.

The Project will incrementally increase the need for signalization to maintain an adequate level of service at these locations. As such, the applicant will be required to pay a portion (as noted below) of the total improvement fees for these intersections to the County. It is important to note that actual construction of the traffic signals will not be undertaken until such time that each intersection reaches the signalization traffic volume warrant.

Required Mitigation Measures:

Traffic mitigation measures can generally be classified into two categories: (i) measures related directly to Project site access; and (ii) measures related to off-site locations. The following mitigation measures address both Project-specific and off-site roadway and intersection impacts. They will reduce Project-related traffic impacts to area intersections and roadways to less-than-significant levels by implementing the below-described improvements to such intersections, roadways and freeway on/off ramp intersections.

3.35.1. T1. The improvements summarized below shall be implemented to address Project site-specific traffic impacts at the following locations:

3.35.1.1. Roadway Improvements

3.35.1.1.1. The Old Road

The Old Road shall be improved to include four travel lanes and a center turn-lane/median along the Project frontage. Appropriate roadway transitions south of the Project site shall also be constructed by the developer pursuant to the County Department of Public Works roadway design standards.

Project Share – 100%

3.35.1.2. Intersection Improvements

3.35.1.2.1. The Old Road & “A” Street

The developer shall improve the above referenced intersection to include the following lane specifications:

Northbound: 1 Left-turn Lane, 2 Through Lanes

Southbound: 1 Through Lane, 1 Shared Through/Right-turn Lane

Eastbound: 1 Left-turn Lane, 1 Right-turn Lane

Project Share – 100%

3.35.1.2.2. The Old Road & “E” Street

The developer shall improve the above referenced intersection to include the following lane specifications:

Northbound: 2 Through Lanes (left turns prohibited)

Southbound: 1 Through Lane, 1 Shared Through/Right-turn Lane

Eastbound: 1 Right-turn Lane (left turns prohibited)

Project Share – 100%

3.35.2. T2. The improvements summarized below shall be implemented to address off-site traffic impacts. These mitigation measures are required to address cumulative traffic impacts. Thus, the Project developer shall be responsible for providing its “fair-share” contribution towards ultimate implementation of the following roadway improvements:

3.35.2.1. Freeway On/Off Ramp Intersections

3.35.2.1.1. I-5 SB Ramps/Marriott & Pico Canyon Rd.

Add 3rd Eastbound Through Lane (striping)

Project Share – 4%

3.35.2.1.2. I-5 NB Ramps and Lyons Ave.

Add 2nd Eastbound Left-turn lane (striping)

Project Share – 100%

3.35.2.1.3. I-5 SB Ramps & Calgrove Blvd.

Add 2nd Eastbound Through Lane, and
Add 2nd Westbound Through Lane (striping)
Install Traffic Signal

Project Share – 20.3%

3.35.2.1.4. The Old Road & Pico Canyon Rd.

Convert Eastbound Right-turn Lane to 3rd Eastbound Through Lane (striping)

Project Share – 3.3%

3.35.2.1.5. Chiquella Lane and The Old Road

Add Southbound Right-turn Lane (striping)
Install Traffic Signal

Project Share – 48.3%

Finding:

With regards to traffic impacts to area intersections and roadways, for the foregoing reasons, the Commission adopts Finding 1.

3.36. WASTEWATER.

Please refer to DEIR pages 5.11-21 through 5.11-24 for an analysis of impacts related to wastewater.

Potential Effects and Rationale for Finding:

The Project will utilize an on-site wastewater collection system to convey wastewater flow from the site, which will pass through off-site facilities, to County-approved connection points into the County Sanitation District's ("**LACSD**") trunk sewer lines. Mitigation requiring approval of points of connection and quantification of available capacity, listed below, will ensure that impacts to wastewater conveyance and treatment facilities will be less than significant.

The wastewater generated by the Project will represent only approximately 0.15 percent of the Santa Clarita Valley Sanitary District's ("**SCVSD**") 28.1 mgd treatment capacity for average day flows. The County will not issue connection permits to the Project's sewer system unless it first demonstrated that sufficient capacity exists to serve the proposed development. As such, the Project will not cause an exceedance of capacity of the wastewater conveyance system or of SCVSD's treatment plants, since adequate capacity must be demonstrated in order to contribute flows to the system.

Required Mitigation Measures:

The following required mitigation measures will reduce impacts related to wastewater to less-than-significant levels by having LACSD review and approve all points of connection and insure capacity qualification prior to such approval.

3.36.1. WW1. The LACSD shall review and approve the points of connection and quantification of the available capacity in the affected portions of the sewer system serving any project proposed within the SCVSD service area boundary.

Finding:

With regards to impacts related to wastewater, for the foregoing reasons, the Commission adopts Finding 1.

3.37. SCHOOLS – INCREASED ENROLLMENT.

Please refer to DEIR pages 5.12-4 through 5.12-6 for an analysis of the Project’s impacts related to increased enrollment in area schools.

Potential Effects and Rationale for Finding:

The Project will impact enrollment in both the Newhall and Hart School Districts. With regards to the Newhall School District, the District has required the applicant to enter into a mitigation agreement that will require payment of fees in excess of the statutory limit, so that space can be constructed at the nearest sites to accommodate the impact of Project-generated students. Project participation in the mitigation agreement will reduce impacts to the Newhall School District to a less-than-significant level.

The Hart School District has required the applicant to enter into a fair share mitigation agreement so that space can be constructed at the nearest sites to accommodate the impact of Project-generated students. Compliance with the fee payment requirements as specified within the fair share mitigation agreement will reduce impacts to the Hart School District to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project’s impacts related to increased enrollment in area schools by requiring the applicant to enter into a written mitigation agreement with the appropriate school districts. Such written mitigation agreement will require all necessary fees be paid, so as to reduce the Project’s impacts related to increased enrollment in area schools to less-than-significant levels.

3.37.1. SE1. Project participation in a mitigation agreement with the Newhall School District fully mitigates Project-specific impacts on this District. This agreement will provide full funding of the costs to construct new facilities necessary to house the additional students generated by the Project. Therefore, the developer shall enter into a School Facilities Funding and Mitigation Agreement with Newhall School District prior to issuing building permits for the first residential unit.

3.37.2. SE2 Project participation in the fair share mitigation agreement with the Hart School District fully mitigates Project-specific impacts on this District. This agreement will provide full funding of the costs to construct new facilities necessary to house the additional students generated by the Project. Therefore, the developer shall enter into a School Facilities Funding and Mitigation Agreement with the William S. Hart School District prior to issuing building permits for the first residential unit.

Finding:

With regards to impacts related to increased enrollment in area schools, for the foregoing reasons, the Commission adopts Finding 1.

3.38. FIRE SERVICES - PROJECT-SPECIFIC IMPACTS TO FIRE SERVICES AND FIRE HAZARDS.

Please refer to DEIR pages 5.13-4 through 5.13-9 for an analysis of the Project's impacts related to fire services and fire hazards.

Potential Effects and Rationale for Finding:

The Project will result in numerous potential impacts related to fire services and fire hazards.

Construction-Related Impacts

First, construction of the Project will result in an increased demand for fire services. However, mitigation measures, such as brush clearance prior to the initiation of construction activities; availability of adequate water to service construction activities; and construction-related requirements of the Fuel Modification Plan, landscape plan and irrigation plan, as approved by the Fire Department, will reduce these impacts. During build-out, the Project will comply with all applicable Building and Fire Code requirements for such items as types of roofing materials, building construction, brush clearance, water mains, fire hydrant flows, hydrant spacing, access and design and other hazard reduction programs for Very High Fire Hazard Severity Zone, as set forth by the County Forester and Fire Warden.

Operational Impacts

Second, with regards to operational impacts, the applicant is voluntarily proposing to dedicate a 1.26-acre site to improve fire and emergency services in the area. A new 8,000-square-foot fire station will be located on the 1.26-acre site, located at the northeast corner of subject site. The Project shall also meet County codes and requirements relative to providing adequate fire protection services to the site during both the construction and operational stages of the Project.

Wildland Fire Hazards

Finally, with regards to wildland fire hazards, the Project will establish residential uses in areas that have been designated as Very High Fire Hazard Severity Zones. Characteristics of the Project site that contribute to this designation include: access, lack of adequate water supplies, topography and vegetative cover. However, the Project shall (i) comply with all circulation and access requirements imposed upon it by the County Fire Department; (ii) implement a water supply system that includes water mains and fire hydrants and provides fire flows sufficient to meet County standards; (iii) during development, remove fire hazards associated with the natural vegetative cover and replace the same with urban landscape vegetation, which is irrigated and less combustible than the existing vegetation; and (iv) prepare a Fuel Modification Plan consistent with existing County Fire Department standards.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts related to fire services and fire hazards to less-than-significant levels by (i) insuring compliance with all applicable fire protection codes; (ii) dedicating an on-site parcel to the County for the

construction of a future fire station; (iii) implementing a Fuel Modification Plan; (iv) clearing brush; (v) insuring adequate access to all on-site buildings; and (vi) providing for adequate fire-flow water availability.

Construction-Related Impacts

3.38.1. FS1. All proposed development on the site must comply with applicable state and County code and ordinance requirements for fire protection.

3.38.2. FS2. Prior to the issuance of a certificate of occupancy, the Applicant shall dedicate to the County Fire Department, a 1.26-acre fire station site at the northeast corner of the Project. The fire station site must be constructed and dedicated to the County Fire Department in accordance with the provisions of the AGREEMENT BETWEEN THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY AND WESTERN PACIFIC HOUSING – LYONS CANYON PARTNERS, LLC. That agreement is found in Appendix P of the DEIR.

3.38.3. FS3. The Project shall prepare a Fuel Modification Plan (which includes a landscape plan and irrigation plan) as required for projects located within a Very High Fire Hazard Severity Zone. The Fuel Modification Plan shall be submitted and approved by the County Fire Department and the DRP prior to issuance of a grading permit. The Fuel Modification Plan shall depict a fuel modification zone in conformance with the Fuel Modification Ordinance in effect at the time of subdivision. The Fuel Modification Plan shall not conflict with the revegetation plan which is directed by the mitigation measures concerning biological impacts.

3.38.4. FS4. Brush clearance shall be conducted prior to initiation of construction activities in accordance with County Fire Department requirements.

3.38.5. FS5. Adequate access to all buildings on the Project site shall be provided for emergency vehicles during the building construction process.

3.38.6. FS6. Adequate water availability shall be provided to service construction activities.

Operational Impacts

3.38.7. FS7. The Project shall comply with the County Fire Department development standards with respect to access roadways, building orientation, brush clearance and fire flows.

Wildland Fire Hazards

3.38.8. Mitigation Measures: See mitigation measures FS1 through FS7, discussed above in this Section 3.38 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to the Project's impacts related to fire services and fire hazards, for the foregoing reasons, the Commission adopts Finding 1.

3.39. SHERIFF SERVICES – CONSTRUCTION & OPERATIONAL DEMANDS FOR INCREASED SHERIFF SERVICES

Please refer to DEIR pages 5.14-3 through 5.14-4 for an analysis of the Project's impacts to sheriff services related to construction and operations which will create an additional demand for such services.

Potential Effects and Rationale for Finding:

Construction and operation of the Project could result in an increased demand for sheriff services. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts to sheriff services - related to construction and operations -- to less-than-significant levels by (i) requiring private security during construction; (ii) incorporating Sheriff Department design requirements into building designs; (iii) incorporating landscaping and lighting designed to avoid concealment of criminal activity; (iv) requiring clearly visible address and building number signs; and (v) incorporating doors and windows that are visible from the street.

3.39.1. SS1. During construction, private security patrols shall be utilized to protect the Project site.

3.39.2. SS2. As final building plans are submitted to the County for approval in the future, Sheriff's Department design requirements which reduce demands for service and ensure adequate public safety (such as those pertaining to site access, site security lighting), shall be incorporated into building designs.

3.39.3. SS3. Project design shall landscape the Project site with low-growing groundcover and shade trees, rather than a predominance of shrubs which could conceal potential criminal activity around buildings and parking areas.

3.39.4. SS4. Project design shall provide lighting, to the satisfaction of the Sheriff's Department, around and throughout the development to enhance crime prevention and enforcement efforts.

3.39.5. SS5. Project design shall provide clearly visible (during the day and night) address signs and/or building numbers for easy identification during emergencies.

3.39.6. SS6. Project design shall provide visibility of doors and windows from the street and between buildings.

Finding:

With regards to construction- and operations-related impacts to sheriff services, for the foregoing reasons, the Commission adopts Finding 1.

3.40. SOLID WASTE - CONSTRUCTION-RELATED IMPACTS.

Please refer to DEIR pages 5.15-3 through 5.15-4 for an analysis of the Project's impacts to solid waste generation related to construction.

Potential Effects and Rationale for Finding:

Construction of the Project will generate solid waste, which will incrementally decrease the capacity and lifespan of landfills. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measure will reduce the Project's impacts to solid waste generation related to construction to less-than-significant levels by requiring adherence to all existing source reduction programs.

3.40.1. 1. SW1. The Applicant/individual Project applications shall adhere to all existing source reduction programs for the disposal of construction materials and solid waste, as required by the County. Prior to issuance of building permits, a source reduction program shall be prepared and submitted to the Director of Public Works for each future structure constructed on the subject properties to achieve a minimum 50 percent reduction in waste disposal rates, including green waste.

Finding:

With regards to impacts to solid waste generation related to construction, for the foregoing reasons, the Commission adopts Finding 1.

3.41. PROJECT-SPECIFIC LIBRARY IMPACTS.

Please refer to DEIR pages 5.18-4 through 5.18-5 for an analysis of the Project's impacts to libraries.

Potential Effects and Rationale for Finding:

The Project will create additional demand for library services, facilities and materials within the Santa Clarita Valley. Nonetheless, as previously discussed, the Commission considers payment of fees for new residential development projects adequate mitigation for library service impacts. Based on the amount of residential development associated with the Project, the County will require payment of \$665 per dwelling unit to mitigate library service impacts. The Project shall pay requisite library fees to the County, and as a result, impacts to library facilities and services will be less than significant.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts to libraries to less-than-significant levels by requiring the Applicant to pay the necessary and appropriate library mitigation fees.

3.41.1. LIB1 The Applicant shall pay the standard County Public Library mitigation fee of \$665 per dwelling unit, or other amount determined to be appropriate by the County Public Library at the time of building permit issuance.

Finding:

With regards to impacts to area libraries, for the foregoing reasons, the Commission adopts Finding 1.

3.42. PARKS AND RECREATION -- NEIGHBORHOOD AND COMMUNITY PARKS.

Please refer to DEIR page 5.19-10 for an analysis of the Project's impacts to neighborhood and community parks.

Potential Effects and Rationale for Finding:

Development of the Project will increase usage of neighborhood and community parks. However, with the implementation of the recommended mitigation measures (described below), these impacts will be mitigated to a less-than-significant level.

Required Mitigation Measures:

The following required mitigation measure will reduce the Project's impacts to neighborhood and community parks to less-than-significant levels by requiring the Applicant to comply with County Ordinance and/or the Quimby Act.

3.42.1. 1. PR1. The Project shall comply with the County Ordinance and/or Quimby Act by paying the in-lieu fees totaling \$364,931 to the County.

Finding:

With regards to the Project's impacts to neighborhood and community parks, for the foregoing reasons, the Commission adopts Finding 1.

3.43. LAND USE - CONDITIONAL USE PERMITS.

Please refer to DEIR pages 5.20-6 through 5.20-14 for an analysis of the Project's impacts to land use, in the context of conditional use permits.

Potential Effects and Rationale for Finding:

In order to be found consistent with the goals and policies of the Santa Clarita Valley Area Plan, the Project needs to demonstrate consistency with the Burden of Proof statements required for a

general Conditional Use Permit; a Conditional Use Permit for development within the Hillside Management land use designation; a Conditional Use Permit for development within Significant Ecological Areas; and a Conditional Use Permit for a Density Bonus. These Burden of Proof Statements have been provided to and accepted by the County.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's impacts to land use, in the context of conditional use permits, to less-than-significant levels by requiring the Applicant to comply with the County's Burden of Proof requirements.

3.43.1. Consistency Determination for Conditional Use Permit Burden of Proof. The Applicant is required to provide a statement proving the Project's consistency with the County's Burden of Proof for the Conditional Use Permit requested in the context of this Project. The Applicant has previously provided the County with this statement and the County has previously accepted and certified such statement.

3.43.2. Consistency Determination for Density Bonus Conditional Use Permit Burden of Proof. The Applicant is required to provide a statement proving the Project's consistency with the County's Burden of Proof for the Density Bonus Conditional Use Permit requested in the context of this Project. The Applicant has previously provided the County with this statement and the County has previously accepted and certified such statement.

3.43.3. Consistency Determination for Hillside Management Conditional Use Permit Burden of Proof. The Applicant is required to provide a statement proving the Project's consistency with the County's Burden of Proof for the Hillside Management Conditional Use Permit requested in the context of this Project. The Applicant has previously provided the County with this statement and the County has previously accepted and certified such statement.

3.43.4. Consistency Determination for Significant Ecological Areas Conditional Use Permit Burden of Proof. The Applicant is required to provide a statement proving the Project's consistency with the County's Burden of Proof for the Significant Ecological Areas Conditional Use Permit requested in the context of this Project. The Applicant has previously provided the County with this statement and the County has previously accepted and certified such statement.

Finding:

With regards to the Project's impacts to land use, in the context of conditional use permits, for the foregoing reasons, the Commission adopts Finding 1.

The County also finds that the Project is consistent with its General Plan and all its applicable ordinances, including, without limitation, the County's new Density Bonus Alternative with regards to senior housing. Moreover, the County finds that it has imposed mitigation measures and conditions of approval to reduce the environmental impacts associated with Project, to the maximum extent feasible.

SECTION 4 - UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

Implementation of the Project will result in unavoidable significant environmental impacts that cannot be mitigated to a less-than-significant level.

4.1. GEOLOGY, SOILS, AND SEISMICITY - GRADING.

Please refer to DEIR page 5.1-20 for an analysis of the Project's impacts related to grading activities.

Potential Effect and Rationale for Finding:

Development associated with the Project will result in a change in topography and ground surface relief features, earth movement of 10,000 cubic yards or more and development and/or grading on slopes greater than 10 percent natural grade. Only through avoidance of disruption to such topographic features could grading-related impacts to topography be reduced to a less-than-significant level. There are no other feasible mitigation measures or acceptable Project alternatives that would substantially lessen or avoid this remaining impact because any development on the Project site necessitates substantial grading to the site's topography.

Required Mitigation Measures:

No mitigation measures or acceptable Project alternatives are proposed or recommended that could feasibly reduce the Project's significant impacts related to grading activities.

Finding:

The Commission adopts Finding 3. The Project's impacts related to grading activities will remain significant and unavoidable, because the physical impact of grading can not be avoided. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.2. GEOLOGY, SOILS, AND SEISMICITY - UNIQUE GEOLOGIC OR PHYSICAL FEATURES.

Please refer to DEIR pages 5.1-20 through 5.1-21 for an analysis of the Project's impacts to unique geologic or physical features.

Potential Effect and Rationale for Finding:

The Project will move approximately 3.8 million cubic yards of earth, which will be balanced on-site, including cutting and filling of hillside areas and canyon bottoms. Although the Project will preserve on-site primary and secondary ridgelines, grading for proposed development will permanently alter on-site natural drainages and slope areas. This will result in an adverse significant and unavoidable impact. There are no feasible mitigation measures or acceptable

Project alternatives that would substantially lessen or avoid this remaining significant and unavoidable impact because any development on the Project site necessitates substantial grading, cutting and filling and alteration of the site's natural drainages and slope areas.

Required Mitigation Measures:

No mitigation measures or acceptable Project alternatives are proposed or recommended that could feasibly reduce the Project's significant impacts to unique geologic or physical features.

Finding:

The Commission adopts Finding 3. The Project's impacts to unique geologic or physical features will remain significant and unavoidable, because the physical impact of grading cannot be avoided. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.3. CONSTRUCTION-RELATED NOISE.

Please refer to DEIR pages 5.4-10 through 5.4-12 for an analysis of the Project's construction-related noise impacts.

Potential Effect and Rationale for Finding:

Project-related grading and construction activities could result in temporary noise impacts to nearby noise-sensitive receptors.

Construction noise related to worker commutes and equipment transport will not be significant, as the Project-specific construction traffic responsible for such noise will be small compared to existing noise cause by area traffic volumes. Moreover, there will not be any significantly perceptible noise-level change over the long term. However, noise associated with the actual construction of the Project (i.e., excavation, grading, etc.) will be temporarily significant and unavoidable since it will exceed the County's exterior noise level threshold.

There are no other feasible mitigation measures or acceptable Project alternatives that would substantially lessen or avoid this remaining impact because any development on the Project site requires construction, excavation, grading, etc. and each of these activities would generate noise in excess of the appropriate County standards.

Required Mitigation Measures:

The Project's construction-related noise impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) limiting construction to reasonable times; and (ii) implementing noise-reduction measures and practices to and with construction equipment.

Notwithstanding the foregoing, the implementation of the mitigation measure described below will not be sufficient to reduce all construction-related noise impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable construction-related noise impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR because, under that alternative, there would be no construction whatsoever. However, that Alternative is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.3.1. N1. Construction shall be limited to the hours of 7:00 A.M. to 7:00 P.M. on any working day except Sundays and holidays, in accordance with the County's Noise Control Ordinance (County Code Section 12.080.440).

4.3.2. N2. The following measures shall be implemented to reduce potential construction noise impacts on nearby sensitive receptors:

- During all site excavation and grading, the construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's construction-related noise impacts to the greatest extent feasible. However, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.4. AIR QUALITY - CONSTRUCTION

Please refer to DEIR pages 5.5-14 through 5.5-18 for an analysis of the Project's air quality impacts related to construction.

Potential Effect and Rationale for Finding:

Construction of the Project will increase air pollutant concentrations in the Project area.

It is anticipated that such increases will be significant, in that they will likely contribute to continuing violations of federal and state maximum concentration standards.

Required Mitigation Measures:

The Project's construction-related air quality impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by implementing certain standards that minimize construction-related emissions and by using low emission-producing materials.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all construction-related air quality impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable construction-related air quality impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR because, under that alternative, there would not be any construction whatsoever. However, that Alternative is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.4.1. AQ1. The construction contractor shall be responsible for ensuring that all measures listed in Table 5.5-7, Standard Measures for Construction-Related Emissions, of the DEIR are implemented. To achieve the particulate control efficiencies shown, it is assumed that finished surfaces will be stabilized with water and/or soy-based, or other non-chloride-based, dust palliatives and isolated from traffic flows to prevent emissions of fugitive dust from these areas. In addition, the following water application rates are assumed:

- Roads traveled by autos, rock trucks, water trucks, fuel trucks and maintenance trucks: up to twice per hour;
- Roads traveled by scrapers and loaders; active excavation area: up to three times per hour; and
- Finish grading area: up to once every two hours.

4.4.2. AQ2. All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained.

4.4.3. AQ3. The construction contractor shall utilize, as much as possible, precoated/natural colored building materials, water-based or low-VOC coating on all interior and exterior walls, and coating transfer or spray equipment with high transfer efficiency, such as HVLP spray

method, or manual coatings application, such as paint brush, hand roller, trowel, spatula, dauber, rag or sponge.

4.4.4. AQ4. Low-emitting paints and solvents shall be used on all future on-site structures.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's air quality impacts related to construction to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.5. AIR QUALITY MANAGEMENT.

Please refer to DEIR page 5.5-24 for an analysis of the Project's impacts related to air quality management.

Potential Effect and Rationale for Finding:

The development associated with the Project will conflict with the SCAQMD's adopted Air Quality Management Plan ("**AQMP**"). Specifically, the Project will not require amendments to the projections of the County's General Plan, but will conflict with the SCAQMD's 1997 AQMP due to Project-related air emissions above SCAQMD thresholds of significance. The Project is considered inconsistent with the most recently adopted AQMP, and is therefore significant and unavoidable.

Required Mitigation Measures:

No mitigation measures or acceptable Project alternatives are proposed or recommended that could feasibly reduce the Project's significant impacts related to air quality management.

Finding:

The Commission adopts Finding 3. The Project's impacts related to air quality management will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.6. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO RARE PLANTS POTENTIALLY OCCURRING ON-SITE.

Please refer to DEIR pages 5.6-90 through 5.6-104 for an analysis of the Project's direct impacts to rare or special-status plant species potentially occurring on-site.

Potential Effect and Rationale for Finding:

Several (i.e., 6) special-status plant species are likely to occur on-site but have not been detected during the field surveys conducted on-site. These special-status plant species include: *Aster greatae* (Greata's Aster); *Erodium macrophyllum* (Round-leaved Filaree); *Horkelia cuneata ssp. puberula* (Mesa Horkelia); *Lepidium virginicum var. robinsonii* (Robinson's Pepper-grass); *Nolina cismontana* (Chaparral Nolina); and *Senecio aphanactis* (Rayless Ragwort). Impacts to these species are potentially significant; that is, since they have not yet occurred on-site -- and are only likely to occur -- there can be no actual impact. Nevertheless, both direct and indirect impacts to these species could be significant if (i) these species actually occurred on-site; and (ii) implementation of the mitigation measures described below fail. Despite the fact that there cannot be any impact, let alone a significant impact, until these two conditions are met, out of an abundance of caution, the potential impacts to these special-status species are included in this Section 4 as significant and unavoidable impacts.

Required Mitigation Measures:

The Project's direct impacts to rare or special-status plant species potentially occurring on-site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by conducting surveys, propagating seeds and, once propagated, planting such rare plant species on-site and by preserving habitat and implementing preserve maintenance programs.

Notwithstanding the foregoing, the implementation of the mitigation measure described below will not be sufficient to reduce all direct impacts to rare or special-status plant species potentially occurring on-site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable direct impacts to rare or special-status plant species potentially occurring on-site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps with the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.6.1. BIO5 Conduct Survey, Propagate Seeds, and Plant On-site. Since the location or presence of these special-status plant species likely to occur on-site is not actually confirmed, seasonal surveys shall be conducted in suitable habitat at a time when positive identifications can be made. The surveys shall be conducted by a qualified botanist acceptable to the DRP and familiar with the flora of the Santa Susana Mountains. If any of these plants are found to be within the Project impact area, then, prior to grading, seeds shall be gathered when ripe and transferred to a native plant nursery experienced with propagating sensitive or similar species, and grown out to 1-gallon container size. These plants shall be propagated in suitable preserved

habitat found on-site at a ratio of 10 plants for every 1 plant of each species impacted by the Project.

The mitigation plantings shall be maintained and monitored for a period of 5 years after initial planting, with annual reports submitted to the County. Seeding may require several seed sowing events to establish viable reproducing populations at the mitigation site.

4.6.2. Additional Mitigation Measures. Implementing mitigation measures **BIO1** and **BIO2** will also mitigate these significant and unavoidable impacts. However, these additional mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable. Mitigation measures **BIO1** and **BIO2** are discussed in this Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's direct impacts to rare or special-status plant species potentially occurring on-site, to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.7. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES OBSERVED ON-SITE OR IMMEDIATELY ADJACENT TO THE PROJECT SITE.

Please refer to DEIR pages 5.6-111 through 5.6-118 for an analysis of the Project's direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site.

Potential Effect and Rationale for Finding:

Direct impacts to the habitat of special-status wildlife species observed on-site, or immediately adjacent to the Project site, are expected to remain significant and unavoidable. Such species include Cooper's Hawk (*Accipiter cooperii*); Barn Owl (*Tyto alba*); Oak Titmouse (*Baeolophus inornatus*); Nuttall's Woodpecker (*Picooides nuttallii*); and San Diego Desert Woodrat (*Neotoma lepida intermedia*). The direct impacts to such species will also be cumulatively significant and unavoidable (as discussed below in Section 7). Note, however, that such impacts to active nests will be less than significant after mitigation. As such, those impacts are discussed above in Section 3.

Required Mitigation Measures:

The Project's direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) performing

necessary and appropriate surveys; (ii) avoiding disturbance to sensitive areas; (iii) maintaining buffers; (iv) avoiding contact with such species; and (v) replacing or compensating habitats of such species.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.7.1. BIO13. Preconstruction Surveys and Fencing off Sensitive Areas. Prior to grading or site-clearing activities, a qualified biologist acceptable to the DRP shall survey the construction areas of the site to determine if any special-status wildlife species are foraging, frequenting or nesting on or adjacent to the construction areas. If any special-status wildlife species are observed foraging, frequenting or nesting during construction activities, the area in which the special-status species was observed should be flagged or fenced off to protect the wildlife species. In addition, the equipment operators shall be informed of the species' presence and provided with pictures in order to help avoid impacts to this species to the maximum extent possible. As part of the environmental training, contractors and heavy equipment operators shall be provided with photographs of expected special-status wildlife species to identify them, and to avoid harming them during construction.

4.7.2. BIO14. Survey for Nests and Nesting Activity. 30 days prior to the onset of construction activities, a qualified biologist acceptable to the DRP shall survey within the limits of Project disturbance for the presence of any active raptor and bird nests. Any nest found during survey efforts shall be mapped on the construction plans and marked on the ground. If no active nests are found, no further mitigation is required. Results of the surveys shall be provided to the CDFG. If nesting activity is present at any raptor nest site, the active site shall be protected, by providing a 100 to 300 foot buffer, until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for bird species in the region of the Project site normally occurs from February through August.

4.7.3. BIO15. Avoid Contact or Harm to Special-status Species. To avoid impacts to all special-status wildlife species observed on-site, equipment operators shall avoid contact with or harm to any special-status species and any of their sources of cover (e.g. nest, midden, burrow). If a special-status wildlife species is encountered during construction activities, it shall be allowed to escape any danger that may result from construction work, and the on-site biological

monitor shall be notified in order to implement all measures necessary to protect the sensitive species.

4.7.4. BIO16. Replace Required Habitat of Observed Special-status Species. Existing habitat, required by observed or likely special-status wildlife species, shall be replaced, or compensated for, after all development activities have been completed, as presented in mitigation measures **BIO1**; **BIO2**; **BIO4**; and **BIO24** through **BIO35**, which are provided in Section 3 above and in this Section 4. Compensation for lost habitat on-site shall be accomplished at least in part through improving habitat conditions of preserved on-site habitats, such as through removal of invasive exotic plant species and replacing them with indigenous native species. A residual impact will remain since there will be a reduction of the total area of habitat available on-site.

4.7.5. Additional Mitigation Measures. Mitigation measures **BIO11** and **BIO12** will also help mitigate these significant and unavoidable impacts. However, these other mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable. Mitigation measures **BIO11** and **BIO12** are discussed in Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.8. BIOLOGICAL RESOURCES - DIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES LIKELY TO OCCUR ON-SITE.

Please refer to DEIR pages 5.6-118 through 5.6-125 for an analysis of the Project's direct impacts to special-status wildlife species likely to occur on-site.

Potential Effect and Rationale for Finding:

Several (i.e., 19) special-status wildlife species are likely to occur on-site but have not been detected during the field surveys conducted on-site. These special-status wildlife species include: Silvery Legless Lizard (*Anniella pulchra pulchra*); Coastal Western Whiptail (*Aspidoscelis tigris stejnegeri*); Rosy Boa (*Charina trivirgata*); San Diego Banded Gecko (*Coleonyx variegates abboti*); San Diego Horned Lizard (*Phrynosoma coronatum*); Coast Patch-nosed Snake (*Salvadora hexalepis virgulata*); Southern California Rufous-crowned Sparrow (*Aimophila ruficeps canescens*); Grasshopper Sparrow (*Ammodramus savannarum*); Bell's Sage Sparrow (*Amphispiza belli ssp. belli*); Long-eared Owl (*Asio otus*); Costa's Hummingbird (*Calypte costae*); Lawrence's Goldfinch (*Caroluelis lawrencei*); Lark Sparrow (*Chondestes*

grammacus); Northern Harrier (*Circus cyaneus*); Loggerhead Shrike (*Lanius ludovicianus*); California Thrasher (*Toxostoma redivivum*); Ring-tailed Cat (*Bassariscus astutus*); Western Mastiff Bat (*Eumops perotis californicus*); and the Mountain Lion (*Puma concolor*). Direct impacts to these species are potentially significant. (However, indirect impacts to these species are either significant, but mitigated to a level of less than significant, or are less than significant, and, as a result, are discussed above in Section 3 or Section 2, respectively.)

Since these species are not known to have actually occurred on-site, and are only likely to occur, there cannot be any actual impact found at this time. Nevertheless, both direct and cumulative impacts to these species could be significant if these species *actually occurred on-site*. However, in all events, and regardless of whether any of these species are found on-site, the Project will have a significant and unavoidable cumulative impact on these species, since the Project will destroy up to 118.74 acres of foraging and nesting habitat.

Required Mitigation Measures:

The Project's direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting surveys; (ii) implementing wildlife relocation programs; (iii) controlling invasive species; (iv) creating replacement habitat and (v) replacing or compensating habitats of such species.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all direct impacts to special-status wildlife species likely to occur on-site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable direct impacts to special-status wildlife species likely to occur on-site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.8.1. BIO17. Conduct Focused Surveys. Prior to grading, focused surveys shall be conducted on the proposed development site for special-status reptile species that have a high potential to occur on-site. The surveys results shall be submitted within 45 days after completion of the last survey to the CDFG and DRP for concurrence. If it is determined that special-status wildlife species are not present on the proposed development site, then no further mitigation is necessary.

4.8.2. BIO18. Implement Relocation Program. If Silvery Legless Lizard, Coastal Western Whiptail, Rosy Boa, San Diego Banded Gecko, San Diego Horned Lizard and/or Coast Patch-nosed Snake (the 6 special-status reptile species that are likely to occur on-site) is/are found on-site, then a capture and relocation program shall be implemented. Prior to implementation of the

relocation program, the program and the biologist(s) implementing the program shall be subject to approval of the CDFG and the County Biologist. A relocation program shall be prepared to include a detailed methodology for locating, safely capturing and successfully relocating individuals prior to construction. The program shall identify a suitable location for relocation of each species prior to capture. A qualified biologist with the necessary permits (if required by CDFG) shall be required for handling the specific special-status wildlife species. The adopted relocation program shall be implemented.

4.8.3. BIO19. Control Argentine Ants. The control of Argentine Ant from the Project site is necessary to prevent the loss of forage resources for the San Diego Horned Lizard, which cannot survive on consumption of Argentine Ant. The landscaping plan, within 300 feet of any natural areas containing San Diego Horned Lizard, shall be designed to utilize native plant species that do not require supplemental irrigation in an attempt to keep invading Argentine Ant populations as low as possible. In addition, an Argentine Ant control plan shall be developed and implemented in perpetuity by the homeowners association or other responsible party.

4.8.4. BIO20. Install Bat Boxes. If the Western Mastiff Bat, or other special-status bat species, is found to forage or nest on-site, then bat boxes shall be installed at appropriate locations within preserved land on-site to replace lost nesting habitat. A mitigation plan designed specifically to provide nesting and foraging habitat for special-status bat species shall be prepared and submitted to CDFG and the County Biologist for approval, and after approval, it shall be implemented.

4.8.5. Additional Mitigation Measures. Implementing mitigation measures **BIO11** and **BIO16** will also mitigate these significant and unavoidable impacts. However, these other mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable. Mitigation measures **BIO11** and **BIO16** are discussed in Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's direct impacts to special-status wildlife species likely to occur on-site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.9. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO VEGETATION-INCLUDING SENSITIVE HABITATS.

Please refer to DEIR pages 5.6-130 through 5.6-154 for an analysis of the Project's impacts related to vegetation, including those impacts to sensitive habitats.

Potential Effect and Rationale for Finding:

The potential Project-specific impacts to vegetation – including impacts to sensitive habitats – includes impacts to, and potential loss of, Grassland habitats; Lichen-Rock Outcrop habitats; Coastal Sage Scrub; Chaparral habitats; Southern California Black Walnut woodland; Coast Live Oak trees; Valley Oak trees; Scrub Oaks; Oak woodlands; and wetland habitats and plants. Three of these Project-specific impacts concerning vegetation are *potentially significant, but mitigated to a less-than-significant level*. Those are impacts related to potential loss of Grassland habitats; Coastal Sage Scrub; and Southern California Black Walnut woodland, and they are discussed above in Section 3. The remainder of the potential Project-specific impacts to vegetation – including impacts to sensitive habitats – will remain significant and are discussed here in this Section 4.

Required Mitigation Measures:

The Project's impacts related to vegetation, including those impacts to sensitive habitats, will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) preserving on-site oaks; (ii) planting additional oaks on-site and relocating certain mature oaks; and (iii) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all impacts related to vegetation, including those impacts to sensitive habitats, to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable impacts related to vegetation, including those impacts to sensitive habitats, would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.9.1. BIO26. Preserve and Protect Avoided On-site Oak Trees. The 1,179 oak trees to be avoided by the Project shall be protected on-site in perpetuity by establishing on-site preserves that are permanently protected from future development and managed for conservation purposes. Management of the preserved trees shall be minimal, focused on facilitating the natural growth and condition of the protected trees and associated habitat. Prior to the issuance of a grading permit, the Applicant shall have prepared an oak resource management plan to be reviewed and approved by the DRP and County Forester. Only oak trees and oak resource habitat not in private lots will be credited as preserved habitat.

4.9.2. BIO27. Plant 15-gallon Young Oaks On-site. To mitigate for the loss of 162, and the encroachment of 54, mature oak trees by the Project, young oak trees of all three species

impacted shall be planted at a 2:1 ratio for non-heritage trees impacted, and at a 10:1 ratio for heritage trees impacted, per the County Oak Tree Ordinance replacement criteria. Specifically, to mitigate for impacted non-heritage oak trees, an overall mitigation ratio of two 15-gallon oaks shall be planted for each tree impacted. To mitigate for impacted heritage oak trees, an overall mitigation ratio of ten 15-gallon oaks shall be planted for each tree impacted. Therefore, at a 2:1 ratio, 298 15-gallon young oak individuals (including 282 *Q. agrifolia*, 4 *Q. berberidifolia*, and 12 *Q. lobata*) will be required for mitigation for the impacts to 216 non-heritage oak trees (including 162 non-heritage lost and 54 non-heritage encroached) on-site. In addition, 130 15-gallon young oak individuals (all *Q. agrifolia*) will be required for mitigation for the impacts to 19 heritage oak trees (including 13 heritage lost and 6 heritage encroached) on-site. A total of 428 15-gallon oaks will be required to mitigate for impacts to 216 oak trees, including 19 heritage trees. No existing sensitive habitat shall be impacted as a result of any planting activities. The planted trees shall be maintained and monitored for a period of seven years after planting. Success of this mitigation measure will be achieved if 100 percent of the acorns or seedlings survive after seven years.

- **Contribute Funds to the Oak Species Forest Fund.** If the success criteria for this mitigation measure are not met, the Applicant shall contribute to the Oak Species Forest Fund. The compensation rate shall be set at 50 percent of the assessed economic value of the trees lost, less the estimated economic value of the trees successfully covered under mitigation measures **BIO26** and **BIO27**. The economic value of the 164 oak trees to be lost is approximately \$4,211,730. In addition, the economic value of the 54 trees to be encroached is approximately \$2,125,400, totaling \$6,337,130 (including \$4,090,830 for 154 *Q. agrifolia* lost; \$1,865,700 for 49 *Q. agrifolia* encroached, \$12,000 for 2 *Q. berberidifolia* lost, \$90,900 for 6 *Q. lobata* lost, and \$252,600 for *Q. lobata* encroached).
- **Transplant Selected Mature Oak Trees On-site.** As part of the Project, the Applicant proposes to transplant several mature and heritage oak trees, that will be impacted from the Project, to on-site open areas and landscaped areas. Even though transplanting mature oak trees is expensive and may have a low success rate, the Applicant desires to transplant selected mature oak trees to potentially help mitigate the loss of oak habitat. A detailed transplantation plan shall be developed by a qualified arborist and submitted to the County for approval. Maintenance and monitoring of all transplanted oak trees shall be required for a period of 10 years after transplantation. No sensitive habitat shall be impacted as a result of any transplanting activities.

4.9.3. BIO28. Plant Acorns or Oak Seedlings On-site. To mitigate for the loss of 162, and the encroachment of 54, mature oak trees by the Project, sprouted oak acorn seedlings of the species impacted shall be planted in appropriate ratios. To mitigate for impacted oak trees, an overall mitigation ratio of 5 seedlings planted for each tree impacted (a 5:1 replacement ratio) shall be implemented. Therefore, 1,080 container seedlings will be required for mitigation for the impacts to 216 oak trees on-site. The planted seedlings shall be maintained and monitored for a period of 7 years after planting. Success of this mitigation measure will be achieved if 75 percent of the acorns or seedlings survive after 7 years.

4.9.4. BIO29. Replace Oak Woodland Habitat On-site. Oak woodland impacts are estimated at 8.82 acres (including 7.87 acres of upland Coast Live Oak Woodland impacted, 0.92 acres of Coast Live Oak Riparian Woodland impacted, and 0.03 acre of Valley Oak Woodland impacted); Oak woodland habitat will be replaced on-site at a 2:1 ratio within preserved portions of the Project site, or at an off-site location. The oak woodland habitat will partially be replaced with the implementation of mitigation measures **BIO26** through **BIO28**. Based on the 2:1 ratio, a total of 16.4 acres of oak woodland shall be created on-site, off-site, or a combination of on-site and off-site locations. The oak woodland habitat shall be monitored and maintained for a period of 7 years.

- **On-site Oak Mitigation Implementation Plan.** In addition to the above, a full oak tree report with the health, diameter at breast height (dbh) and canopy diameter of each tree within the impact area and fuel modification zone shall be submitted to the County prior to grading. The report shall also outline the mitigation for removal of oak trees. The mitigation shall include the following measures:
 - o Prior to grading, orange construction or chain-link fencing shall be installed around trees (10 feet outside the drip-line of each tree or groups of trees) that should not be impacted by construction. Fencing shall be in place and inspected prior to commencement of grading. This fencing shall remain in place throughout the entire period of construction.
 - o The County-required 15-gallon oak tree replacement shall be implemented on-site at a 2:1 ratio for non-heritage trees impacted and at a 10:1 ratio for heritage trees impacted. Or, the preferred replacement with tree seedlings shall be planted directly on-site as sprouted seedlings in liner tubes. Such plants are better able to become established and healthy trees that are adapted to site conditions. For each oak tree removed, the mitigation shall require replacement trees of indigenous oak species in the ratio of at least 5:1 for container seedling planting.
 - o The landscape architect/designer for the Project shall design these replacement trees into the landscape to replace the habitat of removed woodlands. The habitat shall be reviewed by a qualified botanist and shall be comparable to the removed woodland.
- Planting specifications shall consider the following:
 - o Newly planted trees shall be planted above grade and maintained for 7 years, including irrigation, weed control, herbivore protections and replacement.
 - o Amending the backfill soil with wood shavings, oak-leaf mold, etc. is not recommended when existing soil is high in natural organic matter with a sandy loam texture.

- o Recommendations for the need of planting amendments and drainage systems shall be based on soil tests of the Project and approved by the County.
- o Any County-approved work within the drip-lines of saved trees, including branch removal, shall be under the inspection of a qualified arborist.

4.9.5. BIO30. Landscape Irrigation Out of Oak Drip-lines. Landscaping requiring irrigation shall not be planted within the drip-line of oaks due to the susceptibility of native oaks to root rot caused by excessive unseasonable irrigation. The design and installation of landscape irrigation systems outside the drip-line of the oaks shall be such that the area within the drip-line is not wetted during operation of the system. In addition, surface runoff from impermeable surfaces shall be directed away from oaks; where natural topography has been altered, provisions shall be made for drainage away from trunks of oaks so that water shall not pond or collect within the drip-line of any oak. If any existing oak trees are damaged or impacted by the effects of irrigation of mitigation plantings, additional plantings shall be implemented as replacement.

4.9.6. BIO31. Implement Best Management Practices (BMPs) During Construction In/Near Wetlands to Minimize Impacts. Impacts to riparian habitat shall be minimized to the maximum extent possible by implementing the following BMPs:

- Construction equipment shall only cut back or cut down riparian habitat that is absolutely necessary for construction equipment access;
- All construction activities, within the banks of Lyons Creek and tributaries, should be conducted during seasons of no, or minimal, channel flows (summer/early fall);
- A path through the creek channel shall be selected that minimizes impacts to the existing riparian vegetation;
- A fence shall be placed around any (mature) trees, which are less efficiently replaced by mitigation/restoration efforts;
- All active wildlife nests existing within the Project site riparian vegetation shall be protected and avoided by construction equipment; and
- A biological monitor shall be present during all construction activities within or adjacent to the drainages of Lyons Canyon that are not to be impacted.

4.9.7. BIO32. Protect Existing Wetlands On-site. 6.85 acres of existing wetlands, not to be impacted by the Project, shall be protected in perpetuity through a prohibition from any development. The wetland preserve area(s) shall be clearly marked with signs, and a public education program shall be developed for future residences of the Project site and visitors.

4.9.8. BIO33. Enhance Existing Disturbed Wetlands On-site. Existing wetlands not impacted by the Project currently are degraded by past activities on the Project site (e.g. road crossings, fill, culverts, berms, dumping and invasion by exotic plants). A 1/3 credit shall be

allowed for every acre of existing protected wetland habitat that is enhanced on-site and shall be credited towards the 10.20 acres required for mitigation. Therefore, 1/3 of the protected 10.20 acres equals 3.37 acres to be enhanced. Enhancement activities shall include: removing all foreign materials from wetland areas; eradicating and controlling invasive exotic plant species; and planting native riparian plant species in disturbed areas. Nearly all the wetland areas on-site are currently in a degraded condition, to varying degrees, and are available for habitat enhancement. Approximately 10.20 acres are required for mitigation based on the 2:1 ratio. The 10.20 acres of required mitigation area minus the 3.37 acres of enhanced wetlands habitat equals 6.83 acres of mitigation that is still required to be created. Since the County will not permit riparian mitigation within the detention basins on-site, the Applicant shall be required to implement one of the following measures: (1) make a payment to an in-lieu fee mitigation program; (2) contribute to a mitigation bank; or (3) create offsite mitigation for 6.83 acres of remaining required mitigation after enhancement of 3.37 acres on-site (totaling the required 10.20 acres based on the 2:1 mitigation ratio).

4.9.9. BIO34. Prepare Disturbed Wetland Areas for Replanting. After efforts to minimize the impacts to the riparian vegetation are implemented, appropriate areas of the Project site shall be restored and lost habitat mitigated. This shall be accomplished by implementing the following mitigation measures:

- Re-grading portions of the drainages to accommodate on-site re-vegetation and to accomplish natural sinuosity of the creek channel;
- Replacing and planting selected portions of the site with indigenous riparian plant species;
- Maintaining and irrigating the restored area;
- Removing invasive exotic plants, such as *Centaurea melitensis* (Tocalote), and replacing them with native species to increase species diversity and habitat function; and
- Monitoring the site for at least 5 years after restoration plantings have been completed.

4.9.10. BIO35. Design and Implement a Wetlands Restoration Plan. Prior to implementation of any restoration, a detailed program shall be developed by the Applicant and shall be approved by the Corps and CDFG as part of the 404 and 1600 et seq. permitting process. The program shall contain the following items:

- **Responsibilities and qualifications of the personnel to implement and supervise the plan.** The responsibilities of the landowner, technical specialists and maintenance personnel that shall supervise and implement the restoration plan shall be specified.
- **Site selection.** The site for the mitigation shall be determined in coordination with the Applicant and resource agencies. The site shall either be located on the proposed development site in a dedicated open space area or dedicated open space

area shall be purchased off-site. Appropriate sites shall have suitable hydrology and soils for establishment of riparian species.

- **Site preparation and planting implementation.** The site preparation shall include: protection of existing native species; trash and weed removal; native species salvage and reuse (i.e., duff); soil treatments (i.e., imprinting, de-compacting); temporary irrigation installation; erosion control measures (i.e., rice or willow wattles); seed mix application; container plantings.
- **Schedule.** A schedule shall be developed which includes planting to occur in late fall and early winter between October and January.
- **Maintenance plan/guidelines.** The maintenance plan shall include: weed control; herbivore control; trash removal; irrigation system maintenance; maintenance training; and replacement planting.
- **Monitoring plan.** The monitoring plan shall include 1) qualitative monitoring (i.e. photographs and general observations), 2) quantitative monitoring (i.e. randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monthly reports for the first year and bimonthly thereafter, and 5) annual reports for five years that shall be submitted to the resource agencies on an annual basis. The site shall be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the Project applicant may request to be released from the monitoring requirements from USACE and CDFG.
- **Long-term preservation.** Long-term preservation of the site through an appropriate recordable legal instrument shall also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.
- **Earth-moving equipment.** Earth-moving equipment shall avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas that will remain undeveloped. Prior to grading, the open space limits shall be marked by the construction supervisor and the Project biologist. These limits shall be identified on the grading plan. No earth-moving equipment shall be allowed within the open space area.
- **If work must be conducted when surface water flows are present, specific actions should be taken to avoid increasing water turbidity downstream.** Surface water flows should be diverted around all construction activities, and no equipment should be allowed to actively work in flowing water without sedimentation and turbidity control measures in place. In order to minimize impacts to aquatic habitat and aquatic wildlife due to alteration of the Riverine habitat on-site, construction shall be conducted during times of no active channel flows. However, if construction must be conducted while active flows are present

within the Riverine system, these measures should be implemented to minimize impacts:

- o Equipment contact with the active channel should be minimized to a maximum extent;
- o Flows should be diverted from the work area, and sedimentation barriers should be installed and maintained;
- o Arising groundwater should be allowed to settle behind a downstream diversion berm prior to discharge to the primary flow channel;
- o Turbidity levels should be monitored and minimized (kept below a 20 percent increase over background turbidity);
- o Employ BMPs for avoiding fuel leaks in or near active flows; and
- o All foreign materials and litter should be removed from the channel.

4.9.11. Additional Mitigation Measures. Implementing mitigation measures **BIO1**, **BIO2** and **BIO4** will also mitigate these significant and unavoidable impacts. These mitigation measures are discussed in Section 3 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference. These other mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's impacts related to vegetation, including those impacts to sensitive habitats, to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.10. BIOLOGICAL RESOURCES – PROJECT-SPECIFIC IMPACTS TO LOSS OF WILDLIFE FORAGING AND COVER HABITATS

Please refer to DEIR pages 5.6-155 through 5.6-156 for an analysis of the Project-specific impacts related to loss of wildlife foraging and cover habitats.

Potential Effect and Rationale for Finding:

The wildlife habitats observed on-site include those sensitive habitats discussed; Grassland, Lichen-Rock Outcrop; Coastal Sage Scrub, Chaparral, Coast Live Oak, Southern California Black Walnut Woodland, Southern Riparian Scrub and wetland habitats. These habitats observed at Lyons Canyon Ranch are used for nesting and foraging habitat for several species of

birds, and cover and foraging habitat for small and large mammals. The function of the wetland habitat on-site is improved by the presence of natural upland vegetation and habitats creating cumulative high species richness for the Lyons Canyon area.

When functional wildlife habitat, consisting of ample foraging and cover resources, is degraded or negatively impacted, a temporary reduction in various food sources for aquatic, semi-aquatic, and terrestrial wildlife species typically follows. Furthermore, damaging or clearing plants contributing to a functional wildlife habitat will result in a shortage of cover, nesting and breeding resources vital for several wildlife species' survival. Therefore, impacts to foraging and cover habitats, contributing to the function of a region's ecosystem, should be minimized and avoided as much as possible.

A total of approximately 118.74 acres of natural vegetation (including the loss of 98.86 acres resulting from direct grading impacts and the loss of an additional 19.88 acres resulting from indirect fuel modification impacts) will be impacted on-site, including sensitive plant communities and wetlands. These impacts are considered a significant.

Required Mitigation Measures:

Project-specific impacts related to loss of wildlife foraging and cover habitats will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) protecting and enhancing grasslands and coastal scrub brush; (iv) preserving on-site oaks, planting additional oaks on-site and relocating certain mature oaks; and (v) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands;

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all Project-specific impacts related to loss of wildlife foraging and cover habitats to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable Project-specific impacts related to loss of wildlife foraging and cover habitats would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.10.1. Mitigation Measures: See mitigation measures **BIO1** and **BIO2** and **BIO24** through **BIO35**. These mitigation measures are discussed in Section 3 and this Section 4 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce Project-specific impacts to loss of wildlife foraging and cover habitats to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.11. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO FUEL MODIFICATION.

Please refer to DEIR pages 5.6-156 through 5.6-164 for an analysis of Project-specific impacts to fuel modification.

Potential Effect and Rationale for Finding:

Development associated with the Project will have significant and unavoidable impacts associated with fuel modification. "Fuel modification" refers, in part, to the County Fire Department's Fuel Modification Program, which provides for defensible space necessary for fire protection in newly constructed and/or remodeled homes within the Department's Very High Fire Hazard Severity Zones. The fuel modification plans identify one or more of the following zones: A-Setback Zone; B-Irrigated Zone; C-Thinning Zone; and/or D-Interface Thinning Zone, based upon preliminary plan review by the Forestry Division of the Fire Department.

The Project will result in a loss of 98.86 acres of natural vegetation and habitats resulting from the grading envelope and, as a result of the Fuel Modification Program, an additional loss (or degradation) of approximately 19.88 acres (not including protected oak woodlands) to 30.70 acres (including protected oak woodlands) of natural vegetation.

Brush clearance affects plants, animals and ecological cycles, and is significant since the habitat is altered to the extent that wildlife species and sensitive plant species requiring such habitats are unable to utilize such areas for foraging, hunting and shelter. The modified habitats are thinned to the extent that no habitat functions remain and ecological cycles are not completed or are significantly reduced, depending on the species. Ultimately, the habitat function is completely lost within the first 100 feet of fuel modification due to the severe clearing of natural vegetation and habitat function is significantly reduced (to approximately 50 percent) within the second 100 feet of fuel modification.

Required Mitigation Measures:

The Project-specific impacts to fuel modification will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) transplanting and propagating certain plant species; (iii) protecting and enhancing grasslands and costal scrub brush; (iv) preserving on-site Oaks, planting additional oaks on-site and relocating certain mature

oaks; and (v) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all Project-specific impacts to fuel modification to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable Project-specific impacts to fuel modification would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.11.1. Mitigation Measures: See mitigation measures **BIO1**, **BIO2** and **BIO4**; and **BIO24** through **BIO30**, discussed above in Section 3 and in this Section 4 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce Project-specific impacts to fuel modification to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.12. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO SURROUNDING SIGNIFICANT ENVIRONMENTAL AREAS.

Please refer to DEIR pages 5.6-165 through 5.6-167 for an analysis of Project-specific impacts to surrounding SEAs.

Potential Effect and Rationale for Finding:

Development associated with the Project will have significant and unavoidable impacts to the SEAs surrounding the Project area. Specifically, portions of the Project property are located within two County SEAs: Santa Susana Mountains and Lyons Canyon (SEA Nos. 20 and 63, respectively), which have been established to protect biological resources within the County. Development within or adjacent to an SEA requires specific procedures and reporting before considering any development. The County Significant Ecological Areas Technical Advisory Committee (SEATAC), established by the County's Board of Supervisors, reviews all projects within or adjacent to SEAs for consistency with County resource protection policies.

Required Mitigation Measures:

The Project-specific impacts to surrounding SEAs will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures provided in this section by (i) implementing all of the biological mitigation measures discussed above; (ii) implementing all of the air quality mitigation measures discussed above; and (iii) implementing all of the hydrology and water quality mitigation measures discussed above.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all Project-specific impacts to surrounding SEAs to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable Project-specific impacts to surrounding SEAs would be reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. Yet, as noted in Section 9, none of the alternatives (other than the No Project Alternative) wholly avoid all impacts to SEA No. 63. This is because one detention/debris basin site must be located entirely within SEA No. 63, and this must occur under each of the alternatives (other than the No Project Alternative). Moreover, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.12.1. Mitigation Measures: See mitigation measures **BIO1** through **BIO35** (discussed above in Section 3 and in this Section 4); **AQ1** through **AQ4** (discussed in this Section 4); **N1** through **N9** (discussed above in Section 3 and in this Section 4); and **HWQ1** through **HWQ14** (discussed above in Section 3). These mitigation measures are also discussed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project-specific impacts to surrounding SEAs to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.13. BIOLOGICAL RESOURCES - PROJECT-SPECIFIC IMPACTS TO NATURAL OPEN AREAS.

Please refer to DEIR pages 5.6-168 through 5.6-169 for an analysis of Project-specific impacts to natural open areas.

Potential Effect and Rationale for Finding:

Development associated with the Project will have Project-specific, significant and unavoidable impacts on natural open areas. Specifically, the 235-acre Project site is currently natural open space, consisting of approximately 226.79 acres of natural vegetation and 8.71 acres of roads and disturbed areas. Of the 226.79 acres of natural vegetation on-site, approximately 118.74 acres of those habitats (including sensitive plant communities) will be impacted on-site (52 percent) and approximately 108.05 on-site acres of natural habitats will be preserved.

Required Mitigation Measures:

The Project-specific impacts to natural open areas will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures provided in this section by (i) establishing an open area protection and management plan; (ii) implementing all of the biological mitigation measures discussed above; (iii) implementing all of the air quality mitigation measures discussed above; and (iv) implementing all of the hydrology and water quality mitigation measures discussed above.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all Project-specific impacts to natural open areas to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable Project-specific impacts to natural open areas would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.13.1. BIO36. Open Area Protection and Management Plan. An open area protection and management plan, for all preserve areas designated on-site, shall be prepared to ensure the implementation by the HOA of the mitigation and to aid in the protection of the remaining preserved open areas after the development on-site.

4.13.2. Additional Mitigation Measures. Implementing mitigation measures **BIO1** through **BIO35** (discussed above in Section 3 and in this Section 4); **AQ1** through **AQ4** (discussed in this Section 4); **N1** through **N9** (discussed above in Section 3 and in this Section 4); and **HWQ1** through **HWQ14** (discussed above in Section 3) will also help mitigate these significant and unavoidable impacts. These mitigation measures are also discussed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference. These other mitigation measures will not mitigate these impacts to less-than-significant levels; rather, the impacts will remain significant and unavoidable.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce Project-specific impacts to natural open areas to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.14. PROJECT-SPECIFIC IMPACTS TO ON-SITE WILDLIFE TRAVEL ROUTES.

Please refer to DEIR pages 5.6-169 through 5.6-171 for an analysis of Project-specific impacts to on-site wildlife travel routes.

Potential Effect and Rationale for Finding:

Most wildlife travel routes existing on-site represent local movement paths between on-site habitats. A loss of a large number of localized paths is expected due to the Project; however, habitat to be retained on-site will still be accessible to wildlife from adjacent habitats.

The actual number of paths impacted on-site can only be estimated. Wildlife will be able to use the remaining habitats within the periphery of the developed portion of the Project site after construction; however, wildlife movement will be limited within the fuel modification zone since significant vegetation will be removed or thinned from that zone (up to 200 feet from all structures). Wildlife may be reluctant to use the fuel modification zones since much of the vegetation will be removed in these areas, with very little cover and/or shelter resources. This may mean that wildlife could only use the outside edge of the fuel modification zone, adjacent to intact natural vegetation.

Required Mitigation Measures:

The Project's impacts to on-site wildlife travel routes will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) avoiding disturbance to sensitive areas; (iv) maintaining buffers; (v) avoiding contact with certain wildlife species; (vi) replacing or compensating habitats of certain wildlife species; (vii) implementing construction techniques and guidelines which minimize noise impacts; (viii) protecting and enhancing grasslands and coastal scrub brush; (ix) preserving on-site oaks; (x) planting additional oaks on-site and relocating certain mature oaks; (xi) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands; (xii) limiting construction to reasonable times; (xiii) implementing noise-reduction measures and practices to and with construction equipment; (xiv) constructing sound barriers; (xv) utilizing building designs and layouts that minimize exposure of noise sources to noise-sensitive receptors; and (xvi) using building materials that help reduce noise impacts..

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all impacts to on-site wildlife travel routes to less-than-significant

levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable impacts to on-site wildlife travel routes would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.14.1. Mitigation Measures: See mitigation measures **BIO1; BIO2; BIO13 through BIO16; BIO21 through BIO23 and BIO24 through BIO35** (discussed above in Section 3 and in this Section 4); and **N1 through N9** (discussed above in Section 3 and in this Section 4). These mitigation measures are also discussed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project-specific impacts to on-site wildlife travel routes to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.15. AESTHETICS - LONG-TERM AESTHETIC IMPACTS.

Please refer to DEIR pages 5.9-13 through 5.9-26 (erroneously referred to as Chapter 3.9 in the DEIR) for an analysis of the Project's long-term aesthetic impacts.

Potential Effect and Rationale for Finding:

The Project will have a substantial effect on scenic vistas, will permanently alter the existing visual character and viewshed from surrounding locations, and will degrade other scenic resources, including but not limited to, primary/secondary ridgelines, trees and rock outcroppings.

Required Mitigation Measures:

The Project's long-term aesthetic impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measure described below by preparing and implementing a landscape plan that is subject to the review and approval of the County and which shall be incorporated into the Project's CC&Rs.

Notwithstanding the foregoing, the implementation of the mitigation measure described below will not be sufficient to reduce all of the Project's long-term aesthetic impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's significant and unavoidable long-term aesthetic impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

4.15.1. AES4. The Applicant/developer/builder shall prepare and implement a Landscape Plan that provides planting and maintenance guidance for common landscaped areas, slopes and undeveloped building pads. The Applicant/developer/builder shall be responsible for the Plan's implementation until such time as a homeowners' association is prepared to take over landscape maintenance responsibilities. The Landscape Plan shall be subject to the review and approval by the County Departments of Public Works and Regional Planning, prior to issuance of the grading permit. To ensure its implementation, the Landscape Plan shall be incorporated into the Project's Conditions, Covenants, and Restrictions (CC&Rs) to be recorded prior to final map recordation.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measure described in the above paragraphs will reduce the Project's long-term aesthetic impacts related to construction to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

4.16. SOLID WASTE - OPERATIONAL IMPACTS.

Please refer to DEIR pages 5.15-4 through 5.15-6 for an analysis of the Project's operational solid waste impacts.

Potential Effect and Rationale for Finding:

At build-out, projected solid waste generation for the Project (no recycling) will be approximately 1,695 pounds of solid waste per day, or 309 tons per year. Pursuant to County requirements, the proposed Project shall provide adequate areas for collecting and loading of recyclable materials in concert with County-wide efforts and programs to reduce the volume of solid waste entering landfills.

The DEIR provides that it can be assumed the Project will meet current recycling goals of the community and, in actuality, will only generate approximately 154.5 tons per year due to County diversion rates and a mandate to divert at least 50 percent of potential waste disposal.

Regardless, as a consequence of the finite resources associated with solid waste disposal, and despite the implementation of the recommended mitigation measures, long-term operational impacts will be significant.

Required Mitigation Measures:

The Project's operational solid waste impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) placing recycling containers and areas in practical and convenient locations; (ii) reducing yard waste via landscaping design; (iii) utilizing home design techniques that will accommodate recycling; (iv) distributing educational material regarding recycling to home-buyers; and (v) complying with all applicable regulations regarding use, collection and disposal of solid and hazardous waste.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce all operational solid waste impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The significant and unavoidable operational solid waste impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

General

4.16.1. SW2. The location of recycling/separation areas shall be in close proximity to dumpsters for non-recyclables, elevators, loading docks, and primary internal and external access points.

4.16.2. SW3. The location of recycling/separation areas shall not be in conflict with any applicable federal, state or local laws relating to fire, building, access, transportation, circulation, or safety.

4.16.3. SW4. The location of recycling/separation areas shall be convenient for those persons who deposit, collect, and load the recyclable materials.

4.16.4. SW5. Recycling containers/bins shall be located so that they do not block access to each other.

4.16.5. SW6. Yard waste shall be reduced through the use of drought-tolerant and native vegetation in common area landscaping where possible.

Residential

4.16.6. SW7. Kitchen, garage or garden design shall accommodate trash and recyclable components to assist in the City's recycling efforts.

4.16.7. SW8. Property buyers shall receive educational material on the City's waste management efforts.

4.16.8. SW9. The Applicant shall comply with all applicable state and County regulations and procedures for the use, collection and disposal of solid and hazardous wastes.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's operational solid waste impacts to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

SECTION 5 - POTENTIAL CUMULATIVE IMPACTS THAT ARE NOT SIGNIFICANT (NO MITIGATION REQUIRED)

5.1. CUMULATIVE IMPACTS RELATED TO GEOLOGY, SOILS & SEISMICITY.

Please refer to DEIR pages 5.1-21 through 5.1-22 for an analysis of the Project's contribution to cumulative impacts related to geology, soils and seismicity.

Potential Cumulative Effects and Rationale for Finding:

Although the Project will result in significant unavoidable impacts related to geology, soils and seismicity, these impacts are site-specific and each development site is subject to, at minimum, uniform site development and construction standards relative to seismic and other geologic conditions that are prevalent within the locality and/or region. Because the development of each cumulative Project site will have to be consistent with the requirements of the County Department of Public Works for project sites in unincorporated Los Angeles County, and the Uniform Building Code, as they pertain to protection against known geologic hazards, impacts of cumulative development will be less than significant, given known geologic considerations.

Finding:

The Project and related projects will not result in significant cumulative Geology, Soils or Seismicity impacts.

5.2. CUMULATIVE IMPACTS ASSOCIATED WITH HAZARDS AND HAZARDOUS MATERIALS.

Please refer to DEIR pages 5.3-33 through 5.3-34 for an analysis of the Project's contribution to cumulative impacts associated with hazards and hazardous materials.

Potential Cumulative Effects and Rationale for Finding:

Because hazards and hazardous materials issues are site-specific, any impact resulting from implementation of the Project and any related projects in the vicinity will not be cumulatively considerable.

Even though the Project's contribution to cumulative impacts associated with hazards and hazardous materials is less than significant, the applicant will be required to comply with mitigation measures HAZ1 through HAZ8 (which are provided above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference) to further reduce the Project's contribution to such cumulative impacts.

Finding:

The Project's contribution to cumulative impacts associated with hazards and hazardous materials is not considerable and is therefore less than significant.

5.3. BIOLOGY - CUMULATIVE INDIRECT IMPACTS TO SPECIAL-STATUS PLANT SPECIES.

Please refer to DEIR pages 5.6-104 through 5.6-107 for an analysis of the Project's contribution to cumulative indirect impacts to special-status plant species.

Potential Cumulative Effects and Rationale for Finding:

The DEIR provides that the Project will not have any cumulatively considerable indirect impacts to special-status plant species.

Finding:

The Project's contribution to cumulative indirect impacts to special-status plant species is not considerable and is therefore less than significant.

5.4. BIOLOGY - CUMULATIVE IMPACTS TO GENERAL WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-107 through 5.6-111 for an analysis of the Project's contribution to cumulative indirect impacts to general wildlife species.

Potential Cumulative Effects and Rationale for Finding:

Cumulative impacts to the loss of and disturbance to (i) aquatic/semi-aquatic wildlife during construction; (ii) amphibian wildlife during construction; (iii) reptile wildlife during construction; (iv) mammal wildlife during construction; and (v) cumulative impacts to the loss of

and disturbance to breeding and nesting birds during construction are described on pages 5.6-107 to 5.6-111 of the DEIR. As described below in Section 6, cumulative impacts to the loss of and disturbance to aquatic/semi-aquatic wildlife during construction will be less than significant following mitigation. As described below in Section 7, cumulative impacts to the loss of and disturbance to amphibian wildlife during construction and cumulative impacts to the loss of and disturbance to breeding and nesting birds during construction will remain significant and unavoidable despite mitigation. However, cumulative impacts to the loss of and disturbance to reptile wildlife and mammal wildlife during construction will be less than significant.

Finding:

The Project's contribution to cumulative indirect impacts to reptile wildlife and mammal wildlife during construction will be less than significant.

5.5. BIOLOGY – CUMULATIVE INDIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-125 through 5.6-130 and for an analysis of the Project's cumulative indirect impacts to special-status wildlife species.

Potential Effects and Rationale Supporting Finding:

As discussed above in Section 3, some of these indirect impacts to special-status wildlife species are potentially significant, but will be mitigated to a less-than-significant level. However, the cumulative indirect impacts to special-status wildlife species, including cumulative noise impacts, cumulative light impacts and cumulative impacts from human activity related to the Project will remain less than significant.

Finding:

For the foregoing reasons, the Project will have a less-than-significant cumulative indirect impact to special-status wildlife species.

5.6. BIOLOGY - CUMULATIVE IMPACTS TO VEGETATION – INCLUDING THOSE TO SENSITIVE HABITAT.

Please refer to DEIR pages 5.6-130 to 5.6-154 and for an analysis of the Project's cumulative impacts to vegetation, including those to sensitive habitat.

Potential Effects and Rationale Supporting Finding:

Most of the Project's cumulative contribution to impacts upon vegetation, including sensitive habitat, will remain significant and unavoidable and, as a result, are discussed below in Section 7. Specifically, as explained in Section 7, development associated with the Project, and with other cumulative projects, is expected to have a cumulative, significant and unavoidable contribution on impacts to Grassland habitats; Lichen-Rock Outcrop habitats; Coastal Sage Scrub; Chaparral habitats; Coast Live Oak trees; Valley Oak trees; Oak woodlands; and wetland habitats and plants. However, cumulative impacts to Southern California Black Walnut

woodlands and Scrub Oaks will not be cumulatively considerable, because the Project-specific impacts to those species are not considered significant after mitigation and/or those species do not occur on-site in large quantities. As a result, cumulative impacts to Southern California Black Walnut woodlands and Scrub Oaks are not considerable.

Finding:

The Project will have a less-than-significant cumulative impact to Southern California Black Walnut woodlands and Scrub Oaks.

5.7. BIOLOGY - CUMULATIVE IMPACTS TO WATER QUALITY.

Please refer to DEIR page 5.6-155 for an analysis of the Project's cumulative impacts to water quality.

Potential Effects and Rationale Supporting Finding:

As discussed in Section 3.9 (Water Quality), the Project's on-site impacts to water quality will be mitigated to a less-than-significant level. (See mitigation measures **HWQ5** through **HWQ14** in Section 3.9 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference). As a result, the Project will not have a considerable cumulative contribution to water quality impacts.

Finding:

The Project will have a less-than-significant cumulative impact upon water quality.

5.8. BIOLOGY - CUMULATIVE IMPACTS RESULTING FROM PROJECT LANDSCAPING.

Please refer to DEIR page 5.6-165 for an analysis of the Project's cumulative impacts resulting from Project landscaping.

Potential Effects and Rationale Supporting Finding:

As discussed in Section 3.29 (Project-Specific Impacts Resulting from Project Landscaping), the Project's on-site impacts related to landscaping will be mitigated to a less-than-significant level. (See mitigation measures **BIO7**, **BIO 8** and **BIO9** in Section 3.24 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference). As a result, the Project will not have a considerable cumulative impact related to landscaping.

Finding:

The Project will have a less-than-significant cumulative impact with regards to landscaping.

5.9. BIOLOGY - CUMULATIVE IMPACTS TO SURROUNDING SIGNIFICANT ENVIRONMENTAL AREAS.

Please refer to DEIR pages 5.6-165 through 5.6-167 for an analysis of the Project's cumulative impacts to surrounding SEAs.

Potential Effects and Rationale Supporting Finding:

As of the date of the Notice of Preparation, no other projects were proposed that would degrade the SEAs that surround the Project site.

Finding:

For the forgoing reason, the Project will have a less than significant cumulative impact upon the SEAs that surround the Project site.

5.10. BIOLOGY - CUMULATIVE IMPACTS RELATED TO INTERFERENCE WITH WILDLIFE CORRIDORS WITHIN LYONS CANYON.

Please refer to DEIR page 5.6-172 for an analysis of the Project's cumulative impacts related to interference with wildlife corridors within Lyons Canyon.

Potential Effects and Rationale Supporting Finding:

As discussed in Section 3.30 (Project-Specific Impacts Related to Interference with Wildlife Corridors Within Lyons Canyon), the Project's on-site impacts related to interference with wildlife corridors within Lyons Canyon will be mitigated to a less-than-significant level. (See mitigation measures **BIO1**; **BIO2**; **BIO13** through **BIO16**; **BIO21** through **BIO23**; **BIO24** through **BIO35**; and **N1** through **N9**, in Section 3 and Section 4 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference). As a result, the Project will not have a cumulatively considerable impact on the same.

Finding:

For the forgoing reason, the Project will have a less-than-significant cumulative impact related to interference with wildlife corridors within Lyons Canyon.

5.11. MINERAL RESOURCES - CUMULATIVE IMPACTS.

Please refer to DEIR page 5.8-3 for an analysis of the Project's cumulative impacts related to mineral resources.

Potential Effects and Rationale Supporting Finding:

Based on the fact that there are no designated Mineral Resource Zones or other known or potential mineral resource areas in or near the Project site, including those noted in the *City of Santa Clarita General Plan Open Space and Conservation Element* or in the *County of Los Angeles Santa Clarita Valley Area Plan* as being of local importance, implementation of the

Project, in conjunction with all related projects, will not result in a permanent loss of, or loss of access to, mineral resources within such areas.

Finding:

For the forgoing reasons, the Project will have a less-than-significant cumulative impact on mineral resources.

5.12. FIRE SERVICES - CUMULATIVE IMPACTS RELATED TO FIRE SERVICES AND FIRE HAZARDS.

Please refer to DEIR pages 5.13-9 through 5.13-10 for an analysis of the Project's cumulative impacts related to fire services and fire hazards.

Potential Effects and Rationale Supporting Finding:

Future development within surrounding incorporated and unincorporated areas of the County, and related projects, will be required to provide funds to the Fire Department Developer Fees program, as deemed appropriate by the County Fire Department, which will provide the tax revenues for the operation and staffing of local fire service facilities and help off-set future cumulative impacts. Moreover, as discussed in Section 3.38, the Project is expected to mitigate all Project-specific impacts related to fire services and fire hazards to less-than-significant levels. See mitigation measures FS1 through FS7 in Section 3.38 and also in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

For the forgoing reasons, the Project will have a less-than-significant cumulative impact on fire services and fire hazards.

5.13. SHERIFF SERVICES – EMERGENCY RESPONSE/EVACUATION PLANS.

Please refer to DEIR page 5.14-8 for an analysis of the Project's cumulative impacts on emergency response/evacuation plans.

Potential Effects and Rationale Supporting Finding:

The resident and daytime populations of the cumulative project sites will increase above current levels upon build-out of the Project and related projects. These populations will be subject to potential emergencies (e.g., earthquake, fire, etc.). However, all development projects in the Santa Clarita Valley are subject to review and approval by the County Fire Department, which requires that, among other conditions, adequate access exists for emergency vehicles. Given that the Project and related projects will be required to provide adequate emergency vehicle access, cumulative development will not adversely affect or prevent implementation of any emergency response or evacuation plans. As such, impacts will be less than significant in this regard.

Note, however, that the Project's contribution to the incremental demand for police protection services may remain significant and unavoidable. As such, those impacts are addressed in Section 7.

Finding:

For the forgoing reasons, the Project will have a less-than-significant cumulative impact to evacuation plans.

5.14. ELECTRICITY.

Please refer to DEIR pages 5.16-2 through 5.16-4 for an analysis of the Project's cumulative impacts related to electricity.

Potential Effects and Rationale Supporting Finding:

As explained in Section 2.14, implementation of the Project will incrementally increase demands on electricity supplies and distribution infrastructure and could potentially have a cumulative impact on the same. Specifically, Project-related electricity demand will represent a 0.00095% increase of SCE's annual power deliveries.

Although the Project and related projects will create additional demands on electricity supplies and distribution infrastructure, it is expected that the electrical loads of the Project and related projects are within the parameters of projected load growth, which SCE is planning to meet in the area. All electricity lines and other system improvements would be installed, in whole or in part, at the expense of the Project applicant and other development project applicants, and would serve to avoid adverse impacts to the electricity distribution system.

Although the Project and related projects will create additional demands on electricity supplies and distribution infrastructure, these demands are well within the service capabilities of SCE. As a result, cumulative impacts would be less than significant.

Finding:

For the forgoing reasons, the Project's contribution to cumulative electrical impacts will be less than significant.

5.15. NATURAL GAS.

Please refer to DEIR pages 5.17-3 through 5.17-5 for an analysis of the Project's cumulative impacts on natural gas.

Potential Effects and Rationale Supporting Finding:

As explained above in Section 2, all Project-specific impacts to natural gas will be mitigated to a less-than-significant level. As a result, the Project will not have any cumulatively considerable impacts to natural gas.

Finding:

For the forgoing reasons, the Project's contribution to cumulative natural gas impacts will be less than significant.

5.16. PARKS AND RECREATION – CUMULATIVE IMPACTS.

Please refer to DEIR pages 5.19-12 through 5.19-13 for an analysis of the Project's cumulative parks and recreation impacts.

Potential Effects and Rationale Supporting Finding:

The County's park dedication requirements for new subdivisions are applicable to the Project and related projects in the County that include residential development. Per the Quimby Act, the County requires that land be dedicated, or equivalent fees be paid, for neighborhood and community parks or recreational purposes. The Project already includes the development of a 1.39-acre neighborhood park and the dedication of 129.5 acres for open space and trail usage, while the related projects include 28 acres of parks, some or all of which will count toward park dedication requirements, as applicable. As previously discussed, fees may also be used to satisfy parkland requirements in lieu of the dedicated parkland. The actual park dedication calculations and credit determinations will be based on the subdivision maps submitted for each residential development among the cumulative projects.

Finding:

For the forgoing reasons, the Project will have less-than-significant cumulative impacts upon parks and recreation.

5.17. CUMULATIVE IMPACTS TO WATER DEMAND AND SUPPLY.

Please refer to DEIR page 5.11-24 for an analysis of the Project's contribution to cumulative impacts related to water demand and supply.

Potential Effects and Rationale Supporting Finding:

According to the conclusions of the *Water Supply Study* completed for the Project, adequate water supplies will be available to serve the Project and other development within the Castaic Lake Water Agency service area (including related projects) through 2030 (the planning horizon in the CLWA's 2005 Urban Water Management Plan ("2005 UWMP")), during normal years, single dry years, and multiple dry years. Stated differently, while the Project will have some incremental impact on water demand and supply, those impacts have already been planned for by the Castaic Lake Water Agency. As a result, cumulative impacts will be less than significant.

Finding:

For the forgoing reasons, the Project's contribution to cumulative impacts related to water demand and supply will be less than significant.

SECTION 6 - POTENTIAL CUMULATIVE IMPACTS THAT HAVE BEEN MITIGATED TO A LEVEL OF INSIGNIFICANCE.

6.1. CUMULATIVE IMPACTS TO HYDROLOGY AND WATER QUALITY.

Please refer to DEIR pages 5.2-33 through 5.2-34 for an analysis of the Project's cumulative impacts to hydrology and water quality.

Potential Cumulative Effects and Rationale for Finding:

Development associated with the Project and other cumulative projects will contribute to cumulative hydrology and water quality impacts.

Required Mitigation Measures

The following required mitigation measures will reduce the Project's contribution to cumulative impacts related to hydrology and water quality, associated with implementation of the Project, to less-than-significant levels by insuring compliance with the State Water Resources Control Board, implementing the County's BMPs, providing necessary education programs and by implementing and including several other programs and facilities.

6.1.1. Mitigation Measures: See mitigation measures HWQ1 through HWQ14, which are listed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative impacts to hydrology and water quality, for the foregoing reasons, the Commission adopts Finding 1.

6.2. BIOLOGY - CUMULATIVE DIRECT IMPACTS TO SPECIAL-STATUS PLANT SPECIES.

Potential Cumulative Effects and Rationale for Finding:

Please refer to DEIR pages 5.6-90 through 5.6-104 for an analysis of the Project's contribution to cumulative direct impacts to the 7 special-status plant species observed on-site. That section of the DEIR provides that populations of the special-status plant species occurring on-site will be directly impacted by the Project. However, the DEIR also provides that the proposed mitigation measures are designed to compensate for such direct and indirect impacts to this species. As a result, the cumulative impacts will be less than significant if the proposed mitigation measures of re-establishment and preservation of the special-status plant species are successful.

Required Mitigation Measures

The following required mitigation measures will reduce the Project's contribution to cumulative impacts to special-status plant species associated with implementation of the Project to less-than-significant levels by conducting necessary and appropriate surveys, preserving habitat,

implementing preserve maintenance programs and by relocating, transplanting and propagating such species.

6.2.1. Mitigation Measures: See mitigation measures **BIO1** through **BIO4**, which are listed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative direct impacts to special-status plant species, for the foregoing reasons, the Commission adopts Finding 1.

6.3. BIOLOGY - CUMULATIVE IMPACTS TO GENERAL WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-107 through 5.6-111 for an analysis of the Project's contribution to cumulative indirect impacts to general wildlife species.

Potential Cumulative Effects and Rationale for Finding:

Cumulative impacts to the loss of and disturbance to (i) aquatic/semi-aquatic wildlife during construction; (ii) amphibian wildlife during construction; (iii) reptile wildlife during construction; (iv) mammal wildlife during construction; and (v) cumulative impacts to the loss of and disturbance to breeding and nesting birds during construction are described on pages 5.6-107 to 5.6-111 of the DEIR. As described above in Section 5, cumulative impacts to the loss of and disturbance to reptile wildlife and mammal wildlife during construction will be less than significant. As described below in Section 7, cumulative impacts to the loss of and disturbance to amphibian wildlife during construction and cumulative impacts to the loss of and disturbance to breeding and nesting birds during construction will remain significant and unavoidable despite mitigation. However, cumulative impacts to the loss of and disturbance to aquatic/semi-aquatic wildlife during construction will be less than significant following mitigation.

Required Mitigation Measures

The following required mitigation measures will reduce the Project's contribution to cumulative impacts to the loss of and disturbance to aquatic/semi-aquatic wildlife to less-than-significant levels by (i) complying with grading permit requirements; (ii) implementing appropriate and necessary BMPs; (iii) locating and, if necessary, relocating such species; and (iv) complying with the Migratory Bird Act.

6.3.1. Mitigation Measures: See mitigation measures **BIO6** and **BIO10** through **BIO12**, which are listed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative impacts to the loss of and disturbance to aquatic/semi-aquatic wildlife, for the foregoing reasons, the Commission adopts Finding 1.

6.4. CULTURAL RESOURCES – CUMULATIVE IMPACTS.

Please refer to DEIR page 5.7-18 for an analysis of the Project's contribution to cumulative cultural impacts.

Potential Effects and Rationale for Finding:

Impacts related to cultural resources are limited to physical changes to such resources on the Project site. Accordingly, since cultural resources impacts are site-specific, impacts to resources located off-site could not occur as a result of Project implementation. Therefore, impacts resulting from the Project and other related projects will not be cumulatively considerable.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's contribution to cumulative cultural impacts to less-than-significant levels by (i) receiving instruction from the Project archaeologist regarding protecting and safely removing potentially significant materials; (ii) implementing a cultural resources monitoring program; (iii) properly handling Native American remains, if any are discovered on-site; (iv) receiving instruction from the Project paleontologist regarding protecting and safely removing potentially significant materials; (v) carefully monitoring grading; and (vi) properly excavating any fossil beds by a qualified paleontologist.

6.4.1. Mitigation Measures: See mitigation measures **CR1** through **CR6**, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative cultural impacts, for the foregoing reasons, the Commission adopts Finding 1.

6.5. CUMULATIVE TRAFFIC IMPACTS.

Please refer to DEIR page 5.10-35 for an analysis of Project's potential contribution to cumulative traffic impacts.

Potential Effects and Rationale for Finding:

Due to the nature of traffic-related impacts and the location of the Project site (i.e., along the southwestern edge of the Santa Clarita Valley), the Project's traffic study focused on all cumulative projects located within the Santa Clarita Valley. The cumulative projects relevant to the traffic impact analysis were taken directly from the valley-wide traffic model, as is standard practice in the County and in the City of Santa Clarita for evaluation of traffic network impacts.

The evaluation of the Project's traffic impacts is based on a comparison of cumulative traffic conditions (including the Project) to existing traffic conditions (without the Project). The Interim Year scenario, utilized as a basis for calculating the Project's traffic impacts, incorporates all cumulative development in the Santa Clarita Valley. Therefore, cumulative impacts of the

Project and other related projects have been addressed. With implementation of applicable mitigation measures for on- and off-site traffic system improvements, cumulative impacts associated with implementation of the Project will be less than significant.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's potential contribution to cumulative traffic impacts to less-than-significant levels by implementing improvements to such intersections, roadways and freeway on/off ramp intersections.

6.5.1. Mitigation Measures: See mitigation measures T1 through T2, which are discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative traffic impacts, for the foregoing reasons, the Commission adopts Finding 1.

6.6. CUMULATIVE WASTEWATER IMPACTS.

Please refer to DEIR pages 5.11-24 through 5.11-26 for an analysis of the Project's contribution to cumulative wastewater impacts.

Potential Effects and Rationale for Finding:

As explained above in Section 3, the County will not issue connection permits to the sewer system if it cannot be demonstrated that sufficient capacity exists to serve a proposed development project. Moreover, new users must pay connection fees, which are deposited into a restricted Capital Improvement Fund (CIF) used solely to capitalize the future expansion of affected system facilities. As a result of the foregoing, wastewater flows from the Project and other related projects could not cause an exceedance of capacity of the wastewater conveyance system or SCVSD treatment plants, since adequate capacity must be demonstrated in order to contribute flows to the system. With implementation of applicable mitigation, which requires approval of points of connection and quantification of the available capacity in the affected portions of the sewer system serving the City of Santa Clarita and the County, impacts will be less than significant.

Required Mitigation Measures:

The following required mitigation measures will reduce cumulative wastewater impacts to less-than-significant levels by having the LACSD review and approve all points of connection and insure capacity qualification prior to such approval.

6.6.1. Mitigation Measures: See mitigation measure WW1, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative wastewater impacts, for the foregoing reasons, the Commission adopts Finding 1.

6.7. CUMULATIVE IMPACTS TO SCHOOLS.

Please refer to DEIR page 5.12-7 for an analysis of the Project's contribution to cumulative impacts upon area schools.

Potential Effects and Rationale for Finding:

A significant cumulative impact could occur if the Project did not contribute its fair share to mitigate adverse effects on school facilities. However, as explained above in Section 3, the school funding agreements into which the Applicant has entered with the respective school districts will mitigate the Project's specific impacts. Cumulative impacts on schools may be mitigated through similar school facilities funding agreements between the respective districts and future project applicants, or through other mechanisms, such as SB 50, the Valley-Wide Joint Fee Resolution, and/or other future facilities funding agreements between the districts and the developers of new residential projects.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's contribution to cumulative impacts upon area schools to less-than-significant levels by requiring the applicant to enter into a written mitigation agreement with the appropriate school districts. Such written mitigation agreement will require all necessary fees be paid, so as to reduce the Project's impacts related to increased enrollment in area schools to less-than-significant levels.

6.7.1. Mitigation Measures: See mitigation measures SE1 and SE2, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative impacts to area schools, for the foregoing reasons, the Commission adopts Finding 1.

6.8. CUMULATIVE LIBRARY IMPACTS.

Please refer to DEIR page 5.18-5 for an analysis of cumulative library impacts.

Potential Effect and Rationale for Finding:

The Project and related projects will create additional demand for library services, facilities and materials within the Santa Clarita Valley. Nonetheless, as previously discussed, the Commission considers payment of fees for new residential development projects adequate mitigation for library service impacts. Based on the amount of residential development proposed as part of the

Project and related projects, the County will require payment of \$665 per dwelling unit to mitigate library service impacts. Given that the Project and related projects will pay requisite library fees to the County, cumulative impacts to library facilities and services will be less than significant.

Required Mitigation Measures:

The following required mitigation measures will reduce the Project's contribution to cumulative library impacts to less-than-significant levels by requiring the Applicant to pay the necessary and appropriate library mitigation fees.

6.8.1. Mitigation Measures: See mitigation measure **LIB1**, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

With regards to cumulative impacts to area libraries and materials, for the foregoing reasons, the Commission adopts Finding 1.

SECTION 7 - CUMULATIVE IMPACTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

7.1. CUMULATIVE NOISE IMPACTS RELATED TO TRAFFIC.

Please refer to DEIR page 5.4-20 for an analysis of the Project's contribution to cumulative noise impacts related to traffic.

Potential Effect and Rationale for Finding:

Development associated with the Project and other cumulative projects could result in cumulatively considerable traffic-related noise impacts. Traffic-related noise impacts related to the Project are expected to be cumulatively considerable, when considered with traffic noise generated by or related to other area projects.

Since the existing noise environment experienced by residential development in the Project vicinity exceeds the County's exterior noise thresholds (primarily due to I-5 freeway noise), the Project's minimal contribution to exterior noise levels is considered a significant and unavoidable cumulative impact despite the implementation of the mitigation measures referenced below.

Required Mitigation Measures:

The Project's contribution to cumulative noise impacts related to traffic will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measure described below by (i) constructing sound barriers; (ii) utilizing building designs and layouts that minimize exposure of noise sources to noise-sensitive receptors; and (iii) using building materials that help reduce noise impacts.

Notwithstanding the foregoing, the implementation of the mitigation measure described below will not be sufficient to reduce the Project's contribution to cumulative noise impacts related to traffic to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative noise impacts related to traffic would be somewhat reduced under the No Project Alternative discussed in the DEIR, because, under the No Project Alternative, there would not be any construction whatsoever and, as a result, no noise-sensitive receptors would be added to the Project site. However, that alternative is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.1.1. Mitigation Measures: See mitigation measures N3 through N9, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative noise impacts related to traffic to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.2. CUMULATIVE AIR QUALITY IMPACTS.

Please refer to DEIR page 5.5-25 for an analysis of the Project's contribution to cumulative air quality impacts.

Potential Effect and Rationale for Finding:

Construction of the Project will contribute cumulatively to the local and regional air pollutants together with other projects under construction. Emissions associated with operations of the Project will contribute to long-term regional air pollutants. Therefore, even though mitigation measures will be implemented to reduce impacts to the maximum extent practicable, implementation of the Project will contribute to significant cumulative air quality impacts.

Required Mitigation Measures:

The Project's contribution to cumulative air quality impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) implementing certain standards that minimize construction-related emissions; (ii) using low emission-producing materials; (iii) incorporating energy efficient elements to building designs; and (iv) providing shade trees to prevent heat build-up in parking areas.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative air quality impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative air quality impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR, because, under the No Project Alternative, there would not be any construction whatsoever. However, that alternative is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.2.1. Mitigation Measures: See mitigation measures AQ1 through AQ6, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative air quality impacts to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.3. BIOLOGICAL RESOURCES – CUMULATIVE, DIRECT IMPACTS TO RARE PLANTS POTENTIALLY OCCURRING ON-SITE.

Please refer to DEIR pages 5.6-90 through 5.6-104 for an analysis of the Project's contribution to cumulative, direct impacts to rare or special-status plant species potentially occurring on-site.

Potential Effect and Rationale for Finding:

As explained above in Section 4, several (i.e., 6) special-status plant species are likely to occur on-site but have not been detected during the conducted field surveys. These special-status plant species include: *Aster greatae* (Greata's Aster); *Erodium macrophyllum* (Round-leaved Filaree); *Horkelia cuneata ssp. puberula* (Mesa Horkelia); *Lepidium virginicum var. robinsonii* (Robinson's Pepper-grass); *Nolina cismontana* (Chaparral Nolina); and *Senecio aphanactis* (Rayless Ragwort). Cumulative impacts to these species are potentially significant; that is, since they have not yet occurred on-site -- and are only likely to occur -- there can be no actual cumulative impact. Nevertheless, both direct and indirect cumulative impacts to these species could be significant if (i) these species actually occurred on-site; and (ii) implementation of the mitigation measures described below fail. Despite the fact that there cannot yet be any cumulative impacts -- let alone cumulatively considerable impacts -- until these two conditions are met, out of an abundance of caution, the potential cumulative impacts to these special-status species are included in this Section 7 as significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative, direct impacts to rare or special-status plant species potentially occurring on-site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by conducting necessary and appropriate surveys, preserving habitat, implementing preserve maintenance programs and by relocating, transplanting and propagating such species..

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative, direct impacts to rare or special-status plant species potentially occurring on-site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative, direct impacts to rare or special-status plant species potentially occurring on-site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.3.1. Mitigation Measures: See mitigation measures **BIO1**, **BIO2** and **BIO5**, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative, direct impacts to special-status plant species potentially occurring on-site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.4. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO GENERAL WILDLIFE SPECIES.

Please refer to DEIR pages 5.6-107 through 5.6-111 for an analysis of the Project's contribution to cumulative impacts to general wildlife species.

Potential Effect and Rationale for Finding:

The cumulative impacts relating to the loss of and disturbance to amphibian wildlife during construction and the cumulative impacts relating to the loss of and disturbance to breeding and

nesting birds during construction will be significant and unavoidable. The habitat for these species has decreased significantly in the County, as urban development has increased in the last decade in the Santa Clarita Valley region. Currently, proposed and permitted projects will further reduce habitat in the near future. The cumulative loss of amphibian habitats will contribute to the incremental and cumulative loss of amphibian wildlife, and is considered a cumulatively significant impact. The loss of occupied bird nests is also considered a significant impact. Currently proposed and permitted projects will reduce existing bird nests and habitat for nesting birds in the near future. The cumulative loss of bird nests and nesting habitat will contribute to the incremental and cumulative loss of such habitat, and is also considered a cumulatively significant impact. Note that the remaining cumulative impacts to general wildlife species are projected to be mitigated to a less-than-significant level, or are projected to be less than significant and, as a result, such impacts are discussed (respectively) in Sections 5 and 6, above.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to general wildlife species will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) complying with grading permit requirements; (ii) implementing appropriate and necessary BMPs; (iii) by locating and, if necessary, relocating such species; and (iv) complying with the Migratory Bird Act.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to general wildlife species to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to general wildlife species would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.4.1. Mitigation Measures: See mitigation measures **BIO6, BIO10, BIO11 and BIO12**, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative impacts to general wildlife species to the greatest extent feasible. Nevertheless, after mitigation, these cumulative impacts will remain significant and unavoidable. These significant adverse impacts of the Project are

determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.5. BIOLOGICAL RESOURCES – DIRECT CUMULATIVE IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES OBSERVED ON-SITE OR IMMEDIATELY ADJACENT TO THE PROJECT SITE.

Please refer to DEIR pages 5.6-111 through 5.6-118 for an analysis of the Project's contribution to cumulative direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site.

Potential Effect and Rationale for Finding:

Special-status wildlife species observed on-site or immediately adjacent to the Project site include Cooper's Hawk (*Accipiter cooperii*); Barn Owl (*Tyto alba*); Oak Titmouse (*Baeolophus inornatus*); Nuttall's Woodpecker (*Picoides nuttallii*); and the San Diego Desert Woodrat (*Neotoma lepida intermedia*). Cumulative direct impacts to each of these special-status wildlife species will be significant and unavoidable, except for the Barn Owl, which is highly adaptable and routinely utilizes man-made structures, and is little affected by human activities.

Required Mitigation Measures:

The Project's contribution to cumulative, direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) locating and, if necessary, relocating such species; (ii) complying with the Migratory Bird Act; (iii) performing necessary and appropriate surveys; (iv) avoiding disturbance to sensitive areas; (v) maintaining buffers; (vi) avoiding contact with such species; and (vii) replacing or compensating habitats of such species.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative, direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative direct impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.5.1. Mitigation Measures: See mitigation measures BIO11 through BIO16, discussed above in Section 3) and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the direct, cumulative impacts to special-status wildlife species observed on-site or immediately adjacent to the Project site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.6. BIOLOGICAL RESOURCES – CUMULATIVE DIRECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES LIKELY TO OCCUR ON-SITE.

Please refer to DEIR pages 5.6-118 through 5.6-125 for an analysis of the Project's contribution to cumulative, direct impacts to special status wildlife species likely to occur on-site.

Potential Effect and Rationale for Finding:

As discussed above, several (i.e., 19) special-status wildlife species are *likely* to occur on-site but have not been detected during several field surveys conducted on-site. These special-status wildlife species include: Silvery Legless Lizard (*Anniella pulchra pulchra*); Coastal Western Whiptail (*Aspidoscelis tigris stejnegeri*); Rosy Boa (*Charina trivirgata*); San Diego Banded Gecko (*Coleonyx variegates abboti*); San Diego Horned Lizard (*Phrynosoma coronatum*); Coast Patch-nosed Snake (*Salvadora hexalepis virgulata*); Southern California Rufous-crowned Sparrow (*Aimophila ruficeps canescens*); Grasshopper Sparrow (*Ammodramus savannarum*); Bell's Sage Sparrow (*Amphispiza belli ssp. belli*); Long-eared Owl (*Asio otus*); Costa's Hummingbird (*Calypte costae*); Lawrence's Goldfinch (*Caroluelis lawrencei*); Lark Sparrow (*Chondestes grammacus*); Northern Harrier (*Circus cyaneus*); Loggerhead Shrike (*Lanius ludovicianus*); California Thrasher (*Toxostoma redivivum*); Ring-tailed Cat (*Bassariscus astutus*); Western Mastiff Bat (*Eumops perotis californicus*); and the Mountain Lion (*Puma concolor*). Should they indeed occur on-site, cumulative, direct impacts to these species will be significant and unavoidable. In all events, and regardless of whether any of these species are found on-site, the Project will have a significant and unavoidable cumulative impact on these species, since the Project will clear and grade up to 118.74 acres of foraging and nesting habitat.

Required Mitigation Measures:

The Project's contribution to cumulative, direct impacts to special status wildlife species likely to occur on-site will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) locating and, if necessary, relocating such species; (ii) complying with the Migratory Bird Act; (iii) performing necessary and appropriate surveys; (iv) avoiding disturbance to sensitive areas; (v) maintaining buffers; (vi) avoiding contact with such species; (vii) replacing or compensating habitats of such species;

(viii) implementing wildlife relocation programs; (ix) controlling invasive species; and (x) creating replacement habitat.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative, direct impacts to special status wildlife species likely to occur on-site to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative, direct impacts to special status wildlife species likely to occur on-site would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.6.1. Mitigation Measures: See mitigation measures **BIO11** through **BIO20**, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the direct, cumulative impacts to special-status wildlife species likely to occur on-site to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.7. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO VEGETATION – INCLUDING SENSITIVE HABITATS.

Please refer to DEIR pages 5.6-130 through 5.6-154 for an analysis of the Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats.

Potential Effect and Rationale for Finding:

Development associated with the Project and other cumulative projects will result in cumulatively considerable impacts to vegetation – including impacts to sensitive habitats. Specifically, the Project is expected have a cumulative contribution to impacts on Grassland habitats; Lichen-Rock Outcrop habitats; Coastal Sage Scrub; Chaparral habitats; Coast Live Oak trees; Valley Oak trees; Oak woodlands; and wetland habitats and plants. It is important to note, however, that cumulative impacts to Southern California Black Walnut woodlands and Scrub Oaks will not be cumulatively considerable (i.e., no mitigation necessary), and as a result, those impacts are discussed above in Section 5.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats, will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) protecting and enhancing grasslands and costal scrub brush; (iv) preserving on-site oaks; (v) planting additional oaks on-site and relocating certain mature oaks; and (vi) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats, to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats, would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.7.1. Mitigation Measures: See mitigation measures **BIO1** and **BIO2**; and **BIO24** through **BIO35**, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative impacts to vegetation, including those impacts to sensitive habitats, to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.8. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO LOSS OF WILDLIFE FORAGING AND COVER HABITATS.

Please refer to DEIR pages 5.6-155 through 5.6-156 for an analysis of the Project's contribution to cumulative impacts to wildlife foraging and cover habitats.

Potential Effect and Rationale for Finding:

Development associated with the Project, together with other cumulative projects, will have a cumulative, significant and unavoidable impact associated with the loss of wildlife foraging and cover habitats.

The wildlife habitats observed on-site include those sensitive habitats discussed, including Grassland, Coastal Sage Scrub, Chaparral, Coast Live Oak, California Black Walnut Woodland, and Southern Riparian Scrub. These habitats observed at Lyons Canyon Ranch are used for nesting and foraging habitat for several species of birds, and cover and foraging habitat for small and large mammals. Several wildlife species use the habitats on-site as a movement corridor where the site vegetation provides cover from predators and food and water resources. The function of the wetland habitat on-site is improved by the presence of natural upland vegetation and habitats creating cumulative high species richness for the Lyons Canyon area.

A total of approximately 118.74 acres of natural vegetation (including the loss of 98.86 acres resulting from direct grading impacts and the loss of an additional 19.88 acres resulting from indirect fuel modification impacts) will be impacted on-site, including sensitive plant communities and wetlands. Collectively, impacts to these wildlife habitats, including impacts that break their connectivity and increase habitat fragmentation, are considered a cumulatively significant and unavoidable impact.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to wildlife foraging and cover habitats will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) conducting necessary and appropriate surveys; (ii) preserving habitat; (iii) relocating, transplanting and propagating certain plant species; (iv) protecting and enhancing grasslands and coastal scrub brush; (v) preserving on-site oaks; (vi) planting additional oaks on-site and relocating certain mature oaks; and (vii) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to wildlife foraging and cover habitats to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to wildlife foraging and cover habitats would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.8.1. Mitigation Measures: See mitigation measures BIO1, BIO2, BIO4, BIO24 and BIO25, discussed above in Section 3, and BIO26, BIO27, BIO28, BIO29, BIO30, BIO31, BIO32, BIO33, BIO34 and BIO35, discussed above in Section 4. Each of these mitigation measures are also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the Project's contribution to cumulative impacts to wildlife foraging and cover habitats to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.9. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO FUEL MODIFICATION.

Please refer to DEIR page 5.6-163 for an analysis of the Project's contribution to cumulative impacts to fuel modification.

Potential Effect and Rationale for Finding:

In addition to the Project resulting in the loss of 98.86 acres of natural vegetation, fuel modification, required by the County Fire Department Fuel Modification Unit, will also result in the loss of -- or significant degradation to -- an additional 36.14 acres of natural vegetation. More specifically, the implementation of the required 200-foot-wide fire protection zone around each building constructed at the Project site will result in the additional loss of at least 36.14 acres of natural vegetation. The 36.14 acres is the portion of the fuel modification zone that extends beyond the Project grading limits, which will contribute additionally to the cumulative loss of natural vegetation in the region. Currently proposed and permitted projects in the region will further reduce the total area of natural vegetation in the near future. This will contribute to the cumulative loss of natural vegetation and is considered cumulatively significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to fuel modification will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) preserving habitat; (ii) implementing conditions of approval for, and requiring County approval on all landscaping; (iii) protecting and enhancing grasslands and coastal scrub brush; (iv) preserving on-site oaks; (v) planting additional oaks on-site and relocating certain mature oaks; and (vi) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to fuel

modification to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to fuel modification would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.9.1. Mitigation Measures: See mitigation measures **BIO2**, **BIO7** and **BIO24** through **BIO35**, discussed above in Sections 3 and 4 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce cumulative impacts resulting from fuel modification to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.10. BIOLOGICAL RESOURCES - CUMULATIVE IMPACTS TO NATURAL OPEN AREAS.

Please refer to DEIR page 5.6-168 for an analysis of the Project's contribution to cumulative impacts to natural open areas.

Potential Effect and Rationale for Finding:

Development associated with the Project will have cumulatively considerable, significant and unavoidable impacts on natural open areas. Specifically, the 235-acre Project site is currently natural open space, consisting of approximately 226.79 acres of natural vegetation and 8.71 acres of roads and disturbed areas. Of the 226.79 acres of natural vegetation on-site, approximately 118.74 acres of those habitats (including sensitive plant communities) will be impacted (52 percent) and approximately 108.05 acres of natural habitats will be preserved. When considering these impacts, together with similar impacts to other proposed area projects, the Project will have a cumulatively considerable, significant and unavoidable impact to natural open areas.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to natural open areas will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures

provided in this section by implementing (i) all the biological mitigation measures discussed above; (ii) all the air quality mitigation measures discussed above; (iii) all the hydrology and water quality mitigation measures discussed above; and (iv) implementing an open area protection and management plan.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to natural open areas to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to natural open areas would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.10.1. BIO36. Open Area Protection and Management Plan. An open area protection and management plan, for all preserve areas designated on-site, shall be prepared to ensure the implementation by the HOA of the mitigation and to aid in the protection of the remaining preserved open areas after the development on-site.

7.10.2. Additional Mitigation Measures. Implementing mitigation measures **BIO1** through **BIO35** (discussed above in Sections 3 and 4); **AQ1** through **AQ4** (discussed above in Section 4); **N1** through **N9** (discussed above in Sections 3 and 4); and **HWQ1** through **HWQ14** (discussed above in Section 3) will also help mitigate these significant and unavoidable impacts. Each of these mitigation measures are also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce cumulative impacts to natural open areas to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.11. CUMULATIVE IMPACTS TO ON-SITE WILDLIFE TRAVEL ROUTES.

Please refer to DEIR pages 5.6-169 through 5.6-171 for an analysis of the Project's contribution to cumulative impacts to on-site wildlife travel routes.

Potential Effect and Rationale for Finding:

Most wildlife travel routes existing on-site represent local movement paths between on-site habitats. A loss of a large number of localized paths is expected due to the Project; however, habitat to be retained on-site will still be accessible to wildlife from adjacent habitats.

The actual number of paths impacted on-site can only be estimated. Wildlife will be able to use the remaining habitats within the periphery of the developed portion of the Project site after construction; however, wildlife movement will be limited within the fuel modification zone since significant vegetation will be removed or thinned from that zone (up to 200 feet from all structures). Wildlife may be reluctant to use the fuel modification zones since much of the vegetation will be removed in these areas, with very little cover and/or shelter resources. This means that wildlife will most likely use only the outside edge of the fuel modification zone, adjacent to intact natural vegetation. Therefore, the Project will contribute to the cumulative impacts to wildlife paths within the Project site, and those impacts are considered cumulatively significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to on-site wildlife travel routes will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) performing necessary and appropriate surveys; (ii) avoiding disturbance to sensitive areas; (iii) maintaining buffers; (iv) avoiding contact with certain plant species; (v) replacing or compensating habitats of certain plant species; (vi) installing protective perimeter fencing; (vii) using designs and materials that will reduce light impacts; (viii) implementing construction techniques and guidelines which minimize noise impacts; (ix) protecting and enhancing grasslands and coastal scrub brush; (x) preserving on-site oaks; (xi) planting additional oaks on-site and relocating certain mature oaks; (xii) implementing BMPs during construction to minimize impacts on, preserve and restore wetlands; (xiii) limiting construction to reasonable times; (xiv) implementing noise-reduction measures and practices to and with construction equipment; (xv) constructing sound barriers; (xvi) utilizing building designs and layouts that minimize exposure of noise sources to noise-sensitive receptors; and (xvii) using building materials that help reduce noise impacts.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to on-site wildlife travel routes to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to on-site wildlife travel routes would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons

explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.11.1. Mitigation Measures: See mitigation measures **BIO1; BIO2; BIO13 through BIO16; BIO21 through BIO23 and BIO24 through BIO35** (discussed above in Sections 3 and 4); and **N1 through N9** (discussed above in Sections 3 and 4). These mitigation measures are also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce the cumulative impacts to on-site wildlife travel routes to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.12. CUMULATIVE IMPACTS TO VISUAL AND AESTHETIC RESOURCES.

Please refer to DEIR page 5.9-28 for an analysis of the Project's contribution to cumulative impacts to visual and aesthetic resources.

Potential Effect and Rationale for Finding:

The Project, in combination with other area development, will contribute to the alteration of the aesthetic character of the southern end of the Santa Clarita Valley from rural to more suburban. The Project and other development in the unincorporated portions of the County and the City of Santa Clarita will transform the character of the area by adding urban uses in currently undeveloped hillside areas. The aesthetic impacts of individual development projects can often be mitigated through careful site design, avoidance of significant visual features and appropriate building and landscape standards. Despite the mitigation that can be applied to individual development projects, the overall change in visual character associated with the Project and cumulative projects is considered an unavoidable significant cumulative impact.

Required Mitigation Measures:

There are no other feasible mitigation measures or acceptable Project alternatives that would substantially lessen or avoid the Project's contribution to cumulative impacts to visual and aesthetic resources because any development on the Project site will alter the site's existing visual character.

Finding:

The Commission adopts Finding 3. Cumulative impacts to visual and aesthetic resources will remain significant and unavoidable. There are no feasible mitigation measures available that will reduce this significant and cumulatively considerable impact to a less-than-significant level. These significant adverse impacts of the Project are determined to be acceptable due to the

overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.13. CUMULATIVE IMPACTS TO SHERIFF SERVICES.

Please refer to DEIR pages 5.14-7 through 5.14-8 for an analysis of the Project's contribution to cumulative impacts to police protection services.

Potential Effect and Rationale for Finding:

Development of the Project and related projects will increase demands for police protection services in the Santa Clarita Valley. As the Project and related projects are developed, tax revenues from property will be generated and accrued by the County and the City of Santa Clarita. Under status-quo conditions, the Project's contribution to cumulative impacts to police protection services will be mitigated to a level of insignificance. However, the County's Board of Supervisors controls funding for the County Sheriff Department and, if such funding is reduced in the future, the Project's contribution to cumulative impacts to police protection services will be significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative impacts to police protection services will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) requiring private security during construction; (ii) incorporating Sheriff Department design requirements into building designs; (iii) incorporating landscaping and lighting designed to avoid concealment of criminal activity; (iv) requiring clearly visible address and building number signs; and (v) incorporating doors and windows that are visible from the street..

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative impacts to police protection services to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative impacts to police protection services would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.13.1. Mitigation Measures: See mitigation measures SS1 through SS6, discussed above in Section 3 and also listed in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce cumulative impacts to police protection services to the greatest extent feasible. However, as explained above, after mitigation, these impacts could still remain significant and unavoidable, depending upon how the County allocates funding to the County Sheriff's Department. These potentially significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

7.14. CUMULATIVE SOLID WASTE IMPACTS.

Please refer to DEIR pages 5.15-6 through 5.15-7 for an analysis of the Project's contribution to cumulative solid waste impacts.

Potential Effect and Rationale for Finding:

Assuming a worst-case scenario, without any recycling activities, development associated with the Project and related projects will likely generate approximately 100.68 tons of solid waste per day, or 36,748 tons per year. As explained above, the Project and related projects are required to comply with County recycling requirements.

The DEIR provides that it is anticipated the Project and related projects will meet current recycling goals and are assumed, in actuality, to only generate approximately 18,374 tons per year of cumulative solid waste for landfill disposal.

The Project and related development projects within the Santa Clarita Valley Area Plan planning area will not produce an amount of solid waste that exceeds available landfill capacity or trash hauler service capabilities in the short term. However, future effects of regional growth and the corresponding increase in solid waste disposal needs within the County will contribute to a significant adverse cumulative impact on solid waste disposal capacity. The DEIR provides that a landfill shortfall will ultimately occur within the County within the 15-year planning period (ending in 2010) unless all proposed landfills become operational and all Class III landfills are expanded (this includes expansions of the Antelope Valley, Chiquita Canyon, Lancaster, Scholl Canyon and Sunshine Canyon landfills). Based on past and current experience in siting new or expanded capacity, many (or all) of new or expanded landfill sites may encounter strong opposition during the permitting process and not all new sites or expansion plans are likely to be approved. Therefore, cumulative solid waste impacts are considered significant and unavoidable.

Required Mitigation Measures:

The Project's contribution to cumulative solid waste impacts will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described below by (i) requiring adherence to all existing source reduction programs; (ii) placing recycling containers and areas in practical and convenient locations; (iii) reducing yard waste via landscaping design; (iv) utilizing home design techniques that will accommodate recycling; (v) distributing educational material regarding recycling to home-buyers; and (vi) complying with all applicable regulations regarding use, collection and disposal of solid and hazardous waste.

Notwithstanding the foregoing, the implementation of the mitigation measures described below will not be sufficient to reduce the Project's contribution to cumulative solid waste impacts to less-than-significant levels. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts.

The Project's contribution to cumulative solid waste impacts would be somewhat reduced under the No Project Alternative discussed in the DEIR, and perhaps under the other alternatives, because, under the No Project Alternative, there would not be any construction whatsoever. With regards to the other alternatives, the impacts might be incrementally less due to a smaller building envelope and/or smaller or less dense project. However, each of these alternatives is rejected as infeasible and unacceptable for the reasons explained in Section 9. The DEIR identifies no other feasible mitigation measures or alternatives that would reduce this impact to a less-than-significant level.

7.14.1. Mitigation Measures: See mitigation measures SW1 through SW9, discussed above in Sections 3 and 4 and in the MMRP, which is attached hereto as Exhibit A and incorporated herein by this reference.

Finding:

The Commission adopts Finding 3. Implementation of the mitigation measures described in the above paragraphs will reduce cumulative solid waste impacts to the greatest extent feasible. Nevertheless, after mitigation, these impacts will remain significant and unavoidable. These significant adverse impacts of the Project are determined to be acceptable due to the overriding economic, legal, social, technological and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section 11 below, which is incorporated herein by this reference.

SECTION 8 GROWTH-INDUCING IMPACTS OF THE ACTION.

Section 15126.2(d) of the CEQA Guidelines requires that an EIR "discuss the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Please refer to DEIR Section 7 for an analysis of the potential growth-inducing impacts of the Project.

Population

Implementation of the Project will involve the development of a total of 93 single-family residential units and 93 senior condominium units. The Project does not have any components that would be considered substantially growth-inducing (such as regional commercial uses or regional infrastructure). However, the subject site is encumbered with existing access easements benefiting the adjacent property owners to the west. Therefore, two "tap" streets ("H" Street and "I" Street) are proposed along the subject site's southwesterly property boundary to provide two future points of ingress and egress to the westerly property owners. If the property to the west is ever proposed for development, it is likely that vehicle traffic from such development will utilize the roadway system proposed for the Project. The existing land use designations on this westerly property are similar to those present on the subject site. Therefore, it is anticipated that future development will consist of relatively low-density residential uses. The population growth attributable to a low-density residential subdivision will not be considered substantial on a regional basis. Therefore, impacts from Project-related future population growth are considered less than significant.

Housing

The site is currently undeveloped and the Project will result in approximately 186 new dwelling units, but will not displace existing housing or require the construction of replacement housing elsewhere. Therefore, the Project will have a less-than-significant housing impact.

Cumulative Growth-Inducing Impacts

Implementation of all cumulative projects, including the Project, will result in additional population, housing development and employment in undeveloped portions of the Santa Clarita Valley. The combination of the Project and other cumulative projects listed in the DEIR will produce a potential population of 133,632 persons based on the listed 43,374 single-family and multi-family dwelling units multiplied by the population per dwelling unit ratio of 3.081. The potential employment developed from that population is derived by using the Southern California Association of Governments (SCAG) jobs/housing ratio for the 6-county SCAG Region of 1.21:1. The potential employment produced will be approximately 52,482 jobs. The Project's anticipated growth of 585 persons and 190 dwelling units will represent 0.4 percent of the cumulative population growth and 1.3 percent of the cumulative housing growth. Therefore, the Project's contribution to population and housing impacts in the Santa Clarita Valley is not cumulatively considerable.

However, after considering the cumulative population and housing impacts of all related projects the DEIR determined that:

- It is not possible to evaluate total cumulative population growth impact significance relative to official regional or local population projections because General Plan build-out is expected to occur well beyond the build-out of the Project and related projects. It is therefore assumed that all growth management goals and policies necessary to reduce cumulative population and housing impacts to a less-than-significant level

throughout the County will be incorporated into the Updated Los Angeles County General Plan and General Plan Environmental Impact Report.

- The build-out of the Project and related projects will create jobs and there will be no net loss of jobs. Cumulative development will not result in a significant impact relative to the net loss of jobs.
- In the course of Santa Clarita Valley (“SCV”) area build-out, existing housing (including affordable housing) could possibly be displaced. This may occur to make way for new development that may be more compatible with local land use designations, to replace aging housing, or for other reasons. Overall, however, the housing stock in the County is expected to grow considerably as the SCV Area Plan states; it can be reasonably assumed that any loss of affordable housing that may occur will be replaced. Therefore, cumulative development will not result in a significant impact relative to loss of existing affordable housing stock.

SECTION 9 - FINDINGS REGARDING ALTERNATIVES.

Under CEQA Guidelines Section 15126.6, a description of a range of reasonable alternatives to the Project or location of the Project, which would feasibly attain most of the objectives of the Project, but would avoid or substantially lessen any of the significant effects of the Project, and evaluate the comparative merits of the alternatives, must be included in an EIR. The alternative analysis shall focus on alternatives to the Project, or its location, which are capable of avoiding or substantially lessening any significant effects associated with the Project. A No Project alternative must be evaluated along with its impact. The alternatives included in the DEIR are (1) a No Project/No Development Alternative; (2) a No Density Bonus Alternative; (3) a Reduced Density Alternative; and (4) a SEA/Oak Tree Avoidance Alternative. The DEIR compares the Project to these four alternatives.

In addition to specifying that the EIR evaluate “a range of reasonable alternatives” to the Project, Section 15126.6(c) also requires that an EIR identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process.

9.1. Project Objectives

The following represent the objectives of the Project:

- 9.1.1.** Develop a high-quality mix of residential components, including single-family residences and senior housing, with a focus on natural open space conservation and orderly development of the Project site;
- 9.1.2.** Create a semi-rural, non-suburban residential community utilizing a clustered development footprint as envisioned by the Santa Clarita Valley Area Plan;
- 9.1.3.** Conserve sensitive habitat areas through avoidance, restoration, and native landscaping;
- 9.1.4.** Provide a range of housing types, including large lot single-family detached, smaller lot single-family detached and multi-family housing for seniors;

9.1.5. Improve public safety in the region by dedicating a site for the construction of a new County Fire Station; and

9.1.6. Provide opportunities for local and regional recreation through the dedication of open space, trails and recreational facilities.

In addition, Lyons Canyon Ranch will achieve consistency with the following policies described in the Santa Clarita Valley Area Plan:

9.1.7. Permit appropriate land uses that are compatible with existing adjacent uses and with the resource values present in identified SEAs;

9.1.8. Encourage the appropriate mix of land use types to prevent disharmony and degradation;

9.1.9. Encourage development of convenient services to meet the needs of the Santa Clarita Valley including health; education; welfare; police and fire protection; governmental operations; recreation and cultural facilities; and public utilities;

9.1.10. Provide an efficient local circulation pattern, both motorized and pedestrian; and

9.1.11. Encourage appropriate aesthetic (landscaping, signage, street furniture, design themes, etc.) measures so that each community can be clearly distinguished from neighboring ones.

9.2. Alternatives Rejected As Infeasible.

An offsite alternative (the "Offsite Alternative"), located on the Prentice-Taylor property to the south and east of the Project site, was initially considered as a possible alternative to the Project. However, after careful review for its potential as an alternative, the Offsite Alternative was ultimately rejected, because it could not avoid or substantially lessen the significant effects of the Project. As explained above, CEQA Guideline 15126.6 only requires that an EIR describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." That section also provides that an "EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation."

With regards to the Offsite Alternative, its development -- at a similar residential density and a similar configuration as the Project -- would require substantial site disturbance and grading in excess of what is required for the Project. This is a result of the Offsite Alternative's steep topography. Such substantial grading requirements, as expected, would significantly impact biological resources, including oak trees and wetland areas, at the Offsite Alternative location. Moreover, limitations on existing roadway and flood control infrastructure in and around the Offsite Alternative location would likely require that a residential project of similar density to the Project complete substantial roadway improvements to The Old Road/Calgrove Boulevard interchange and improve the existing flood control infrastructure beneath The Old Road and the adjacent I-5 Freeway. Perhaps the Offsite Alternative could have feasibly attained some of the basic objectives of the Project, but it could not avoid or substantially lessen the significant effects

of the Project. For that reason, and for the reasons explained above, the Offsite Alternative was rejected. Please refer to DEIR, Section 6.6, pages 6-23 through 6-29, for additional analysis of the Offsite Alternative.

9.3. Alternative 1: The No Project/No Development Alternative.

The No Project/No Development Alternative assumes the Project would not be implemented and other improvements would not be constructed. The existing Project site would remain unaltered and in its current condition. No infrastructure improvements (including water, wastewater, drainage and circulation facilities) identified in the Project would be constructed.

The following is a discussion of environmental impacts anticipated as a result of the No Project/No Development Alternative and a comparison of those environmental impacts versus those associated with the Project. Please refer to DEIR pages 6-2 through 6-7 for an analysis of the No Project Alternative/No Development Alternative's environmental impacts.

9.3.1. Hazards

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hazards. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hazards-related impacts associated with the Project, since there are none.

Under the No Project/No Development Alternative, impacts associated with hazardous materials, abandoned wells, debris piles, above ground storage tanks, power lines/transformers, the concrete storage structure, undocumented pipes, water wells, pesticides and offsite petroleum lines would not be remediated. Therefore, the reduction of impacts related to hazardous materials would not occur in a timely manner. The No Project/No Development Alternative would be considered environmentally inferior to the Project since the existing hazardous conditions identified on the subject site would not be remediated in the short term.

9.3.2. Geology, Soils and Seismicity

The No Project/No Development Alternative would not involve the construction of residential units in a seismically active region of Southern California. Therefore, this Alternative will not expose additional people and structures to potential adverse effects associated with seismic activity, adverse soils or geologic conditions. This Alternative would not involve construction activities, and thus potential soil erosion impacts would not occur.

The Project will result in significant and unavoidable impacts relative to modification of topography and relief features, grading and development on slopes greater than 25 percent natural grade and the modification of unique geologic or physical features on-site. This Alternative would avoid or substantially lessen the significant and unavoidable impacts to geology, soils and seismicity associated with the Project.

9.3.3. Noise

Under the No Project/No Development Alternative, no new residences would be constructed within the Project site. Nearby sensitive receptors would not be subjected to construction noise. New stationary and mobile noise sources would not occur and ambient noise levels would not increase. The Project will result in unavoidable significant impacts with regards to (i) ambient noise levels in the Project vicinity resulting from Project-related construction; and (ii) the Project's contribution to cumulative traffic-related noise.

This Alternative would avoid or substantially lessen these significant and unavoidable noise impacts associated with the Project.

9.3.4. Hydrology and Water Quality

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hydrology and water quality. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hydrology and water quality-related impacts associated with the Project, since there are none.

Under this Alternative, there would not be any impacts to water quality since development of the Project would not occur. With regards to hydrology, the existing quality and quantity of storm water and urban runoff would not change, since the Project site would not be developed. However, since the Project will actually reduce the volume of storm water runoff currently passing through the Property, by way of extensive flood control improvements, the No Project Alternative is not superior to the Project with respect to Hydrology impacts.

9.3.5. Air Quality

Demolition, grading and construction activities associated with the Project would not occur with this Alternative. Emissions associated with construction equipment, which have been concluded to exceed SCAQMD construction thresholds for CO, ROC, NO_x, and PM₁₀, would not occur. In addition, operational emissions would not exceed SCAQMD thresholds for CO, ROC, and NO_x. Therefore, implementation of the No Project/No Development Alternative would be consistent with the regional air quality plan and would not result in significant cumulative air quality impacts.

This Alternative would avoid the significant and unavoidable air quality impacts associated with the Project.

9.3.6. Biological Resources

The No Project/No Development Alternative would preserve the Project site in its current condition, and therefore would not disturb existing plant and animal habitats or individual plants and animals. This Alternative would avoid the significant and unavoidable impacts to biological resources associated with the Project. However, the substantial habitat enhancement and mitigation ratios well in excess of 1:1 would not occur under the No Project Alternative.

9.3.7. Archeological/Historical Resources

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to archeological/historical resources. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable impacts related to archeological/historical resources and associated with the Project, since there are none.

However, the No Project/No Development Alternative would not result in any grading or construction on-site. Potential impacts associated with the disturbance or destruction of undocumented archaeological, human remains or paleontological resources would not occur since the site would remain in its natural state.

9.3.8. Aesthetics and Visual Resources

The No Project/No Development Alternative would maintain the Project site in its natural condition. Therefore, scenic resources such as oak trees, unique topographic features and rock outcroppings would not be affected. The No Project/No Development Alternative would not obstruct views of any on-site ridgelines with the development of residential uses. Under the No Project/No Development Alternative no new light sources would be created.

As a result, this Alternative would avoid the significant and unavoidable impacts related to aesthetics and visual resources associated with the Project.

9.3.9. Traffic and Circulation

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to traffic and circulation. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable impacts related to traffic and circulation associated with the Project, since there are none.

Under the No Project/No Development Alternative, all study intersections are operating at an acceptable Level of Service (LOS). This existing condition would continue with the No Project/No Development Alternative. Existing conditions may be affected by additional growth in the area since the study intersections are forecast to operate at a deficient LOS for forecast year 2015 without Project conditions.

The projected increase in average daily traffic (ADT) that is expected to occur with implementation of the Project (1,300 ADT) would not occur with this Alternative. Therefore, the No Project/No Development Alternative would have incrementally fewer traffic-related impacts compared to the Project.

9.3.10. Public Services and Utilities

9.3.10.1. Water and Wastewater

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to water and wastewater. As a result, it is impossible for this

Alternative to avoid or substantially lessen any significant and unavoidable impacts to water and wastewater associated with the Project, since there are none.

The No Project/No Development Alternative would not result in impacts to water and wastewater services since development of the Project would not occur. The existing capability of water and wastewater services would not change, since the existing infrastructure serving the area would not be altered. Therefore, the No Project/No Development Alternative would have incrementally fewer impacts related to water and wastewater compared to the Project.

9.3.10.2. Fire Services/Sheriff Services

As explained above in Section 5, the Project could result in an unavoidable, significant cumulative impact to police protection services. With this Alternative, there would be no such impact and, as a result, this Alternative would avoid the significant and unavoidable cumulative impacts to police protection services that may be associated with the Project.

9.3.10.3. Parks and Recreation

The Project does not have any significant and unavoidable impacts related to parks and recreation; in fact, the Project develops part of the Project site into public parks. Of course, there would be no increased demand for recreational uses with the No Project/No Development Alternative, as no new residences would be constructed. Nevertheless, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable impacts related to parks and recreation associated with the Project, since there are none. It must be noted, however, that the public trail enhancements proposed with the Project would not occur under the No Project Alternative.

9.3.10.4. Schools

The Project does not have any significant and unavoidable impacts related to schools. In fact, the impacts related to schools as a result of the Project are fully capable of being mitigated to a less-than-significant level. Of course, the additional impacts to the Newhall School District and the William S. Hart School District associated with the Project would not occur under this Alternative, since no new residential units would be constructed.

9.3.10.5. Solid Waste

The Project's potential to create long-term significant and unavoidable solid waste disposal impacts, and cumulative impacts with regards to the same, would not occur with this Alternative, as no new residences would be constructed within the Project area. Therefore, this Alternative would avoid the significant and unavoidable solid waste impacts associated with the Project.

9.3.10.6. Electricity

The Project's potential to create impacts to electrical services would not occur with the No Project/No Development Alternative, as no new service connections would be required within the Lyons Canyon Ranch site. Nevertheless, the Project does not have any significant and unavoidable impacts related to electricity.

9.3.10.7. Natural Gas

The Project's potential to create impacts on natural gas services would not occur with the No Project/No Development Alternative, as no new service connections would be required within the Lyons Canyon Ranch site. Nevertheless, the Project does not have any significant and unavoidable impacts related to natural gas.

9.3.10.8. Land Use

The Project does not have any significant and unavoidable impacts related to land use. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable land use-related impacts associated with the Project, since there are none.

The No Project/No Development Alternative does not involve any annexation or development proposals that would significantly affect land use plans or policies of the Santa Clarita Valley Area Plan or other local and regional agencies; nor does the Project. This Alternative would not create any potential inconsistencies with County and SCAG land use policies, nor would it create any new land use compatibility conflicts; but, following mitigation, neither would the Project.

9.3.11. Conclusion

This Alternative would substantially lessen or avoid the significant and unavoidable impacts related to geology, soils and seismicity; noise; air quality; biological resources; aesthetics/light and glare; sheriff services; and solid waste, which are associated with the Project. However, the County rejects this Alternative as infeasible and unacceptable on account of specific economic, legal, social, technological, or other considerations. This Alternative fails to make any use of the Project site and leaves it in its current state. As a result, this Alternative fails to meet any of the Project objectives listed above, including (i) the development of a high-quality mix of residential components as envisioned by the County's housing element; (ii) the development of senior housing; (iii) the creation of a semi-rural, non-suburban residential community, as envisioned by the Santa Clarita Valley Area Plan; or (iv) the improvement of public safety in the region by dedicating a site for the construction of a new County Fire Station. This Alternative also is not superior to the Project with respect to certain impact areas, such as Hydrology impacts, in that the Project results in a net improvement over existing conditions for existing nearby residents.

For the above reasons, this Alternative has been rejected as infeasible.

9.4. ALTERNATIVE 2: THE NO DENSITY BONUS ALTERNATIVE.

The No Density Bonus Alternative would reduce the amount of residential units from 186 to 120; consisting of 90 detached single-family residential units and 30 multi-family residential units. Under the No Density Bonus Alternative, the senior housing development area and the fire station lot would be developed with 30 multi-family residential units. This Alternative would have 66 fewer residential units when compared to the Project. The backbone infrastructure, including roadways and water/sewer service pipelines, would be similar to the Project. No fire station site would be constructed under this Alternative.

The following is a discussion of environmental impacts anticipated as a result of the No Density Bonus Alternative and a comparison of those environmental impacts versus those associated with the Project. Please refer to DEIR pages 6-6 through 6-12 for an analysis of the No Density Bonus Alternative's environmental impacts.

9.4.1. Hazards

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hazards. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hazards-related impacts associated with the Project, since there are none. In fact, as with the Project, implementation of this Alternative would require mitigation regarding: hazardous materials, abandoned wells, debris piles, aboveground storage tanks, power lines/transformers, the concrete storage structure, undocumented pipes, water wells, pesticides and offsite petroleum pipelines.

9.4.2. Geology, Soils and Seismicity

Implementation of the No Density Bonus Alternative would not expose people and/or structures to subsurface fault rupture or seismic groundshaking since there are no known active or potentially active faults that traverse the Project site. This Alternative would involve development of residential units in a seismically active region of Southern California, as would the Project. Therefore, seismic impacts are considered significant but the proposed mitigation measures would reduce impacts to a less-than-significant level.

Impacts from ground failure, landslides/slope stability, soil erosion and expansive soils would still be potentially significant and would require mitigation measures to reduce impacts to less-than-significant levels, similar to the Project.

This Alternative would result in grading of approximately 91 acres, which would require an estimated 3.5 million cubic yards of cut and fill. The relatively steep on-site topography combined with large areas of exposed soil could potentially cause significant impacts, even after implementation of all proposed mitigation measures. Similar to the Project, these impacts would be significant and unavoidable. Significant soil erosion could potentially alter on-site natural drainages and slope areas, which would also be considered a significant impact.

As explained, this Alternative contemplates 66 fewer residential units and, as a result, would incrementally reduce the impacts related to grading and the alteration of the site's unique geologic and physical features, on account of a smaller grading and building envelope. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.3. Hydrology and Water Quality

Due to the reduced density and reduced grading footprint under this Alternative, impacts to drainage, hydrology, floodplain and water quality would be incrementally reduced compared to the Project. A reduction in drainage, hydrology, floodplain and water quality-related impacts can be attributed to a reduction in the total grading footprint; which would, in turn, result in a

reduction of soils that are subject to erosion, debris flow potential and overland flow/discharge volumes. The preservation of additional areas in their natural state will also promote increased stormwater infiltration. However, as with the Project, mitigation measures would be required to reduce all hydrology impacts to a less-than-significant level, where feasible.

This Alternative contemplates the same hydrological improvements as the Project. With those improvements, there will be a net improvement over existing downstream flood conditions.

Since the Project does not have any significant and unavoidable impacts related to hydrology or water quality, it is not possible for this Alternative to avoid or substantially lessen the same. That is, under either scenario, the impacts related to hydrology or water quality would be mitigated to a less-than-significant level.

9.4.4. Noise

Development of this Alternative would result in a reduction of the length of the construction period due to the reduction of residential units, compared to the Project. However, even after implementation of mitigation measures, short-term construction noise impacts would remain significant and unavoidable due to this Alternative's close proximity to existing residential units to the north. This Alternative would also generate, and cause people and wildlife to be exposed to, similar mobile noise source levels compared to the Project, due to the similar amount of vehicle traffic and a similar setback distance from the I-5 freeway. Mitigation measures would be required to reduce mobile noise impacts to less-than-significant levels. Stationary noise impacts would be less than significant, similar to the Project.

As explained, this Alternative contemplates 66 fewer residential units and, as a result, would incrementally reduce construction-related noise impacts on account of a reduction in the length of the construction period. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.5. Air Quality

Short-term construction impacts would remain significant and unavoidable with this Alternative due to similarities in the amount of required earthwork and other construction-related tasks associated with the construction of 120 residential units. Operational emissions would not exceed SCAQMD thresholds, as vehicle traffic and the number of household air emission sources would remain similar to the Project. CO impacts, which are directly related to congested roadway intersections and congested freeway segments, would remain less than significant. Since this Alternative would result in significant and unavoidable short-term air quality impacts, it would be inconsistent with the regional air quality management plan. This is considered a significant cumulative impact.

As explained, this Alternative contemplates 66 fewer residential units and, as a result, would incrementally reduce the air quality impacts, on account of a lesser number of units and a smaller grading and building envelope. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.6. Biological Resources

The No Density Bonus Alternative would reduce physical site disturbance and grading by approximately 15 acres (from 106 acres to 91 acres) when compared to the Project. A 6-acre reduction in grading/building footprint area could be achieved by eliminating the 10 lots located along "F" Street in the Project. The number of impacted oak trees and impacted wetland areas would be incrementally reduced when compared to the Project.

Nevertheless, impacts related to oak trees (and Coast Live Oak woodlands), wetlands, and SEAs would remain significant and unavoidable even with implementation of applicable mitigation measures, due to on-site grading in similar areas containing sensitive habitat. As explained, this Alternative contemplates 66 fewer residential units and, as a result, would incrementally reduce the biological impacts on account of a lesser number of units and a smaller grading and building envelope. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.7. Archaeological/Historical Resources

As no historical and/or cultural resources were identified on-site, development of the No Density Bonus Alternative would result in less-than-significant impacts; as would the Project. There are no significant or unavoidable impacts related to historical and/or cultural resources under either scenario.

9.4.8. Aesthetics and Visual Resources

The No Density Bonus Alternative would increase the amount of undisturbed open space from 127.8 acres to approximately 141 acres when compared to the Project. The reduction in the total development footprint was achieved by eliminating Lots 91-100 proposed in the northern portion of the Project. However, the modification of on-site scenic resources during the preparation of acceptable building pads would significantly impact the visual character of the subject site, similar to the Project. Even though aesthetic and visual resource impacts would be incrementally reduced when compared to those associated with the Project, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.4.9. Traffic and Circulation

Development of 90 single-family residential units and 30 townhouses would result in 1,197 ADTs, an incremental reduction of 64 ADTs when compared to the Project. Project-related intersection impacts would remain less than significant, as with the Project.

Cumulative impacts, including related and future development within the Santa Clarita Valley, would still be potentially significant. Cumulative mitigation, similar to those required of the Project, would reduce cumulative impacts to less-than-significant levels (just as such mitigation would in the context of the Project).

While impacts to the County Congestion Management Program and public transit system would also be incrementally reduced under this Alternative, there are no significant or unavoidable impacts related to traffic or circulation under either scenario.

9.4.10. Public Services and Utilities

Implementation of this Alternative would result in the following impacts to public services and utilities:

- A less-than-significant impact would occur as a result of the demand of 82.3 acre-feet per year (“**AFY**”) of water, as would with the Project following mitigation;
- A less-than-significant impact would occur as a result of the creation of 26.21 AFY of wastewater, as would with the Project following mitigation;
- Mitigation measures would be required to ensure adequate fire flows to reduce impacts to less-than-significant levels, as would with the Project following mitigation;
- A less-than-significant impact would occur as a result of requiring an additional (i.e., 1.0) sheriff officer, as would with the Project following mitigation. Under both scenarios, a potentially significant and unavoidable cumulative impact may occur with regards to police protection services. This Alternative does nothing to avoid or substantially lessen this potential impact;
- Mitigation measures would be required to reduce the impact of the additional elementary school students to the Newhall School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of the additional junior high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of additional high school students to the William S. Hart School District, which will be over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact associated with the demand for additional library space and materials, as would with the Project;
- A less-than-significant impact would occur with development of 1.75 acres of parkland, which is 0.59 acres above the amount required under the Quimby Act. Nevertheless, there are no significant or unavoidable impacts with regards to parks under the Project;

- A significant impact would occur as a result of an additional 1,341 pounds per day of solid waste being generated by this Alternative, as would with the Project following mitigation;
- A less-than-significant impact would occur with the increased demand of 675.18 mega-watts (MWh) of electricity, similar to that of the Project following mitigation; and
- A less-than-significant impact would occur as a result of an increased demand of 720 k.c.f./month of natural gas, similar to that of the Project following mitigation.

A reduction in the total number of proposed residential units would reduce the total demand for water services, wastewater services, parks, schools, electricity, natural gas and the utilization of mineral resources, resulting in less-than-significant impacts. While this Alternative would result in a net decrease in demand for public services and utilities when compared to the Project, mitigation measures would still be required to reduce impacts to fire protection services, schools and library services. This Alternative would also result in significant and unavoidable impacts to solid waste, due to the finite resources associated with its disposal. In fact, the DEIR fails to provide any instance in which this Alternative reduces or substantially lessens the significant and unavoidable public service impacts related to the Project.

9.4.11. Land Use

The No Density Bonus Alternative would result in development of the Project site with a mix of land uses similar to those of the Project, but would be reduced in terms of gross project density. This Alternative would be considered consistent with applicable goals and policies of the County's Santa Clarita Valley Area Plan and the County's General Plan, similar to the Project.

As is also the case with the Project, the No Density Bonus Alternative would impact SEAs. This is considered a potentially significant land use impact, requiring implementation of on-site mitigation. The No Density Bonus Alternative would be consistent with the SCAG Regional Comprehensive Plan and Guide policies and Compass Growth Visioning Program strategies, as would the Project following mitigation.

9.4.12. Conclusion

The No Density Bonus Alternative would not fully avoid or substantially lessen the significant and unavoidable impacts associated with the Project.

The County rejects this Alternative as infeasible on account of specific economic, legal, social, technological, or other considerations. This Alternative fails to meet many of the objectives of the Project. It does not provide as much of a "mix" of housing choices when compared to the Project, as envisioned by the County's housing element. It offers approximately the same number of single-family detached units, but only offers about one-third the amount of multi-family units, which tend to be more affordable.

Moreover, this Alternative fails to offer any senior housing and provides 66 fewer total residential units. As a result, the economic viability of this Alternative would be reduced such that it would be financially infeasible.

Additionally, this Alternative fails to provide a site for a new fire station and, as a result, does not improve public safety as does the Project.

For the above reasons, this Alternative has been rejected as infeasible.

9.5. ALTERNATIVE 3: THE REDUCED DENSITY ALTERNATIVE.

The Reduced Density Alternative would include the development of 73 single-family lots in the southeastern portion of the site and would eliminate the multi-family lot and the fire station lot. The multi-family lot and the fire station lot would be developed with 20 single-family residential units, for a total of 93 residential units. In addition, all lots proposed along “E” and “F” Streets would be eliminated.

The following is a discussion of environmental impacts anticipated as a result of the Reduced Density Alternative and a comparison of those environmental impacts versus those associated with the Project. Please refer to DEIR pages 6-11 through 6-18 for an analysis of the Reduced Density Alternative’s environmental impacts.

9.5.1. Hazards

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hazards. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hazards-related impacts associated with the Project, since there are none. In fact, as with the Project, implementation of the Reduced Density Alternative would require mitigation to reduce significant impacts to less-than-significant levels, where feasible. These impacts include: hazardous materials, abandoned wells, debris piles, aboveground storage tanks, power lines/transformers, the concrete storage structure, undocumented pipes, water wells, pesticides and offsite petroleum pipelines.

9.5.2. Geology, Soils, and Seismicity

Implementation of the Reduced Density Alternative would not expose people and/or structures to subsurface fault rupture or seismic groundshaking as no known active or potentially active faults traverse the Project site. This Alternative would involve development of residential units in a seismically active region of Southern California, as would the Project. Therefore, seismic impacts are considered significant but mitigation measures can reduce seismic impacts to a less-than-significant level.

Given the reduction in total building footprint, this Alternative would incrementally reduce impacts related to landslides/slope stability, soil erosion and expansive soils but would still require mitigation measures to reduce impacts to less-than-significant levels. This Alternative would result in grading of approximately 83 acres, which would require an estimated 3.0 million cubic yards grading. Nevertheless, impacts from soil erosion caused by on-site grading would still be considered significant and unavoidable, as with the Project.

As explained, this Alternative contemplates 93 fewer residential units and, as a result, would incrementally reduce the impacts related to grading and the alteration of the site's unique geologic and physical features, on account of a smaller grading and building envelope. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.5.3. Hydrology and Water Quality

Due to the reduced density and reduced grading footprint under this Alternative, impacts to drainage, hydrology, floodplain and water quality would be incrementally reduced compared to the Project. A reduction in drainage, hydrology, floodplain and water quality-related impacts can be attributed to a reduction in the total grading footprint; which, in turn, would result in a reduction of soils subject to erosion, debris flow potential and overland flow/discharge volumes. The preservation of additional areas in their natural state will also promote increased stormwater infiltration.

This Alternative contemplates the same hydrological improvements as the Project. With those improvements, there will be a net improvement over existing downstream flood conditions.

Moreover, as with the Project, mitigation measures would be required to reduce all hydrology impacts to a less-than-significant level, where feasible. Finally, since the Project does not have any significant and unavoidable impacts related to hydrology or water quality, it is not possible for this Alternative to avoid or substantially lessen the same. That is, under either scenario, the impacts related to hydrology or water quality would be mitigated to a less-than-significant level.

9.5.4. Noise

Development of the Reduced Density Alternative would result in a reduction of the length of the construction period, due to the reduction of residential units when compared to the Project. However, mitigation measures would still not reduce construction noise impacts to less-than-significant levels due to the proximity of construction to the existing residential uses to the north.

While this Alternative would result in a reduction of mobile noise levels due to a reduction in Project-related traffic, mitigation measures would still be required to reduce mobile noise impacts to less-than-significant levels, just as such mitigation measures are required under the Project, to reduce such impacts to less-than-significant levels.

This Alternative would reduce freeway noise impacts when compared to the Project because the lots with the most direct freeway noise exposure would be removed, however, the Project reduces all such impacts to less-than-significant levels. As with the Project, stationary noise impacts would be less than significant.

Although this Alternative would incrementally reduce construction and mobile source noise impacts when compared to the Project, on account of its 93 fewer units, this Alternative would not eliminate the significant and unavoidable impacts related to construction noise and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.5.5. Air Quality

Short-term construction impacts would be reduced under this Alternative with development of 93 fewer residential units. However, air emissions would still exceed SCAQMD thresholds even after project mitigation and thus impacts would remain significant and unavoidable.

Operational emissions would be reduced under this Alternative given the reduction in total vehicle trips and would remain less than significant, as they would under the Project. As with the Project, this Alternative would result in less-than-significant impacts in regards to CO impacts. Since this Alternative would result in short-term and long-term O₃ and PM₁₀ emissions, which for the South Coast Air Basin (SCAB) is considered non-attainment, it would be inconsistent with the regional air quality management plan and result in significant cumulative air quality impacts.

Overall, this Alternative would result in incrementally reduced air quality impacts when compared to the Project, on account of its 93 fewer residential units and smaller grading and building envelope. However, this Alternative does not eliminate the short-term significant and unavoidable construction impacts or the long-term O₃ and PM₁₀ emissions, and, as a result, fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.5.6. Biological Resources

The Reduced Density would result in less physical site disturbance and grading compared to the Project. This Alternative would retain 149 acres of undisturbed open space (compared to 127.8 with the Project). Under this Alternative, the number of oak trees proposed for removal would be reduced from 179 to 107, the number of oak trees otherwise encroached upon would be reduced from 62 to 34 and impacted wetland areas would not change when compared with the Project.

Although impacts to biological resources would be incrementally reduced compared to the Project, on account of its fewer number of units and smaller grading and building envelope, impacts related to wetlands and SEAs would still be considered significant and unavoidable, even with implementation of all feasible mitigation measures. As a result, this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.5.7. Archeological/Historical Resources

As no historical and/or cultural resources were identified on-site, development of the No Density Bonus Alternative would result in less-than-significant impacts; as would the Project. There are no significant or unavoidable impacts related to historical and/or cultural resources under either scenario.

9.5.8. Aesthetics and Visual Resources

The Reduced Density Alternative would result in the preservation of 149 acres of undisturbed open space (compared to 127.8 acres with the Project). In addition, this Alternative would also eliminate the grading of building pads along the secondary access road, which would significantly reduce the impact to scenic resources visible from The Old Road and I-5 freeway. Development of this Alternative would include development on only the northern and southwestern portion of the site and would eliminate development in the southeastern portion of the site. The short-term impacts associated with construction activities would also be reduced under this Alternative, as it would result in the grading of 83 acres compared to 97 acres under the Project. Under this Alternative, the mitigation required as part of the Project would reduce impacts to aesthetic and visual resources to less-than-significant levels. Therefore, this Alternative avoids or substantially lessens the significant and unavoidable impacts related to aesthetic and visual resources associated with the Project.

9.5.9. Traffic/Access

Development of 93 single-family residential units would result in a total of 890 ADTs; a reduction of 371 ADTs compared to the Project.

While impacts to the County Congestion Management Program and public transit system would also be incrementally reduced under this Alternative, there are no significant or unavoidable impacts related to traffic or circulation under either scenario.

9.5.10. Public Services and Utilities

Implementation of this Alternative would result in the following impacts to public services and utilities:

- A less-than-significant impact would occur as a result of the demand of 71.9 AFY of water, as would with the Project following mitigation;
- A less-than-significant impact would occur as a result of the creation of 27 AFY of wastewater, as would with the Project following mitigation;
- Mitigation measures would be required to ensure adequate fire flow and reduce fire service impacts to less-than-significant levels, as would with the Project;
- A less-than-significant impact on law enforcement services, as with the Project following mitigation. Under both scenarios, a potentially significant and unavoidable cumulative impact may occur with regards to police protection services. This Alternative does nothing to avoid or substantially lessen this potential impact;
- Mitigation measures would be required to reduce the impact of the additional elementary school students to the Newhall School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;

- Mitigation measures would be required to reduce the impact of the additional junior high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of the additional high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures in the form of impact fees would be required to reduce the impact from the demand for additional square feet of library space and materials, as would with the Project following mitigation;
- A less-than-significant impact would occur with development of 1.75 acres of parkland, which is 0.85 acre above the amount required under the Quimby Act. Nevertheless, there are no significant or unavoidable impacts with regards to parks under the Project;
- A less-than-significant project impact would occur with the development of only 93 single-family residences. However, a significant cumulative impact would occur as a result of an additional 1,039 pounds per day of solid waste being generated under this Alternative, as would with the Project following mitigation;
- A less-than-significant impact would occur with the increased demand of 523 MWh of electricity, similar to that of the Project following mitigation; and
- A less-than-significant impact would occur as a result of an increased demand of 620 k.c.f./month of natural gas, similar to that of the Project following mitigation.

The Reduced Density Alternative would result in a reduction in demand for sheriff services, water, wastewater services, parks, electricity, natural gas, solid waste and the utilization of mineral resources. Impacts under each of these areas would be less than significant, as they would under the Project. While the Reduced Density Alternative would result in a net decrease in demand for public services and utilities when compared to the Project, mitigation measures would still be required to reduce impacts to fire protection services, schools and library services. This Alternative would also result in significant and unavoidable impacts to solid waste, due to the finite resources associated with its disposal. In fact, the DEIR fails to provide any instance in which this Alternative reduces or substantially lessens the significant and unavoidable public service impacts related to the Project.

9.5.11. Land Use

Under the Reduced Density Alternative, 93 single-family residential units would be constructed. The configuration under this Alternative would be consistent with applicable goals and policies of the County General Plan and the Santa Clarita Valley Area Plan, as well as applicable SCAG regional policies and strategies, similar to the Project.

This Alternative would still require consideration of a Conditional Use Permit for hillside development and development within a SEA. An Oak Tree Permit would also be required to allow the removal of on-site oak trees. This is considered a potentially significant land use impact, requiring implementation of on-site mitigation, under either scenario.

When compared to the Project, the amount of undisturbed open space would be increased from 127.8 acres to 149 acres and the number of oak tree removals would be reduced from 162 to 124 under this Alternative. Implementation of this Alternative would result in fewer land use impacts as compared to the Project, based on the assumption that a lower density project with a reduction in on-site grading and oak tree impacts is generally found to be more consistent with existing County General Plan goals and policies, and County development standards. However, the significant and unavoidable impacts associated with the Project remain under this Alternative.

9.5.12. Conclusion

The Reduced Density Alternative would only fully avoid or substantially lessen significant and unavoidable impacts related to aesthetics/light and glare associated with the Project. This Alternative would otherwise fail to fully avoid or substantially lessen any of the other significant and unavoidable impacts associated with the Project.

The County rejects this Alternative as infeasible on account of specific economic, legal, social, technological, or other considerations. The Reduced Density Alternative fails to meet many of the objectives of the Project. It does not provide as much of a “mix” of housing choices when compared to the Project, as envisioned by the County’s housing element. Specifically, it offers the same number of single-family detached units, but fails to offer any multi-family units, which tend to be more affordable. This Alternative wholly fails to offer any senior housing units and only provides 93 total units; 93 fewer total units than the Project. As a result, the economic viability of this Alternative would be reduced such that it would be financially infeasible.

Additionally, this Alternative fails to provide a site for a new fire station and, as a result, does not improve public safety as does the Project.

For the above reasons, this alternative has been rejected as infeasible.

9.6. ALTERNATIVE 4: THE SEA/OAK TREE AVOIDANCE ALTERNATIVE.

The SEA/Oak Tree Avoidance Alternative would include the development of 121 residential units (i.e., 65 less than the Project) clustered in the northeast portion of the site. Based upon the specific request of the Nature Conservancy, this Alternative has been slightly modified to include the 1.26 acre County fire station site, as proposed in the Project. The 121 residential units would include a mix of multi-family and single-family residences.

The following is a discussion of environmental impacts anticipated as a result of the SEA/Oak Tree Avoidance Alternative and a comparison of those environmental impacts versus those associated with the Project. Please refer to DEIR pages 6-17 through 6-22 for an analysis of the SEA/Oak Tree Avoidance Alternative’s environmental impacts.

9.6.1. Hazards and Hazardous Materials

At the outset, it is important to note that the Project does not have any significant and unavoidable impacts related to hazards. As a result, it is impossible for this Alternative to avoid or substantially lessen any significant and unavoidable hazards-related impacts associated with the Project, since there are none. In fact, as with the Project, implementation of the SEA/Oak Tree Avoidance Alternative would require mitigation to reduce significant impacts to less-than-significant levels. The impact issues include: hazardous materials, abandoned wells, debris piles, aboveground storage tanks, power lines/transformers, the concrete storage structure, undocumented pipes, water wells, pesticides and offsite petroleum pipelines.

9.6.2. Geology, Soils and Seismicity

Implementation of the SEA/Oak Tree Avoidance Alternative would not expose people and/or structures to subsurface fault rupture or seismic groundshaking as no known active or potentially active faults traverse the site. This Alternative would involve development of residential units in a seismically active region of Southern California, as would the Project. Therefore, seismic impacts are considered significant but mitigation measures can reduce seismic impacts to a less-than-significant level.

Due to the reduction in the total grading footprint (from 106.3 acres to 51 acres) and the relocation of residential units out of the hillside areas, the SEA/Oak Tree Avoidance Alternative would incrementally reduce grading impacts caused by landslides/slope stability, soil erosion and expansive soils, but would still require mitigation measures to reduce impacts to less-than-significant levels. As a result, this Alternative would avoid or substantially lessen the significant and unavoidable impacts related to geology, soils and seismicity associated with the Project.

9.6.3. Hydrology and Water Quality

Due to the reduced density and reduced grading footprint under this Alternative, impacts to drainage, hydrology, floodplain and water quality would be reduced compared to the Project. A reduction in drainage, hydrology, floodplain and water quality-related impacts can be attributed to a reduction in total grading footprint and the removal of all residential units from hillside areas. Compared to the Project, the preservation of additional areas in their natural state will increase stormwater infiltration, reduce potential for soil erosion, reduce overland flow volumes and reduce debris flow potential across the site.

This Alternative contemplates the same hydrological improvements as the Project. With those improvements, there will be a net improvement over existing downstream flood conditions.

As with the Project, mitigation measures would be required to reduce drainage and hydrology impacts to less-than-significant levels. It is important to note that the construction of a 12.0 acre debris/detention basin site in the southwest portion of the subject site will still be required under this Alternative, to reduce downstream debris/flooding issues. In fact, this 12.0 acre debris/detention basin site is contemplated by and required under each of the alternatives contemplated in the DEIR, except for the No Project Alternative.

With regards to this particular Alternative, as indicated in Exhibit 6-3 of the DEIR, this basin site will be located within SEA No. 63, and as such, although this Alternative would avoid some disruption and development in SEA No. 63, it would not wholly avoid such disruption and development. In sum, under either scenario, the impacts related to hydrology or water quality would be mitigated to a less-than-significant level.

9.6.4. Noise

Development of the SEA/Oak Tree Avoidance Alternative would result in a reduction of the length of the construction period due to the reduction of total on-site grading and residential units when compared to the Project. However, mitigation measures would still not reduce construction noise impacts to less-than-significant levels due to the proximity of construction to the existing residential uses to the north and the noise volume associated with these construction activities. This Alternative would generate reduced levels of mobile noise given the reduction in associated vehicle traffic. However, freeway-related noise impacts on residential lots when compared to the Project would be similar because this Alternative would still include residential lots with direct freeway noise exposure. As with the Project, noise impacts from stationary sources (such as the fire station, air conditioning units, etc.) would be less than significant.

As explained, this Alternative contemplates 65 fewer residential units and, as a result, would incrementally reduce construction-related noise impacts and mobile source noise impacts on account of a reduction in the length of the construction period, fewer units and smaller building and grading envelope. Nevertheless, under this Alternative, those impacts would remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.6.5. Air Quality

Short-term construction impacts would be reduced under the SEA/Oak Tree Avoidance Alternative with the development of 65 fewer residential units. In addition, CO, ROC, NO_x and PM₁₀ emissions could also be reduced below SCAQMD thresholds due to a substantial reduction in on-site grading operations and through implementation of the proposed mitigation measures. After mitigation, short-term air quality impacts could be reduced to less-than-significant levels. Similarly, operational emissions would be reduced under the SEA/Oak Tree Avoidance Alternative given the reduction in total vehicle trips. As with the Project, this Alternative would result in less-than-significant impacts in regards to CO impacts.

Since this Alternative would not result in short-term and long-term O₃ and PM₁₀ emissions, which for the South Coast Air Basin (SCAB) is considered non-attainment, this Alternative would be consistent with the regional air quality management plan and would not substantially contribute to significant cumulative air quality impacts. Therefore, this Alternative would result in reduced air quality impacts when compared to the Project, and would avoid the short-term significant and unavoidable construction impacts and the long-term O₃ and PM₁₀ emissions.

9.6.6. Biological Resources

The SEA/Oak Tree Avoidance Alternative would result in less physical site disturbance and grading compared to the Project. This Alternative would retain approximately 181 acres

compared to 127.8 proposed with the Project. Under the SEA/Oak Tree Avoidance Alternative, the number of oak trees proposed for removal would be reduced from 162 to 68; the number of oak trees otherwise encroached upon would be reduced from 54 to 45; the level of impacts to wetland areas would remain the same as compared to the Project due to the continuing need to construct two debris/detention basins. It should be noted that the 12.0 acre debris/detention basin site is proposed in the same location – in SEA No. 63. See Exhibit 6-3 of the DEIR. The Project's biologist determined that moving this debris/detention basin site to a suitable location outside of SEA No. 63 would result in increased impacts to wetland/riparian habitat, given that the proposed location consists primarily of disturbed non-native ruderal grassland and limited riparian habitat.

Overall, impacts to SEAs would be incrementally reduced from 26.35 acres to approximately 12.00 acres. However, under this Alternative, those impacts would nevertheless remain significant and unavoidable and therefore this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts associated with the Project.

9.6.7. Archeological/Historical Resources

As no historical and/or cultural resources were identified on-site, development of the No Density Bonus Alternative would result in less-than-significant impacts; as would the Project. There are no significant or unavoidable impacts related to historical and/or cultural resources under either scenario.

9.6.8. Aesthetics and Visual Resources

The SEA/Oak Tree Avoidance Alternative would substantially increase the amount of preserved open space acreage thereby reducing the significant impact associated with the Project. Development of this Alternative would increase the amount of undisturbed open space acreage to 181 acres compared to 127.8 acres under the Project. In addition, the development area associated with this Alternative would be concentrated in the lower lying areas of the subject site, thereby eliminating the potentially significant impacts on scenic resources and, as a result, avoiding a significant and otherwise unavoidable impact associated with the Project.

9.6.9. Traffic and Circulation

Development of 121 single-family residential units would result in a total of 1,206 ADTs, a reduction of 55 ADTs compared to the Project. As with the Project, both the project-specific and cumulative traffic impacts associated with the SEA/Oak Tree Avoidance Alternative could be reduced to less-than-significant levels within the implementation of the proposed mitigation measures.

While impacts to the County Congestion Management Program and public transit system would also be incrementally reduced under this Alternative, there are no significant or unavoidable impacts related to traffic or circulation under either scenario.

9.6.10. Public Services and Utilities

Implementation of the SEA/Oak Tree Avoidance Alternative would result in the following impacts to public services and utilities:

- A less-than-significant impact would occur as a result of the project-related water demand of 75.51 AFY, as would with the Project following mitigation;
- A less-than-significant impact would occur as a result of the project-related wastewater demand of 12.8 AFY, as would with the Project following mitigation;
- Mitigation measures would be required to ensure adequate fire flow and reduce fire service impacts to less-than-significant levels, as would with the Project;
- Mitigation measures would be required to reduce the impacts on law enforcement services, as would with the Project following mitigation. Under both scenarios, a potentially significant and unavoidable cumulative impact may occur with regards to police protection services. This Alternative does nothing to avoid or substantially lessen this potential impact;
- Mitigation measures would be required to reduce the impact of additional elementary school students to the Newhall School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of the additional junior high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact of additional high school students to the William S. Hart School District, which is currently over capacity. While the impacts would be less than those associated with the Project, there would not be any significant or unavoidable impacts under either scenario;
- Mitigation measures would be required to reduce the impact from the demand for library space and materials, as would with the Project;
- Mitigation measures in the form of in-lieu payments would be required to reduce impacts to parkland as required by the Quimby Act, as would with the Project;
- A significant impact would occur as a result of an additional 1,408 pounds per day of solid waste being generated under this Alternative, as would with the Project following mitigation;
- A less-than-significant impact would occur with the increase in demand of 709 MWh of electricity, similar to that of the Project following mitigation; and

- A less-than-significant impact would occur as a result of an increased demand of 625 k.c.f./month of natural gas, similar to that of the Project following mitigation.

The SEA/Oak Tree Avoidance Alternative would result in a reduction in demand for water, wastewater services, electricity, natural gas and the utilization of mineral resources, resulting in less-than-significant impacts. While this Alternative would result in a net decrease in demand for public services and utilities when compared to the Project, mitigation measures would still be required to reduce impacts to fire protection services, sheriff services, schools, parks and library services. As with the Project, the SEA/Oak Tree Avoidance Alternative would result in significant and unavoidable cumulative impacts to solid waste, due to the finite resources associated with its disposal, and therefore this Alternative would fail to avoid or substantially lessen those significant and unavoidable impacts associated with the Project. Other than solid waste, there would be no significant and unavoidable impacts to public services under either scenario.

9.6.11. Land Use

It is anticipated that the SEA/Oak Tree Avoidance Alternative would be consistent with applicable goals and policies of the County General Plan and the Santa Clarita Valley Area Plan, as with the Project. Under this Alternative, the number of oak tree removals and area of SEA intrusion would be substantially reduced. Moreover, the amount of undisturbed open space would be increased from 127.8 acres to 181 acres when compared to the Project. However, there are not any significant or unavoidable impacts under either scenario with regards to land use.

9.6.12. Conclusion

The SEA/Oak Tree Avoidance Alternative would avoid or substantially lessen the following significant and unavoidable impacts that are associated with the Project: (i) geology, soils and seismicity; (ii) air quality; and (iii) aesthetics and visual resources. While the impacts to biological resources, noise and solid waste would be incrementally reduced under this Alternative, they will nevertheless remain significant and unavoidable and, as such, this Alternative fails to avoid or substantially lessen those significant and unavoidable impacts.

The County rejects this Alternative as infeasible on account of specific economic, legal, social, technological, or other considerations. While this Alternative does reduce or avoid several significant and otherwise unavoidable impacts associated with the Project, it fails to meet many of the objectives of the Project and it continues to impose significant impacts onto SEA No. 63. Specifically, this Alternative does not provide as much of a “mix” of housing choices when compared to the Project, as envisioned by the County’s housing element. In all events, this Alternative provides approximately one-third less the total number of units. The net result will be that this Alternative does not provide as much affordable housing products as the Project which is also contemplated in the County’s housing element. Moreover, this Alternative also wholly fails to offer any senior housing units. Each of these aspects reduces the economic viability of this Alternative, to the extent that it would be financially infeasible.

By clustering the development in the northeast portion of the site, this Alternative fails to offer a high-quality mix of residential components, including single-family residences and senior

housing, with a focus on orderly development of the Project site. It fails to provide a range of housing types, including large lot single-family detached, smaller lot single-family detached, and multi-family housing for seniors, as envisioned by the County's housing element. Finally, it fails to create a semi-rural, non-suburban residential community as envisioned by the Santa Clarita Valley Area Plan.

For the above reasons, this Alternative has been rejected as infeasible.

9.7. ENVIRONMENTALLY SUPERIOR ALTERNATIVE.

CEQA Guidelines Section 15126.6(e)(2) requires the designation of an environmentally superior alternative to the Project and, if the environmentally superior alternative is the No Project Alternative, selection of an environmentally superior alternative from among the remaining alternatives. Please refer to page 6-22 to DEIR for an analysis of the environmentally superior alternative.

The most environmentally superior alternative would be the No Project/No Development Alternative, as it avoids every significant and unavoidable impact associated with the Project. However, as explained above, the No Project/No Development Alternative is rejected, as it fails a single objective associated with the Project. Moreover, and also as explained above, CEQA requires the selection of an environmentally superior alternative from among the remaining alternatives if the most environmentally superior alternative is the No Project Alternative.

As explained in the DEIR, when comparing Alternatives, it is important to consider several factors, including the Project's objectives and the Alternative's ability to fulfill the objectives with minimal impacts to the surrounding environment and whether any Alternative either avoids or substantially lessens significant, unavoidable impacts or avoids or substantially lessens such impacts to the surrounding environment. In consideration of these factors, the DEIR found the SEA/Oak Tree Avoidance Alternative as the Environmentally Superior Alternative to the Project, after the No Project Alternative.

Nevertheless, and as explained above, the SEA/Oak Tree Avoidance Alternative is rejected as being infeasible. While it would avoid or substantially lessen significant and unavoidable impacts regarding geology, soils and seismicity; air quality; and aesthetics and visual resources, it fails to substantially lessen or avoid impacts to biological resources, noise or solid waste. Moreover, it fails to avoid or substantially lessen significant and unavoidable impacts to SEA No. 63.

Equally important, the SEA/Oak Tree Avoidance Alternative fails to meet many of the objectives of the Project. It does not provide as much of a "mix" of housing choices and eliminates about one-third of the residential units offered by the Project. It also provides less multi-family units, which tend to be more affordable. The SEA/Oak Tree Avoidance Alternative wholly fails to offer any senior housing units. Each of these criteria is considered important by the County and its housing element.

By clustering the development in the northeast portion of the site, the SEA/Oak Tree Avoidance Alternative fails to offer a high-quality mix of residential components, including single-family residences and senior housing, with a focus on orderly development of the Project site. It also

fails to provide a range of housing types, including large lot single-family detached, smaller lot single-family detached and multi-family housing for seniors. Finally, it fails to create a semi-rural, non-suburban residential community as envisioned by the Santa Clarita Valley Area Plan

In addition, the substantial reduction in residential units, without materially decreasing the amount of infrastructure required, e.g. flood control basins, jeopardizes the financial viability of this Alternative, rendering it financially infeasible.

For the foregoing reasons, the SEA/Oak Tree Avoidance Alternative is rejected as infeasible.

SECTION 10 - FINDINGS REGARDING MONITORING PROGRAM.

Section 21081.6 of the Public Resources Code requires that when a public agency is making the finding required by Section 21081(a)(1) of the Public Resources Code, the public agency shall adopt a reporting or monitoring program for the changes made to the Project or conditions of Project approval adopted in order to mitigate or avoid significant effects on the environment.

The Commission hereby finds that the Mitigation Monitoring Program, which is presented as a separate document, meets the requirements of Section 21081.6 of the Public Resources Code.

SECTION 11 - STATEMENT OF OVERRIDING CONSIDERATIONS.

The DEIR identified and discussed significant effects that will occur as a result of the Project. With the implementation of the mitigation measures, these effects can be mitigated to levels of insignificance except for unavoidable, significant impacts to Geology, Soils and Seismicity, Noise, Air Quality, Biological Resources, Aesthetics/Light and Glare, and Solid Waste. With regards to Sheriff Services, there remains the potential to have a significant and unavoidable impact if the County's Board of Supervisors alters funding for the same. Moreover, there are other impacts, addressed above, that could become significant and unavoidable, should the required mitigation measures fail. With regards to each of these significant and unavoidable impacts, and to each of the potentially significant and unavoidable impacts, the County hereby overrides such impacts because of the following overriding considerations.

Having reduced the effects of the selected Project by adopting the conditions of approval and the mitigation measures described above and in the Mitigation Monitoring Program, and having balanced the benefits of the selected Project against the Project's potential unavoidable significant adverse impacts and the Project's alternatives, the Commission hereby determines that the benefits of the Project outweigh the potential unavoidable adverse impacts, and that the unavoidable adverse impacts are nonetheless "acceptable," based on the following overriding considerations. Any one of these overriding considerations is sufficient to support the Commission's determinations herein.

11.1. The Project will develop a high-quality mix of residential components, including single-family residences and needed senior housing, with a focus on natural open space conservation and orderly development of the Project site;

11.2. The Project will create a semi-rural, non-suburban residential community utilizing a clustered development footprint;

11.3. While achieving other Project objectives, the Project will conserve sensitive habitat areas through avoidance and restoration, will enhance existing habitat in some areas and will use native landscaping;

11.4. The Project will provide a range of housing types, including large lot single-family detached, smaller lot single-family detached and multi-family housing for seniors and, at the same time, will conserve sensitive habitat areas;

11.5. The Project will improve public safety in the region by dedicating a site for the construction of a new County Fire Station;

11.6. The Project will provide opportunities for local and regional recreation through the dedication of open space, public trail enhancement and recreational facilities;

11.7. While achieving the above, the Project will permit appropriate land uses that are compatible with existing adjacent uses and with the resource values present in identified SEAs;

11.8. While achieving the above, the Project will encourage an appropriate mix of land use types to prevent disharmony and degradation;

11.9. While achieving the above, the Project will encourage development of convenient services to meet the needs of the Santa Clarita Valley including health; education; welfare; police and fire protection; governmental operations; recreation and cultural facilities; and public utilities;

11.10. While achieving the above, the Project will provide an efficient local circulation pattern, both motorized and pedestrian and will also contribute to various infrastructure improvements in the area;

11.11. While achieving the above, the Project will encourage appropriate aesthetic (landscaping, signage, street furniture, design themes, etc.) measures so that each community can be clearly distinguished from neighboring ones;

11.12. The Project will remove, and thereafter control, the trash, debris, abandoned cars and other refuse that is currently strewn about the Project site, as a result of unlawful dumping and trespassing; and

11.13. The Project will result in a net beneficial improvement over existing flood conditions for existing nearby residents by reducing the amount of storm water that currently passes through the Project site.

UPDATED CONDITIONS

ADDITIONAL CORRESPONDENCE

**Agenda Item ~~7~~ a, b, c, d, e
August, 2008**

The Regional Planning Commission herewith amends the conditions of the Department of Public Works to add the condition below:

The applicant shall meet with the County of Los Angeles to determine an acceptable solution by verifying the project's fair share of four percent of the cost of improvements for the I-5 ramps of Marriott and Pico Canyon, as well as intersection design, to the satisfaction of Department of Public Works prior to final map approval.

DEPARTMENT OF REGIONAL PLANNING

CONDITIONAL USE PERMIT CASE NO. 2005-00088-(5) Exhibit "A" Date: 7-11-2006

DRAFT CONDITIONS:

1. This grant authorizes the use of the 234.8-acre subject property for a residential development consisting of a maximum of 92 single-family units and 93 senior attached condominium units, as modified from the approved Exhibit "A" dated July 11, 2006, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their 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. 6, and until all required monies have been paid pursuant to Condition Nos. 9 and 57.
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. 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 so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. The subject property shall be developed and maintained 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.
8. If inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made

to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

9. Within 5 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. TR53653-(5), which includes Zone Change Case No. 2008-00004-(5), Vesting Tentative Tract Map No. 53653, Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5). The project impacts fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$2,656.75**. No land use project subject to this requirement is final, vested or operative until the fee is paid.
10. 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.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay 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 ("County Code").

12. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 53653. In the event that Vesting Tentative Tract Map No. 53653 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.
13. No grading permit shall be issued prior to final map recordation, unless otherwise authorized by the Director of Regional Planning ("Director of Planning").
14. The subject property shall be graded, developed and maintained in substantial compliance with the approved vesting tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 53653 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
15. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
16. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval. The CC&Rs shall include all of the project conditions, and include language that those conditions required to be in the CC&Rs may not be amended or eliminated by the homeowners association without approval from the Director of Planning.
17. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53653, Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
18. The permittee or successor in interest, shall provide a minimum of 167.6 acres or 71.4 percent open space, which includes natural, undisturbed areas; graded slopes; park; trail; and unpaved debris basin area.
19. The permittee shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain language requiring that access for emergency purposes shall not be prohibited over said open space lots.
20. The permittee shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.
21. The permittee shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the

- driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
22. The permittee shall reserve in the CC&Rs the right for all residents within senior multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
 23. The permittee shall provide in the CC&Rs that 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity.
 24. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The subdivider shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients. If some or all of the offsite properties are acquired by a public agency, the easement for the publicly-acquired property or properties shall be revoked. This access easement revocation shall not preclude any creation of trail easements through the publicly acquired property or properties. Any remaining easements for access granted herein may be modified as necessary to ensure 28-foot wide access to the other offsite properties not acquired by a public agency.
 25. As agreed to by the applicant, horsekeeping activities that comply with all County requirements, shall not be prohibited within the development. Include language in the CC&Rs and provide a draft copy of the CC&Rs to Regional Planning for review and approval.
 26. This project is approved as density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area) and A-2-2 (Heavy Agriculture – Two Acres Minimum Required Lot Area) in accordance with Section 22.56.205 of the County Code.
 27. All commonly owned areas within the density-controlled development, shall be permanently reserved as open space. Such reservation shall be by establishment of a homeowners association, maintenance district or other appropriate means or methods to ensure the permanent reservation and continued perpetual maintenance of required commonly owned areas.
 28. 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 areas or a share in the corporation or voting membership in an association owning the commonly owned areas.
29. All dwelling units within the density-controlled development (entire property except multi-family Lot No. 94 and fire station Lot No. 95) shall be single-family residences.
 30. Prior to the issuance of any grading and/or building permit, site plans covering the development shall be submitted to and approved by the Director of Planning indicating that the proposed grading and/or construction:
 - a. complies with the conditions of this grant and the standards of the zone; and
 - b. is compatible with hillside and SEA resources.
 31. No structure shall exceed 35 feet in height, except for chimneys and rooftop antennas, except for the main residential structures within multi-family Lot No. 94 which shall not exceed 50 feet in height. Prior to any issuance of any building permit, a site plan including exterior elevations and major architectural features shall be submitted to and approved by the Director of Planning, as a revised Exhibit "A," to ensure compliance.
 32. A minimum of two covered automobile parking spaces for each single family residential lot shall be provided and continuously maintained and developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicle parking only and shall not be used for storage, automobile repair, or any other unauthorized use.
 33. A minimum of 172 automobile parking spaces, as depicted on the approved Exhibit "A" (dated July 11, 2006) or on an approved revised Exhibit "A", shall be provided and continuously maintained on multi-family Lot No. 94, developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&Rs.
 34. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence that contractual arrangements have been made with the local utilities to install underground all new facilities necessary to furnish services in the proposed development.
 35. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").

36. Detonation of explosives or any other blasting device or material is prohibited unless required permits have been obtained and adjacent property owners have been notified.
37. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m., and Saturday between the hours of 8:00 a.m. and 5:00 p.m. Sunday or holiday operations are prohibited. 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.
38. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works.
39. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activities is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high wind (i.e. greater than 20 mph average over one hour) to prevent excessive amounts of dust.
40. The permittee shall, upon commencement of any grading activity allowed by this grant, diligently pursue all grading to completion.
41. No construction equipment or vehicles, including construction crew's personal vehicles, shall be parked or stored on any existing public or private streets.
42. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.
43. All construction and development within the subject property shall comply with the applicable provisions of the Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County.
44. 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.
45. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence.

- Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.
46. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with the ordinances and County Building and Plumbing Codes.
 47. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Public Health ("Public Health"). Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.
 48. If during construction of the project, 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.
 49. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with State Seismic Hazard Safety laws to the satisfaction of Public Works.
 50. 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 to the satisfaction of and approval by Public Works.
 51. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of Public Works.
 52. During construction, all large-size truck trips shall be limited to off-peak commute periods.
 53. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on state highways.
 54. All graded slopes (cut and fill) shall be revegetated. Prior to the issuance of any grading or building permit, three copies of a landscape plan, which may be incorporated into a revised Exhibit "A," shall be submitted to and approved by the Director of Planning. The landscape plan 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, and shall use reclaimed water.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of Regional Planning and the Los Angeles County Forester and Fire Warden ("Forester and Fire Warden"). Their

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. No invasive species are permitted.

The landscaping plan must show that landscaped areas shall contain minimum 75 percent locally indigenous species, including trees, shrubs and ground covering. However, if the permittee demonstrates to the satisfaction of the Director of Planning that compliance with this requirement is not possible due to County fire safety requirements, then the Director of Planning may determine that a lower percentage of such planting shall be required. In those areas where the Director of Planning approves a lower percentage, the amount of such required locally indigenous vegetation shall be at least 50 percent. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by the Director of Planning and the Forester and Fire Warden. Fire retardant plants shall be given first consideration.

Timing of Planting. Prior to the issuance of grading or building permits for any development, the permittee shall submit a landscaping phasing plan for the landscaping associated with the construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

55. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program ("MMP"). Prior to recordation, submit a copy of the covenant to the Director of Planning for review and approval.
56. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
57. Within 30 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required MMP.
58. Except as otherwise modified herein, the permittee shall comply with all of the following permit conditions for Development Program zoning:

- a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the program shall be built, erected, or moved onto any part of the multi-family Lot No. 94;
- b. No existing building or structure which under the program is to be demolished shall be used;
- c. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered;
- d. All improvements shall be completed prior to the occupancy of any structures within multi-family Lot No. 94; and
- e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

DRAFT CONDITIONS:

1. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance). Also, conform to the requirements of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5), Housing Permit Case No. 2006-00001-(5) and the Mitigation Monitoring Program.
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), the subdivider shall conform to the applicable requirements of the A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), A-2-2 (Heavy Agriculture – Two Acre Minimum Required Lot Area) and C-3 (Unlimited Commercial) zones as well as proposed C-3-DP (Unlimited Commercial – Development Program) zone.
3. In accordance with Conditional Use Permit Case No. 2005-00088-(5) and Housing Permit Case No. 2006-00001-(5), this land division is approved as a density-controlled development in a nonurban hillside management area, in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the A-2-1 and A-2-2 zone. If multiple final maps are recorded, the average area of all lots shown on each final unit map and all previously recorded final unit maps shall comply with the minimum lot area requirements of the A-2-1 and A-2-2 zone. This land division is also approved with a senior housing component of modification to maximum permitted building height of 35 feet to allow a 50-foot high building height, for the two main residential buildings, in accordance with Section 22.56.202 of the County Code.
4. Recordation of the final map is contingent upon the effectuation of an ordinance by the Los Angeles County Board of Supervisors, changing the zoning of 9.3 acres of the property within multi-family Lot No. 94 from A-2-1 and A-2-2 to C-3-DP.
5. The subdivider shall submit a copy of the project Conditions, Covenants and Restrictions ("CC&Rs") and any covenants or maintenance agreements as proposed, to the Los Angeles County Department of Regional Planning ("Regional Planning") for review and approval.
6. The subdivider shall submit evidence that the conditions of the associated Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5) have been recorded.
7. The subdivider shall record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures. Prior to

- recordation, the subdivider submit a draft copy of the covenant to the Director of Regional Planning ("Director") for review and approval.
8. The subdivider shall provide disclosure to future purchasers of the potential for the project site to contain means of access to future developments in the form of a written document, to the satisfaction of Regional Planning prior to final map.
 9. Permission is granted to adjust lot lines to the satisfaction of Regional Planning.
 10. The subdivision shall provide at least 40 feet of street frontage at the property line for each lot fronting on a cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. The subdivision shall provide approximately radial lot lines for each lot.
 11. The subdivider shall show The Old Road, "A" Street, "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, and "G" Street as dedicated streets on the final map.
 12. The subdivider shall show "H" Street and "I" street as future streets on the final map.
 13. The subdivider shall place a note or notes on the final map, to the satisfaction of Regional Planning, that a portion of this subdivision (Lot No. 94) is approved as a condominium project for a total of 93 residential units whereby the owners of the units of air space will hold an undivided interest in the common areas, which will in turn provide the necessary access and utility easements for the units.
 14. The subdivider shall provide in the CC&Rs a method for the continuous maintenance of the common areas within multi-family Lot No. 94, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
 15. The subdivider shall reserve in the CC&Rs the right for all residents within multi-family Lot No. 94 to use the driveways for access and the guest parking spaces throughout the multi-family lot.
 16. The subdivider shall provide in the CC&Rs that at least 93 dwelling units within multi-family Lot No. 94 shall be reserved for senior citizens in perpetuity.
 17. The subdivider shall dedicate to the County of Los Angeles on the final map, the right to prohibit the construction of any structures on the open space areas as depicted on the open space exhibit as individual open space lots (Lot Nos. 103 through 107), and shall record "Open Space-Building Restriction Area" over those open space on the final map.
 18. The subdivider shall dedicate open space Lot Nos. 104 through 107 to a public agency to the satisfaction of Regional Planning. The dedication shall contain

language requiring that access for emergency purposes shall not be prohibited over said open space lots.

19. The subdivider shall provide for the ownership and maintenance of recreation Lot No. 102 and open space Lot No. 103 by the homeowners' association to the satisfaction of Regional Planning.
20. The subdivider shall number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of Regional Planning.
21. Permission is granted to create additional open space lots to the satisfaction of Regional Planning.
22. The subdivider shall grant an easement for access and utilities as necessary, to offsite properties known collectively as Assessor's Parcel Number ("APN") 2826-022-022, 2826-022-023, and 2826-022-024 ("offsite properties"), to a width necessary, including slopes, for a 28-foot wide access driveway through the subject property in the general vicinity of debris basin Lot No. 96 and or to Lot No. 104, prior to recordation of the associated tract map. The subdivider shall submit draft documents for Regional Planning review and approval prior to recordation and grant of easement. Engineering and construction of the access shall be the responsibility of the recipients. If some or all of the offsite properties are acquired by a public agency, the easement for the publicly-acquired property or properties, shall be revoked. This access easement revocation shall not preclude any creation of trail easements through the publicly acquired property or properties. Any remaining easements for access granted herein may be modified as necessary to ensure 28-foot wide access to the other offsite properties not acquired by a public agency.
23. Prior to final map approval, the subdivider shall submit an amendment to the approved vesting tentative map, to depict the elimination of one single-family lot and depict the location of the easement to the offsite properties with all other necessary associated changes to the satisfaction of Regional Planning and Los Angeles County Subdivision Committee ("Subdivision Committee").
24. No grading permit shall be issued prior the recordation of a final map, unless the Director determines that the proposed grading conforms to the conditions of this grant and the conditions of Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5).
25. The subdivider shall provide slope planting and an irrigation system in accordance with the Grading Ordinance. The subdivider shall include conditions in the tract's CC&Rs which would require continued maintenance of the plantings

- for lots having planted slopes. Prior to final map approval, the subdivider shall submit a draft copy of the document to be recorded, to Regional Planning.
26. Prior to the issuance of a grading and/or building permit, the subdivider shall submit three copies of a landscape plan which may be incorporated into a revised site plan. The landscape plans shall be approved by the Director as required by Conditional Use Permit Case No. 2005-00088-(5) prior to any work on the property.
 27. Per Section 21.32.195 of the County Code, the subdivider shall plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential lot. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
 28. The subdivider shall plant or cause to be planted at least 69 trees of a non-invasive species within multi-family residential Lot No. 94 in addition to the required front yard tree. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be required to be approved by the Director, and the subdivider shall post a bond with Los Angeles County Department of Public Works ("Public Works") or submit other verification to the satisfaction of Regional Planning, to ensure the planting of the required trees.
 29. Within five days of tentative map approval, remit processing fees (currently \$2,656.75) 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 California Public Resources Code and Section 711 of the California 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 project subject to this requirement is final, vested or operative until the fee is paid.
 30. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Draft Environmental Impact Report ("EIR") for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53653. Comply with all such mitigation measures in accordance with the attached Mitigation Monitoring Program ("MMP"). After completion of the appeal period, record a covenant and agreement, and submit a copy to Regional Planning for approval, agreeing to the mitigation measures imposed by the Draft EIR for this project. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to Regional Planning as frequently as may be

required by the department. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.

31. Within 30 days of approval, deposit the sum of \$3,000.00 with Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the MMP.
32. The subdivider 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, and employees to attack, set aside, void or annul this tract map approval, or related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 65499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action or proceeding and the County shall cooperate fully in the defense.
33. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay 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 subdivider, or subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional fund to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the subdivider, 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 subdivider according to Section 2.170.010 of the County Code.

Except as modified herein above, this approval is subject to all those conditions set forth in Conditional Use Permit Case No. 2005-00088-(5), Oak Tree Permit Case No. 2005-00039-(5) and Housing Permit Case No. 2006-00001-(5); the attached MMP; and the attached reports recommended by the Subdivision Committee, which also consists of members of the Public Works, Fire Department, Department of Parks and Recreation, and Public Health.

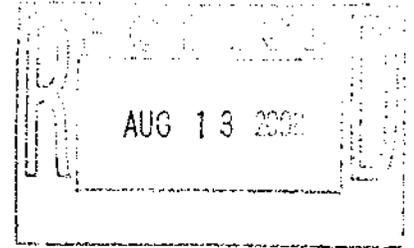


COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330



P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

August 11, 2008

Mr. Rudy Silvas
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Silvas:

FINAL ENVIRONMENTAL IMPACT REPORT, LYONS CANYON RANCH PROJECT, COUNTY PROJECT TRACT MAP NO. 53653, CONDITIONAL USE PERMIT NO. RCUPT 200500088, STATE CLEARINGHOUSE NO. 2003031086, SANTA CLARITA VALLEY (FFER #200800170)

The Final Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. The attached conditions and correspondence with the developer have not been changed at this time.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

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

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKESWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLEN DORA	IRWINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

Mr. Rudy Silvas
August 11, 2008
Page 2

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "JRT", is written over the typed name of John R. Todd.

JOHN R. TODD, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JRT:lj

Enclosure



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. TR 53653 Tentative Map Date July 11, 2006, Ex. A

Revised Report YES

- Checkboxes for fire hydrant requirements, including flow rates (1250, 2500, 5000 gpm), duration (2, 5 hours), and installation details.

Comments: THE TENTATIVE MAP IS NOT APPROVED AT THIS TIME, UNTIL ALL CONDITIONS HAVE BEEN APPROVED. Required fire flow for the public multi-family/commercial fire hydrants at this location is 5000 gallons per minute at 20 psi for a duration of 5 hours, over and above maximum daily domestic demand. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

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

By Inspector Janna Masi Date September 13, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 53653 Map Date July 11, 2006, Ex. A

C.U.P. _____ Vicinity Map 3322D

- FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
- Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- The Fire Department has no additional requirements for this division of land.

Comments: See additional page 1 for additional access requirements. Additional page 2-3 are the requirements for the Fire Station Site per FD Planning Section.

By Inspector: Janna Mast Date September 13, 2006



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS

ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **1**

- 1 Gated access that has an ingress and egress shall comply with the following: Each gate shall be a minimum width of 20' wide, the key pad shall be located a minimum distance of 50' from the right-of-way, also provide a 32' turning radii after the keypad and prior to the gate. Indicate compliance on the exhibit "A", prior to the tentative map clearance.
- 2 IN LIEU OF THE REQUIRED SECONDARY ACCESS, THE FOLLOWING CONDITIONS WILL APPLY: ALL NEW CONSTRUCTION SHALL BE FULLY FIRE SPRINKLERED IN ACCORDANCE WITH NFPA 13.
- 3 Access to the senior housing lot shall be as follows, provide 28' of vehicular access to within 150' of all exterior walls. Said access shall be parallel to two sides of the proposed structures. Compliance shall be indicated on either the Exhibit "A" or the C.U.P. prior to the tentative map clearance.
- 4 Due to the proposed driveway lengths for the senior multiple housing development, fire department turnarounds are required. The turnarounds designs shown on the Ex. A are not adequate. Turnarounds shall be designed to the Ladder Truck Standards. Indicate compliance on the Ex. A.
- 5 Show all turning radii have a 32' centerline turning radius. Indicate compliance on the Ex. A.
- 6 Identify plantings within the proposed entry roundabout.
- 7 Clarify if parking is covered or uncovered.

By Inspector: *Janna Masi*

Date: September 13, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerçe, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **2**

CONDITIONS OF APPROVAL – VTTM 53653 FIRE STATION SITE REQUIREMENTS

DEVELOPER shall convey an improved FIRE STATION SITE to the DISTRICT (actual title to be transferred to "Consolidated Fire Protection District of Los Angeles County") prior to the issuance of the building permit for the 50th unit for VTTM 53653⁽¹⁾. DEVELOPER shall improve the FIRE STATION SITE at its sole cost and expense (the only compensation due the DEVELOPER is a credit for developer fees equal to the appraised value of the improved site as provided through a Developer Fee Credit Agreement⁽²⁾). Improvements shall include:

1. The FIRE STATION SITE shall have a net buildable pad of 1.26 acres (gross lot size is 2± acres).
2. Grading of the FIRE STATION SITE net buildable pad must meet the following requirements: a level pad that measures 225' (width, fronting a public street) X 242' (depth). The pad shall be graded to +/- 0.1 and tops and toes of slopes to +/- 0.3. The minimum pad dimensions shall be free of any easements, building set backs (front, rear and sides), slopes or any other conditions that would restrict full use of the net pad area. The gross acres / square footage to be provided will be calculated based on the net pad requirements outlined above and any additional property that will be conveyed to the DISTRICT. The site is to be graded in relation to the street or streets which front the site such that the emergency vehicle egress driveway can be constructed with a maximum 2% slope and the return driveway can be constructed with a maximum 5% slope. The above driveways begin at the fronting public street and become level at an imaginary 40-foot setback.
3. A two-inch diameter domestic water line installed to a DISTRICT approved meter location with a jumper and meter box. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from Back of Curb (BOC). DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the water purveyor.
4. A one-inch irrigation water line (reclaimed if available) installed to a DISTRICT approved meter location with a jumper and meter box. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC. DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the water purveyor.
5. A fire hydrant on site at a location directed by the DISTRICT.
6. A six-inch diameter fire sprinkler service line installed to a DISTRICT approved location. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC, with a shut-off valve located within a public street.
7. A sewer lateral (fixture count to be provided by the DISTRICT) installed to a DISTRICT approved location. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC. DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the permitting agency.
8. A storm drain connection (sized to accommodate both onsite and offsite drainage) installed to a DISTRICT approved location. The invert of the storm drain pipe must be at an elevation that allows for collection of all surface flows and piped drainage systems. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" behind the BOC.
9. Electric (loading to be provided by the DISTRICT), telephone (number of pairs to be provided by the DISTRICT), television cable, fiber optics (if available), and gas connections stubbed to DISTRICT approved locations. Points of connections shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC.

By Inspector: Janna Mast

Date: September 13, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **3**

CONDITIONS OF APPROVAL – VTTM 53653 FIRE STATION SITE REQUIREMENTS

10. All offsite street improvements adjacent to the FIRE STATION SITE which at a minimum shall include curbs, gutters, sidewalks, driveway approaches (maximum of three), traffic signs, street lights, and median breaks with turn lanes at both the emergency vehicle egress driveway and the emergency vehicle ingress driveway.
11. Installation of two traffic signals that allow for safe access from the emergency egress driveway onto the adjacent public roadways. Traffic signal number one will be installed on A Street fronting the FIRE STATION SITE and traffic signal number two will be installed at the intersection of A Street and The Old Road. Both signals will be designed to include interconnects to the fire station that allows for an emergency override of the signal controllers. Traffic signals must be installed by the time the FIRE STATION SITE is operational.
12. The Completion of a Phase I Site Assessment and, if warranted, a Phase II Site Assessment, and removal or remediation of any hazardous materials located in, upon, or on the FIRE STATION SITE, as required by all applicable federal, state and local laws (to be provided at the completion of all required site improvements).
13. Proof of full compliance with the "California Environmental Quality Act" for the development and operational impacts of a first responder fire station.
14. Remediation of any defects of the property to the satisfaction of the DISTRICT.
15. Any other requirements as reasonably determined by the DISTRICT that are necessary before construction of a fire station can begin on the FIRE STATION SITE.
16. **The FIRE STATION SITE shall be free of any soils and geological hazards and must be located outside of the Los Angeles County 50-year capital flood zone. The soils and geology reports must include language that states that the site has meet the requirements of the California Geological Survey (CGS) – Note 48 "Checklist for the Review of Engineering Geology and Seismology Reports for California Public Schools, Hospitals, and essential Services Buildings".**
17. **The FIRE STATION SITE shall be free of easements, except as expressly approved by the DISTRICT. The developer must provide the DISTRICT with a current American Land Title Association survey (ALTA).**
18. The FIRE STATION SITE shall not contain slopes or hillsides for the DISTRICT to maintain. The developer must arrange for the sloped area to be maintained by a third party, such as a landscaping / maintenance district, at no cost to the DISTRICT.
19. Provide the DISTRICT with the information outlined on the attached "Request for Information" (RFI) form.
 - (1) Developer shall provide a copy to and receive approval of the title language for the FIRE STATION SITE from the Fire Department Planning Division prior to Land Development's final map clearance.
 - (2) Prior to a developer fee credit being issued, an agreement must be approved by the Los Angeles County Fire District. No refunds of developer fees are made for any building permits issued prior to developer fee credit issuance. This agreement takes approximately 30 days to process after DEVELOPER has submitted approved copies to the DISTRICT.

Revised: February 21, 2006

By Inspector: Janna Masi

Date: September 13, 2006

706 213 526 0424

Dr. Randy W. Martin, Ph.D., L.Ac., O.M.D., C.C.H., Q.M.E.

*Doctor of Oriental Medicine - Classical Homeopathic Medicine - Qualified Medical Examiner
Chinese Herbs - Acupuncture - Nutritional Counseling
Women's Health - PMS - Menopause - Pain Control - Pediatrics - Allergies - Headaches
Fertility - Pregnancy - Childbirth - Sciatica - Low Back Pain - Neck & Shoulder Pain*

8/18/08

To: Susan Tae, Senior Planner for the Lyon's Canyon Project, Santa Clarita
From: Dr. Randy Martin *RM*
Re: Vote Against the Lyon's Canyon Project Please - Zone Change Case #
2008-00004-(5)

I am writing to voice my outrage against the proposed Lyon's Canyon Project in the Santa Clarita area!

This project would loose 162 oaks trees including 13 heritage oaks over 300 years old, as well as cause significant ecological problems to a beautiful area. The project does not meet the burden of proof for zone change and conditional use permits, and is a fire hazard area. Why put seniors in a fire hazard zone? It's illogical.

Please vote against this project!

Susan Tae
Los Angeles County Regional Planning Dept.
320 w. Temple St. Los Angeles CA 90012
E-mail: stae@planning.lacounty.gov
Fax: 213-626-0434

Dear Ms. Tae,

I'm writing to voice my **strong opposition** to the **Lyons Canyon** project being proposed by D.R. Horton/Western Pacific. This project is significantly ill-conceived. It will not provide safe and secure housing for our seniors, and is a poor use of ecologically sensitive land. These are my main objections:

- The location is **inappropriate for senior housing**
 - This area is a high-risk fire hazard zone
 - There are no senior facilities nearby
 - This section of Interstate 5 and it's alternate route (The Old Road) is notorious for grid-lock, and the problem will only increase, making travel around the area difficult, adding to safety concerns
- The Lyons Canyon Ranch project site contains portions of two Los Angeles County designated Sensitive Ecological Areas: Lyon Canyon SEA 63 and Santa Susana Woodlands SEA 20. I am strongly opposed to any development that will disrupt these areas. The Santa Clarita Valley is riddled with development that has been utterly destructive to the very environment that residents came here to enjoy. It is time that we, at the very least, **protect areas that we have already designated as ecologically sensitive!**
- The proposal seeks permission to remove 162 smaller oak trees, and transplant 13 heritage oaks, which are more than 300 years old, as well as encroach on another 52 oaks, 6 of which are also classified as heritage oaks. This is unacceptable! I have watched hundreds of heritage oaks, the symbol of our city, be removed and "transplanted," never to be seen again. These trees have massive root structures and cannot survive transplantation. They will simply die. The loss of oaks and sensitive habitat should be carefully reserved for development that has the potential to serve the community. It's also important to remember the value of open space serves a vital purpose, and should not be undervalued. It is what many of us moved here for.
- **The project does not meet burden of proof for zone change and conditional use permit**

If this project were in a more serviceable area, with no impact on SEAs, had some real potential to enhance lives in our valley, then I would be willing to consider the loss of some trees. However, this project fails to show any potential. I hope you will ensure that this project is not approved.

Sincerely,

Maya Uhl
20349 Jay Carroll Dr.
Santa Clarita, CA 91350

Tae, Susan

From: mblue [mblue2@earthlink.net]
Sent: Monday, August 18, 2008 12:29 PM
To: Tae, Susan
Subject: FW: Lyon's Canyon Project

To: Regional Planning Commission
Attn: Ms. Susan Tae

Re: Zone Change Case No. 2008-00004-(5)

Dear Ms. Tae,

I am a resident of Valencia, CA and I am writing to you to express my opposition to this project for several reasons:

- Homes of Seniors would be located in a fire hazzard zone...AND there are no senior facilities nearby.
- The Project would require the loss of 162 oak trees, including 13 heritage oak trees which are over 300 years old.
- The proposed development is located in a significant ecological area (Lyon's canyon).
- The project does not meet burden of proof for zone change and conditional use permits.

Thank you for your consideration.

Very truly yours,

Malcolm J Blue
26432 Marsala Drive
Valencia, CA 91355

Tae, Susan

From: CHARLES O'CONNELL [chuckoconnell@prodigy.net]
Sent: Thursday, August 14, 2008 8:34 PM
To: Tae, Susan
Subject: Proposed Lyons Canyon Development-Santa Clarita Valley

Dear Ms. Tae: As a resident of the Sunset Pointe area I would like to voice my support for the proposed Lyons Canyon Project. Having lived in the area for 10 years, and having regularly hiked through all the canyons between Sunset Pointe and Towsley Canyon and south to East and Rice Canyons and to the top of the Santa Susanna mountains, I am very familiar with the ecology of the area. I have studied previous proposals for development, as submitted to the City of Santa Clarita, which were massive and not appropriate for the area. The present proposal for 93 single family homes and a 93 unit condominium for seniors complements the area very well. I am concerned about misrepresentation of this project by some residents. As a Board member of the Enclave HOA, a member of the West Ranch Town Council, as chairman of the Sunset Pointe Landscape advisory Committee, and one who is familiar with ecology and compatibility, I strongly support the project as currently proposed. Charles J. O'Connell, P.E., 25018 Smokewood Way, Stevenson Ranch, CA 91381.

Tae, Susan

From: Eileen Womer [ewomer@sms-usa1.com]
Sent: Tuesday, August 19, 2008 12:48 PM
To: Tae, Susan
Subject: Opposition to the Lyons Canyon project

Hello,

I understand there is a planning meeting this Wednesday for this project. We live in Rancho LaSalle Canyon and are vehemently opposed to this project. I have been through several fires in this area, one directly in my back canyon and I barely evacuated in time as it swept through our ever windy canyon and cannot imagine evacuating seniors who will be in the direct path of fires.

My mother recently passed away from COPD and any senior who is on oxygen would not make it up here in this particular area due to the very dry brush.

We ask that you reconsider and take immediate action to suspend the "Lyons Canyon Project".

Sincerely,

Eileen & Randy Womer
23731 LaSalle Canyon Dr
Santa Clarita, CA 91321



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

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

RECEIVED
DEC 07 2006

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

December 6, 2006

Susan Tae, Section Head
Los Angeles County Department of Regional Planning
Land Divisions Section
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Tae:

OAK TREE PERMIT #2005-00039, LYONS CANYON PROJECT, UNINCORPORATED SANTA CLARITA

We have reviewed the "Request for Oak Tree Permit #2005-00039" located within Lyons Canyon in the unincorporated area of Santa Clarita. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Interface Management Services (Douglas V. Nickles), the consulting Certified Forester, completed in September 2006. The following is a list of contributors to the final Oak tree report: L. Newman Design Group, Land Design Consultants, Trees Etc., Diamond West Engineering, David Magney Environmental Consulting, and the Daly Owens Group.

Due to the recent Simi Valley Fire which has damaged a significant number of the Oak trees on this project site, the County Forester is recommending that a physical removal count be performed in order to accurately capture the number of trees removed. This will account for those trees that are and will continue to die from fire damage.

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

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

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKELAND	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLENDDORA	IRVINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

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.

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 \$5000.00. 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 the conditions of approval.

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 also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
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 as necessary. The fencing shall be 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 one hundred forty three (143) plus thirteen (13) heritage (H) *Quercus agrifolia* identified as Tree Numbers 71, 74, 75, 76, 108, 112, 115, 116, 118, 119, 135, 136, 137, 262(H), 281, 282, 283, 284, 309, 312, 313, 352, 353, 355, 356, 423, 442, 449(H), 453, 454, 455, 457, 458, 460, 461, 462(H), 465, 466, 467, 468, 469, 472, 474, 475, 476, 490, 529, 550, 563, 578, 868, 869, 870(H), 871, 890(H), 891, 896, 997, 998, 999, 1000, 1002, 1003, 1004, 1005, 1006, 1202(H), 1205, 1206(H), 1273, 1274(H), 1275, 1276, 1277, 1278, 1427, 1428, 1429, 1430, 1437, 1438, 1439(H), 1440, 1442 (H), 1443, 1444, 1451, 1452, 1453, 1454, 1500, 1615, 1625 (H), 1678, 1680, 1685, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1695, 1696, 1697(H), 1698, 1699, 1702, 1703, 1708, 1709, 1712, 1713, 1714, 1721, 1723, 1724, 1726, 1727, 1728, 1730, 1731 (H), 1752, 2823, 2839, 2840, 2841, 2842, 2860, 4016, 4017, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5023, 5033, 5034, six (6) *Quercus lobata* identified as tree numbers 101, 102, 103, 104, 105, and 106 and two (2) *Quercus berberidifolia* identified as tree numbers 418 and 439 on the applicant's site plan and Oak Tree Report.

This grant allows encroachment within the protected zone of fifty-four (54) trees of the Oak genus. Forty-nine (49) of the encroachments are *Quercus agrifolia* trees identified as Tree Numbers 51, 89, 90, 91, 113, 114, 131, 134, 146, 248, 310, 317, 318, 533, 534, 536, 561, 579, 582, 583, 596, 597, 602, 607, 867, 895, 897, 996, 1196, 1198, 1208, 1232, 1254, 1272, 1279, 1295, 1280, 1281, 1441, 1459, 1474, 1616, 1623, 1627, 1739, 1742, 1755, 5021, 5022 and five (5) are *Quercus lobata* identified as Tree Numbers: 1, 3, 12, 52, and 132 on the applicant's site plan map and Oak Tree Report. 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 non-heritage tree removed ($143 \times 2 = 286$) and ten to one (10:1) for each heritage tree removed ($13 \times 10 = 130$) for a total of 416 Quercus agrifolia, 4 Quercus berberidifolia, and, 12 Quercus lobota. Total mitigation trees (all species) equal 432.

The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments.

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 consist of indigenous varieties of Quercus species 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 two (2) 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:

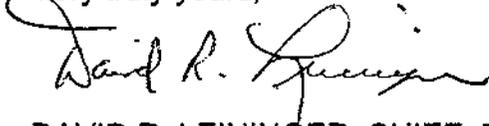
16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) 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

Susan Tae, Section Head
December 6, 2006
Page 6

Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "David R. Leininger". The signature is written in black ink and is positioned above the typed name.

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

DRL:es

**CASTAIC
LAKE**



**WATER
AGENCY**

February 5, 2008

Mr. Bruce W. McClendon, FAICP
Director of Planning
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: Availability of Future Water Supply in the Santa Clarita Valley

BRUCE
Dear Mr. McClendon:

In your September 21, 2007 letter (copy attached), you noted that reductions in local water supplies "...may invalidate portions..." of environmental impact reports for pending and future developments. This is the result of the reliability of water supply from the State Water Project (SWP) having been impacted by an injunction issued by a federal court. As a result, deliveries of SWP water were reduced starting last year.

On May 25, 2007, the court had ruled that a biological opinion (BO) supporting the "incidental take" of Delta smelt by SWP pumping operations was not in compliance with the federal Endangered Species Act. Accordingly, the court ordered the preparation of a new BO so that a permit could be granted to the SWP for the incidental take of the fish by the pumps. The injunction will be in effect until the new BO is completed. The same federal court issued a written court order on December 14, 2007 setting forth the "interim remedies" to protect the Delta smelt. It is the implementation of these interim remedies that reduces the availability and reliability of the SWP water supply.

In the meantime, CLWA and the four local water retailer staffs have been meeting with County and City of Santa Clarita planning staff over the last three months to coordinate water supply and land use planning activities for the Santa Clarita Valley. On January 28, 2008, the California Department of Water Resources (DWR) issued its "Draft State Water Project Delivery Reliability Report 2007" (Reliability Report), an assessment of the SWP supply availability and reliability. *Based on this new information, CLWA has determined that, while the injunction is in effect, there are sufficient water supplies available for pending and future residential and commercial developments within the CLWA service area for the foreseeable future through 2030 as set forth in the Santa Clarita Valley (SCV) Urban Water Management Plan (2005 UWMP).*

DIRECTORS

E.G. "JERRY" GLADBACH
DEAN D. EFSTATHIOU
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ROBERT J. DIPRIMO
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GENERAL MANAGER

DAN MASNADA

GENERAL COUNSEL

McCORMICK, KIDMAN &
BEHRENS, LLP

SECRETARY

APRIL JACOBS

"A PUBLIC AGENCY PROVIDING RELIABLE, QUALITY WATER AT A REASONABLE COST TO THE SANTA CLARITA VALLEY"

27234 BOUQUET CANYON ROAD • SANTA CLARITA, CALIFORNIA 91350-2173 • 661 297-1600 FAX 661 297-1611

website address: www.clwa.org

The Reliability Report addresses the effect that the injunction will have on SWP water availability. The purpose of the Reliability Report, which is updated and issued biennially, is to indicate how much SWP water is available for various hydrologic scenarios (i.e., normal, dry and critically dry years). This report is used by water agencies that have contracted for SWP water to determine SWP water supply availability and reliability as part of their determinations of *overall* water supply availability and reliability.

The Reliability Report includes additional and updated information that was not available in earlier Reliability Reports, along with an assessment of the impact of climate change on the SWP supply. This additional data, in conjunction with a more exact analysis of the operational impacts of the federal court injunction, will reduce the available water to CLWA from the SWP, but not as much as had been previously estimated.

The 2005 UWMP uses a 77% reliability factor for the SWP supply, which is taken from DWR's 2005 Reliability Report. In other words, CLWA's available SWP supply in the 2005 UWMP is equal to 77% of CLWA's SWP contract amount.

The Reliability Report, factoring in the effects of the injunction and using the most conservative of four climate change scenarios modeled by DWR, reduces that reliability to 66%. Using this lower figure (and certain changes and updated information regarding other sources of supply) to update the water supply figures in the 2005 UWMP, CLWA and the local purveyors believe there will be adequate supplies to meet demand as forecast in the 2005 UWMP through the year 2030. Therefore, while the injunction is in place, proposed projects can once again cite the 2005 UWMP, with the additional information provided by the Reliability Report, in their environmental documents as evidence of adequate water supplies to serve the projects under consideration.

The discussion of water supply in environmental documents should be tempered, though, by noting that the Reliability Report represents a reasonable scenario as required by the California Environmental Quality Act (CEQA), and would close the gap between the available supply and the demand in the future, thereby making the CLWA service area more subject to shortages in certain dry years. Accordingly, the reduction in SWP supply reinforces the need to continue diligent efforts to conserve potable water and increase the use of recycled water, both to meet the goals in the 2005 UWMP and to maximize utilization of our potable water supplies. CLWA and the purveyors will continue to work diligently with the County and City in preparing a Water Conservation Ordinance and the enforcement mechanisms to aggressively implement water conservation in the CLWA service area.

The injunction will be in force until the BO is issued, which is currently anticipated at the end of 2008. At that time, long-term reductions in SWP water availability will probably result from the mitigation requirements for the take permit that DWR is required to obtain to comply with the Endangered Species Act. These long-term reductions will likely require another update of the Reliability Report and water supply planning documents that affect land use planning decisions in the Santa Clarita Valley. It is expected that the mitigation requirements in the BO will be no greater than the operational restrictions of the injunction (i.e., the interim remedies); as such,

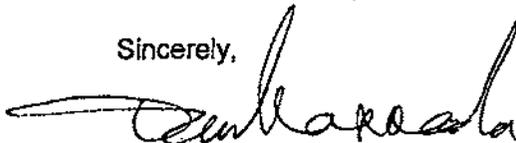
the reductions in SWP water supply as a result of the granting of the Endangered Species Act permit should also be no greater than those required by the injunction.

After the long-term water supply reliability has been reassessed based on the mitigation requirements of the BO, CLWA will confirm that DWR's current estimate of SWP reliability is still applicable or if it needs to be updated, presumably by another Reliability Report. CLWA would then use this information to amend its 2005 UWMP, which would include identification of potential additional supplies to replace any necessary portion of CLWA's SWP supply that would have been lost as a result of the BO mitigation requirements.

In the meantime (i.e., during 2008 and part of 2009), based on the revised Reliability Report, local water retailers should be able to provide affirmative responses to requests for SB 610 Water Supply Assessments (WSAs) and SB 221 Water Verifications (WVs) for proposed projects. CEQA Lead Agencies may also rely on the 2005 UWMP, with the additional information provided by the Reliability Report, for the analysis of water supply impacts in CEQA documents, and in making a determination as to the adequacy of water supply for land use projects.

CLWA and the local water retailers – CLWA Santa Clarita Water Division, Los Angeles County Water Works District #36, Newhall County Water District and Valencia Water Company – look forward to working with the County in allocating water to proposed development in a consistent and equitable manner while at the same time ensuring that no water supply disruptions occur to our existing customers.

Sincerely,



Dan Masnada
General Manager

Attachment

cc: Mr. Paul Brotzman, Planning and Economic Development Director
City of Santa Clarita, Department of Regional Planning
Mr. Steve Cole, General Manager, Newhall County Water District
Mr. Robert DiPrimio, President, Valencia Water Company
Mr. Dean Efstathiou, Chief Deputy Director, Los Angeles County Department
of Public Works
Mr. Mauricio Guardado, Retail Manager, Santa Clarita Water Division
Mr. Paul Novak, Planning Deputy, Los Angeles County Board of Supervisors



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



September 13, 2007

Bruce W. McClendon FAICP
Director of Planning

Castaic Lake Water Agency
Dan Masnada, General Manager
27234 Bouquet Canyon Road
Santa Clarita, CA 91350-2173

REC'D SEP 21 2007

Subject: Availability of Future Water Supply

Dear Mr. Masnada:

The recent decision handed down by U.S. District Judge Oliver Wanger appears to have significantly reduced the amount of water that Southern California will receive from the State Water Project. The Department of Regional Planning is requesting that your agency inform this Department of impacts that may affect pending and future residential and commercial developments within your agency's service area.

Possible reductions in local water supplies may invalidate portions of environmental impact reports related to development proposals currently awaiting public hearing. Therefore, it is urgent that your agency respond as soon as a reasonably accurate determination can be made.

Should you have any questions, please feel free to contact Mr. Paul McCarthy of my staff at (213) 974-6461 between 7:30 a.m. to 5:30 p.m., Monday through Thursday. Our offices are closed on Friday.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Bruce W. McClendon, FAICP
Director of Planning

BWM:JS:FM:PM:rs

Attachment

C: County Counsel
Department of Public Works

SCOPE

Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



6-18-08

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Henry
Susan

Re: Lyons Canyon Project # 2005-0008, Zone Change 2008-0004 (5) VTT# 83653,
OT Permit # 2005-0039, Agenda Item #10, May 7th

Dear Commissioners and Ms. Tae:

We did not receive the final EIR and Supplemental Final EIR in our mailbox until Monday, June 16th. This did not give us sufficient time to review the material or to write a comment letter in a timely manner to the Commission. Never the less, we submit this comment letter and request that you delay approval for at least ten days to give us an opportunity to review this new information.

You are undoubtedly aware that the Governor of California declared a statewide drought on June 5th, just a little over two weeks ago. We also have attached the Notice from the Dept. of Water Resources showing that Castaic Lake Water Agency will only receive 35% of its state water allotment this year. We believe that under such conditions the County may not rely on the 2005 Urban Water Management Plan because circumstances have substantially changed. The County may also not rely on the *draft* State Water Reliability report for the same reason. That draft was released before the Federal Court Oliver Wanger decision of Dec 17th, 2007 (hereby incorporated by reference) and its figures will have to be adjusted downwards to comply with the remedies ordered by that decision.

We do not believe that this project meets the Burden of Proof required by the proposed issuance of a Zone Change, a Conditional Use permit and a Statement of Over-riding Considerations for significant unmitigatable impacts to biology, aesthetics, geologic formations, air quality, traffic and noise.

CUP Burden of Proof

Contrary to the requirements of a CUP, this project adversely affects the health, peace, comfort and welfare of the surrounding community by significantly increasing the traffic and noise to a level that cannot be mitigated (EIR), significantly impacting the biological resources of the area (EIR), significantly impacting the aesthetic views of the area by grading down hillsides and removing important geologic features (see EIR) and removing a significant number of oaks which help to clean the air.

The loss of oaks, ridgelines and viewshed is also materially detrimental to the use, enjoyment and valuation of property of other persons located in the vicinity of the site as well as those that must pass by it on the freeway every day by significantly impacting the natural beauty of the area that lies immediately adjacent to a regional park.

This project jeopardizes, endangers and constitutes a menace to the public health safety or general welfare by placing housing in a high fire prone wildfire area. Fires have already burned through this area three times in the last 15 years. Fires burned right to the edge of houses in the neighboring community, requiring evacuations.

This project provides only one ingress and egress to the back units. This puts residents of those units in extreme danger because it will be difficult for them to escape while emergency vehicles are arriving. It will be difficult and expensive to defend this area from fire, thus reducing the defense that is available for existing homes.

We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit for half the proposed units.

This project will only provide the pad for a fire station in this area, NOT the fire station itself. The Development Monitoring System requires a fire station within 1.5 miles of new development proposals. The nearest station is 3 miles away. The long response time would enable a fire to get out of control and into the surrounding natural areas.

We therefore request that any approval of this discretionary permit require that the developer help provide an actual fire station and that no units be built until the fire station is in place. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area.

The County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future. Failure to do so puts an unfair burden on existing residents and therefore does not meet the burden of proof required for a CUP.

One Finding of the CUP that states:

“ The proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community and is consistent with the objectives and policies of the General Plan.”

This finding is untrue on its face, since there are no nearby shopping or commercial opportunities.

Burden of Proof for a Zone Change

The modified conditions do not warrant a change in the zoning because the project is in a fire prone area with only one exit to half of the units. The placement of this zoning in this area is not in the interest of public health, safety and general welfare and in conformity with good zoning practices because of the known extreme fire hazard of the area. Future residents would be put in jeopardy and existing residents fire protection would be reduced by having to defend this project placed in a known high fire hazard area.

Also, many housing units are already in foreclosure in the Santa Clarita Valley, indicating that housing is overbuilt for the area. The Santa Clarita area already has available at least 5 large senior housing complexes with rental space available as well as a number of lower cost condominium units that are similar to those proposed in this project.

Findings of Over-riding considerations

We have attached the Attorney General's office list of proposed mitigation for reducing greenhouse gases and air pollution. In order to make a finding of over-riding considerations, the County must incorporate all feasible mitigation. We believe that several additional conditions from this list are feasible and must be included.

The need for this project is not supported by any documentation. Housing in the Santa Clarita Valley is already overbuilt with many properties in foreclosure and builders in bankruptcy. A similar senior housing project by PacSun on the east side of Highway 14 is in bankruptcy.

Conclusion

In closing, we would like to call your attention to the Golden Valley project, an "active senior" project that is in severe financial trouble on the east side of 14. It too required a massive amount of grading, which put the developer into bankruptcy. The natural area was destroyed for nothing. Now there is a huge hole in the ground that is an eyesore for the neighboring community.

As you are aware, financial instability impacts the entire community as the developer becomes unable to pay required fees for schools, libraries, etc, and graded pads are left standing without the stormwater or re-vegetation requirements met. This has already occurred with many projects in the Antelope Valley. We attach several articles regarding the shaky financial condition of the project proponent before you. For the sake of the surrounding community we beg you to find a way to require bonding or some other assurance that required mitigation will be met BEFORE you allow any oaks to be removed or grading to occur. Please do not allow destruction of this beautiful area for a project that may not ever be built.

We urge you to vote no on this project because it does not meet the burden of proof for a CUP or a zone change and because it is in a very high fire prone area with only one exit for the back units of the project.

Thank you for your attention to our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynne Plambeck". The signature is written in a cursive style with a large initial "L".

Lynne Plambeck
President

Attachments:

1. Notice of Availability of Water Allotment showing that Castaic Lake Water Agency will only receive 35% of its State Water supply this year.
2. Office of the Attorney General's list of possible mitigation for greenhouse gas generation and air pollution reduction.
3. Several articles from business news services indicating the shaky financial state of DR Horton Builders.



STATE OF CALIFORNIA

RESOURCES AGENCY

DEPARTMENT OF WATER RESOURCES

NOTICE TO STATE WATER PROJECT CONTRACTORS

NUMBER: 08-03

DATE: February 1, 2008

SUBJECT: 2008 State Water Project
Allocation Increase

FROM:

A handwritten signature in cursive script, reading "Raphael A. Jones", is written over a horizontal line.

DEPUTY DIRECTOR, DEPARTMENT OF WATER RESOURCES

The Department of Water Resources (DWR) is increasing the allocation of 2008 State Water Project (SWP) water for long-term contractors from 1,038,861 acre-feet to 1,457,283 acre-feet. Based on recent water precipitation and current water supply conditions, SWP supplies are projected to meet 35 percent of most SWP Contractors' 2008 Table A amounts, which total 4,165,931 acre-feet. Attached is the revised 2008 SWP allocation table.

DWR's new approval considered several factors, including existing storage in SWP conservation reservoirs, SWP operational constraints, including the federal court-ordered 2008 Delta export restrictions to protect Delta smelt, and 2008 contractor demands. DWR estimates the allocation would be 50% without the federal court decision actions in place.

DWR will revise allocations as the years hydrologic and water conditions develop. If you have any questions, please contact Robert B. Cooke, Chief of DWR's State Water Project Analysis Office, at (916) 653-4313.

Attachment

**2008 STATE WATER PROJECT ALLOCATION
(ACRE-FEET)**

SWP CONTRACTORS	TABLE A (1)	INITIAL REQUEST (2)	APPROVED ALLOCATION (3)	PERCENT INITIAL REQUEST APPROVED (3)/(2) (4)
FEATHER RIVER				
County of Butte	27,500	27,500	9,625	35%
Plumas County FC&WCD	2,020	2,020	964	48%
City of Yuba City	9,600	9,600	3,360	35%
Subtotal	39,120	39,120	13,949	
NORTH BAY				
Napa County FC&WCD	23,200	23,200	8,120	35%
Solano County WA	47,406	47,406	16,592	35%
Subtotal	70,606	70,606	24,712	
SOUTH BAY				
Alameda County FC&WCD, Zone 7	80,619	80,619	28,217	35%
Alameda County WD	42,000	42,000	14,700	35%
Santa Clara Valley WD	100,000	100,000	35,000	35%
Subtotal	222,619	222,619	77,917	
SAN JOAQUIN VALLEY				
Oak Flat WD	5,700	5,700	1,995	35%
County of Kings	9,305	9,305	3,257	35%
Dudley Ridge WD	57,343	57,343	20,070	35%
Empire West Side ID	3,000	3,000	0	0%
Kern County WA	998,730	998,730	349,556	35%
Tulare Lake Basin WSD	95,922	95,922	33,573	35%
Subtotal	1,170,000	1,170,000	408,450	
CENTRAL COASTAL				
San Luis Obispo County FC&WCD	25,000	25,000	8,750	35%
Santa Barbara County FC&WCD	45,486	45,486	15,920	35%
Subtotal	70,486	70,486	24,670	
SOUTHERN CALIFORNIA				
Antelope Valley-East Kern WA	141,400	141,400	49,490	35%
Castaic Lake WA	95,200	95,200	33,320	35%
Coacheila Valley WD	121,100	121,100	42,385	35%
Crestline-Lake Arrowhead WA	5,800	5,800	2,030	35%
Desert WA	50,000	50,000	17,500	35%
Littlerock Creek ID	2,300	2,300	805	35%
Mojave WA	75,800	75,800	26,530	35%
Metropolitan WDSC	1,911,500	1,911,500	669,025	35%
Palmdale WD	21,300	21,300	7,455	35%
San Bernardino Valley MWD	102,600	102,600	35,910	35%
San Gabriel Valley MWD	28,800	28,800	10,080	35%
San Geronio Pass WA	17,300	17,300	6,065	35%
Ventura County FCD	20,000	20,000	7,000	35%
Subtotal	2,593,100	2,593,100	907,585	
TOTAL	4,165,931	4,165,931	1,457,283	

State of California
California Regional Water Quality Control Board, Los Angeles Region

RESOLUTION NO. 2005-002

January 27, 2005

Reiteration of Existing Authority to Regulate Hydromodifications within the Los Angeles Region, and Intent to Evaluate the Need for and Develop as Appropriate New Policy or Other Tools to Control Adverse Impacts from Hydromodification on the Water Quality and Beneficial Uses of Water Courses in the Los Angeles Region

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region, finds that:

1. Protecting beneficial uses within the Los Angeles Region consistent with the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) requires careful consideration of projects that result in hydrogeomorphic changes and related adverse impacts to the water quality and beneficial uses of waters of the State. The alteration *away from a natural state* of stream flows or the beds or banks of rivers, streams, or creeks, including ephemeral washes, which results in hydrogeomorphic changes, is generally referred to in this resolution as a hydromodification.
2. This resolution is intended to reiterate the existing authority the Regional Board relies upon to regulate hydromodifications within the Los Angeles Region. As such, it has no regulatory effect. This resolution represents a initial step in the process of first, heightening awareness about the potential impacts of hydromodification on water quality and beneficial uses and evaluating existing laws and regulations and the current methods employed by Regional Board staff when reviewing proposed hydromodification projects and, second, strengthening, if necessary, controls and policies governing hydromodifications that negatively affect water quality and beneficial uses. As a first step, it sets forth a process to achieve one of the Regional Board's highest priorities, which is to maintain and restore, wherever feasible, the physical and biological integrity of the Region's water courses. Secondly, maintaining the natural functions of water courses maximizes opportunities for stormwater conservation and groundwater recharge, which is very important in the semi-arid Los Angeles region where groundwater makes up half of the Region's water supply.
3. In addition to the process outlined in this resolution, the Regional Board has and will continue to strongly support restoration efforts in and along the Region's urbanized, highly modified water courses. The Regional Board also strongly supports preservation efforts geared toward ensuring long-term protection for the Region's remaining natural water courses.
4. Section 101(a) of the Clean Water Act, sets forth a national objective "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." (33 U.S.C. § 1251(a).) Chapter 1 of the Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) recognizes this national goal and specifies that the Basin Plan is designed to implement the Clean Water Act and its goals. As a result, a regional priority of maintaining and restoring, wherever feasible, the physical and biological integrity of the Region's water courses is firmly grounded in federal and state law.

5. To realize this objective, the Clean Water Act (33 U.S.C. § 1313(c)) and federal regulations (40 C.F.R. § 131.10(a)) direct States to specify appropriate designated uses to be achieved and protected. The classification of the waters of the State must take into consideration the use and value of water for public water supplies, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. The standards must explicitly be designed to “protect the public health or welfare and enhance the quality of the water.” (33 U.S.C. § 1313(c).)
6. The Basin Plan designates the beneficial uses of the Region’s water bodies consistent with the California Water Code, federal Clean Water Act, federal regulations, and with the national “fishable/swimmable” goal of the CWA forming the broad basis for the beneficial use designations of surface waters throughout the Region. Some of the beneficial uses most benefited by preserving water courses in a natural state include aquatic life [WARM and COLD among others], wetland habitat, and groundwater recharge. In addition, the Basin Plan establishes water quality objectives for the protection of these beneficial uses. An important provision of the Basin Plan, which is required by federal law (40 C.F.R. § 131.12) and state law (SWRCB Resolution No. 68-16), is an anti-degradation policy designed to maintain existing, high quality waters. The beneficial uses of water bodies, water quality objectives and anti-degradation policies, together, constitute a State’s water quality standards.
7. The Regional Board primarily relies upon a three-pronged approach to regulating hydromodifications. The first two are (1) waste discharge requirements issued pursuant to Water Code section 13263 and waivers issued pursuant to Water Code section 13269 to protect waters of the State and (2) certifications issued in accordance with Clean Water Act section 401 to protect waters of the U.S. These two approaches are not mutually exclusive. (Cal. Code Regs., tit. 23, § 3857.) The third prong consists of municipal stormwater permits issued pursuant to section 402 (p) of the Clean Water Act to address stormwater related problems including stormwater quality and increased flows.
8. “Waters of the State” include all waters of the U.S. In addition, waters of the State include waters that are not “navigable waters” under the federal Clean Water Act, including certain intermittent and ephemeral streams, wetlands, lakes, reservoirs, and other isolated non-navigable waters.
9. Human civilization has attempted to alter the environment through hydromodifications for centuries. In the Los Angeles Region, beginning in the early part of the 20th century, hydromodifications were constructed by public agencies to protect residents from floods and to collect and conserve stormwater for drinking water purposes and recreation. In addition, extensive urban development, and the corresponding increase in impervious area within the watershed and decrease in the width of natural floodplains, has often resulted in significantly altered patterns of surface runoff and infiltration and, consequently, stream flow. This, in turn, has necessitated further in-stream hydromodification in order to stabilize banks and constrain the stream to the channel to prevent flooding. The sequence of events is discussed extensively in the Basin Plan and in the Regional Board’s municipal storm water permit for Los Angeles County. (Regional Board Order No. 01-182.)
10. Many hydromodifications were undertaken with laudable goals often for public safety and welfare, but have later been shown to de-stabilize and enlarge stream channels as well as degrade habitat and reduce species abundance and diversity. As a result, when reviewing

hydromodification projects it is important to carefully consider whether the immediate improvements sought are designed in such a way as to avoid unintended adverse consequence on the character of the receiving water and its beneficial uses in the vicinity, and downstream of the hydromodification.

11. Activities that alter natural *stream flows* may include increasing the amount of impervious land area within the watershed, altering patterns of surface runoff and infiltration, and channelizing natural water courses. Activities that alter the natural *stream channel* include but are not limited to human-induced straightening, narrowing or widening, deepening, lining, piping/under-grounding, filling or relocating (i.e. channelization); bank stabilization; in-stream activities (e.g. construction, mining, dredging); dams, levees, spillways, drop structures, weirs, and impoundments.
12. Hydromodifications may impair beneficial uses such as warm and cold water habitat, spawning habitat, wetland habitat, and wildlife habitat in a variety of ways. Modifications to stream flow and the stream channel may alter aquatic and riparian habitat and affect the tendency of aquatic and riparian organisms to inhabit the stream channel and riparian zone. As a result of these hydromodifications, the biological community (aquatic life beneficial uses) may be significantly altered, compared to the type of community that would inhabit an unaltered, natural stream.
13. For example, channelization usually involves the straightening of channels and hardening of banks and/or channel bottom with concrete or riprap. These modifications may impair beneficial uses by disturbing vegetative cover, removing habitat; modifying or eliminating instream and riparian habitat; degrading or eliminating benthic communities; increasing scour and erosion as a result of increased velocities, and increasing water temperature when riparian vegetation is removed. The regular maintenance of modified channels may impair beneficial uses by disturbing instream and riparian habitats if not managed properly. These modifications may also, if not managed properly, impair beneficial uses by depriving wetlands and estuarine shorelines of enriching sediments or by excessive deposition in downstream environments; changing the ability of natural systems to both absorb hydraulic energy and filter pollutants from surface waters; and altering habitat for spawning and other critical life stages of aquatic organisms. Hardening of channels may also eliminate opportunities for groundwater recharge in some areas. Furthermore, some hydromodifications may reduce recreational opportunities and may reduce the aesthetic enjoyment of people engaged in recreation in and around the water body.
14. As a result of past hydromodifications, there are few natural stream systems remaining in the region. Water bodies that have not undergone extensive hydromodification such as portions of the Santa Clara River, upper San Gabriel and Los Angeles Rivers, Malibu Creek, Topanga Canyon, coastal streams in the Santa Monica Mountains, and tributaries to these larger rivers provide immeasurable benefits to the Region. These benefits include high quality warm and cold-water aquatic habitat, spawning habitat, migratory pathways, wildlife corridors, wildlife and riparian habitat, wetland habitat, recreational and aesthetic enjoyment, and groundwater recharge. Yet, many of these water bodies and their tributaries continue to be threatened by expanding urban development.
15. The Regional Board acknowledges that there is a wide array of hydromodification projects. Some result in positive environmental impacts such as stream restoration projects. Others result in negligible or temporary adverse environmental impacts if managed properly. These may include widening bridges and installing flow measuring devices, such as weirs, or energy

dissipating devices where a constructed channel meets a natural channel. On the other end of the continuum are large hydromodification projects or multiple projects with cumulative impacts that permanently alter the hydrologic and ecological functions of a stream and, thus, adversely affect the beneficial uses described above. These include, but are not limited to, projects that bury natural stream channels, channelize natural water courses, or involve instream activities such as mining or construction. Regional Board staff evaluates the severity of adverse environmental impacts on a project-by-project basis.

16. The Regional Board recognizes that maintenance activities are required in modified channels in order to ensure continued flood protection and vector control. The Regional Board has authorized such activities through the issuance of Section 401 certifications in the past and would expect to continue to authorize such activities. The Regional Board also recognizes that maintenance activities may need to be carried out on an emergency basis due to various exigencies, including brush fires and flooding. The Board through the issuance of Section 401 certifications has also authorized these emergency maintenance activities. Nothing in this resolution is intended to alter the ability of these local agencies to continue ongoing maintenance activities.
17. The Regional Board also recognizes the value of the spreading grounds that have been constructed along many of the Region's larger water courses. These spreading grounds serve a valuable function by recharging storm water into the Region's groundwater to bolster local water supplies. Nothing in this resolution is intended to alter the ability of local and regional agencies to conserve stormwater within existing regulations with the goal of increasing local water supplies.
18. The Regional Board and local agencies have undertaken or sponsored hydromodification field assessments and studies to develop peak flow design criteria to minimize or eliminate adverse impacts from urbanization for water courses in the counties of Ventura and Los Angeles. These studies include the 'Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA' (2004), and the 'Peak Impact Discharge Study' sponsored by the County of Los Angeles, which is in progress. The results from these studies will be used to develop objective criteria to reduce or eliminate the adverse impacts of hydromodification in the Los Angeles Region from new development and redevelopment.
19. Though the Regional Board does not have authority to regulate land use, the Regional Board strongly encourages land use planning agencies and developers to carefully consider, early in the development planning process, the potential impacts on water quality and beneficial uses of hydromodification projects proposed as part of new development. The Regional Board strongly discourages direct hydromodification of water courses except in limited circumstances where avoidance or other natural alternatives are not feasible. In these limited circumstances, project proponents must clearly demonstrate that a range of alternatives, including avoidance of impacts, has been thoroughly considered, hydromodification has been minimized to the extent practicable, and adequate in situ and/or off site mitigation measures have been incorporated to offset related impacts. Project proponents must also document that there will be no adverse effects to water quality or beneficial uses. This approach is consistent with the California Environmental Quality Act (CEQA), federal regulations and State and federal antidegradation policies.
20. Chapter 4 of the Basin Plan, "Strategic Planning and Implementation", outlines the suite of regulatory tools available to the Regional Board to maintain and enhance water quality. One of these tools is the 401 Certification Program. This federally required program regulates

most hydromodification projects to ensure that the projects will not violate State water quality standards of which beneficial uses are an essential component. Section 401 Certifications may include conditions to minimize impacts from hydromodification activities by implementing Best Management Practices such as working in the dry season or out of the water, among many others. Certifications may also include monitoring requirements in order to ensure that the project is completed as specified and any proposed mitigation is successful.

21. Under section 401 of the Clean Water Act, the State Water Resources Control Board and the Regional Boards have a time limit as prescribed by applicable laws and regulations, from the receipt of a complete application, to certify that a project will comply with applicable state water quality standards prior to issuance of a federal 404 dredge and fill permit for any activity that may result in a discharge to a surface water of the United States. In the event that a project will not comply with applicable water quality standards, even with all conditions proposed, then the certification may be denied. (Cal. Code Regs., tit. 23, § 3837, subd. (b).)
22. Under section 402 (p) of the federal Clean Water Act, the State Water Resources Control Board and the Regional Boards are required to issue storm water permits to owners and operators of municipal separate storm sewer systems (MS4s). On a permit-by-permit basis, MS4 permits may identify storm water-related problems and include provisions requiring municipalities to implement measures to reduce adverse impacts of hydromodification, primarily increased flows, on beneficial uses.
23. Under separate authority granted by State law (see Article 4 (commencing with section 13260) of Chapter 4 of the Porter-Cologne Act), a Regional Board may regulate discharges of dredge or fill materials as necessary to protect water quality and the beneficial uses of waters of the State by issuing or waiving waste discharge requirements, a type of State discharge permit. For projects that may result in a discharge to a surface water of the U.S., waste discharge requirements may be issued in addition to the 401 certification. (Cal. Code Regs., tit. 23, § 3857.) Issuance of waste discharge requirements may be the only option for the Regional Board in situations where the proposed discharge is to waters of the state (e.g. isolated waters, vernal pools, etc.) rather than waters of the U.S., or in situations where the federal agency does not claim jurisdiction. All discharges of waste, including dredged and fill material, to waters of the State are privileges and not rights.
24. With certain exceptions, the California Environmental Quality Act (CEQA) requires the preparation of environmental documents for all projects requiring certifications by the state or state-law-only waste discharge requirements from the Regional Board. Hydromodification activities discussed above that require certification under section 401 of the Clean Water Act or that require waste discharge requirements for dredging and filling of State waters may be subject to CEQA. For projects that may have a significant effect on the environment that cannot be mitigated, an environmental impact report must be prepared that requires consideration of feasible alternatives to the project. (Pub. Resources Code, § 21061.)

THEREFORE, be it resolved that

1. Maintaining and restoring, where feasible, the physical, chemical and biological integrity of the Region's watercourses is one of the Regional Board's highest priorities.

This resolution reiterates existing law and regulatory requirements and current staff practices. As such, it has no regulatory effect. However, the Regional Board directs staff to undertake a two-step process to evaluate and consider further action to control adverse impacts from hydromodification. During this process, staff is directed to involve stakeholders and regulatory agencies with jurisdiction, consistent with the requirements of the Porter-Cologne Water Quality Control Act. The first step shall be an evaluation process and shall address, at a minimum, the following:

- Prioritization for control of those hydromodification activities that cause the greatest adverse effects on water quality and beneficial uses;
- Evaluation of existing regulation of hydromodification as defined herein;
- Consideration, in light of the existing regulatory scheme, of issues affecting the Board's ability to achieve its identified objectives;
- Consideration of existing legal authorities for Board actions;
- Consideration of staff resources; and
- Evaluation and identification of the best regulatory means available to the Board and the other agencies with jurisdiction to fulfill Board objectives.

The second step shall involve, as necessary based on the above evaluation, proposals for Board consideration of actions, including without limitation educational campaigns, memoranda of understanding with other regulatory agencies, adoption of new guidance, additional municipal stormwater permit requirements or further Basin Plan amendments as necessary to address gaps in existing hydromodification control in order to maximize the Regional Board's authority to ensure that a hydromodification project does not adversely affect water quality or degrade beneficial uses of those waters.

2. Given the priority set forth in paragraph 1, the Regional Board reaffirms that the Executive Officer will only issue a certification pursuant to Clean Water Act section 401 with adequate documentation (i) that the project will comply with applicable water quality standards, including antidegradation policies, and (ii) if necessary, that adequate analysis of a range of alternatives has been performed consistent with federal regulations, the California Environmental Quality Act, and antidegradation requirements.
3. Furthermore, given the significant potential adverse impact of large-scale or multiple hydromodification projects, the Regional Board reaffirms that the Executive Officer may at his discretion choose to bring a proposed project before the Board for direction prior to certification or recommend waste discharge requirements for the proposed project, which would be subject to Board approval.
4. Given the priority set forth in paragraph 1, the Regional Board reaffirms that it will only issue waste discharge requirements with adequate documentation (i) that the WDR will implement any relevant water quality control plan, including the water quality standards contained therein, and (ii) that adequate analysis of a range of alternatives, where an alternatives analysis is required, has been performed consistent with the Porter-Cologne Water Quality Control Act, CEQA and antidegradation requirements.
5. Following completion of the two-step evaluation process described in 2 above, the Regional Board directs staff to develop, if necessary based on the conclusions of the evaluation, new policy or additional regulatory or non-regulatory tools to control adverse impacts from hydromodification, which may include educational campaigns, memoranda of understanding,

- The findings of the study "Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA – Final Report" (2004) completed by the Ventura County Watershed Protection District, in order to satisfy a requirement of the Ventura County Municipal Storm Water Permit (Regional Board Order No. 00-108), which calls for the development of criteria to prevent or minimize erosion of natural channels and banks caused by urbanization and protect stream habitat; and
 - Additional data collected or initiated by municipalities, dischargers and developers on stream stability for study sites in Los Angeles and Ventura Counties to reduce statistical uncertainty and/or improve model predictability when establishing stream stability protective criteria.
7. If a Basin Plan amendment is deemed necessary, staff is directed to consult with affected state and local agencies prior to formulating the draft amendment(s).
8. During the evaluation process, staff is directed to seek input from:
- the Department of Fish and Game and the U.S. Army Corps of Engineers, the United States Fish and Wildlife Service and other agencies with jurisdiction over hydromodification projects to ensure that any future policies and requirements to be proposed do not conflict with the jurisdiction and regulatory authority of these agencies; and
 - stakeholders, including flood control agencies, agricultural interests, the building and construction industry, and environmental groups.
9. Pursuant to section 13224 and 13225 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Resolution.

I, Jonathan Bishop, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on January 27, 2005.

ORIGINAL SIGNED BY

2/23/05

Jonathan S. Bishop, P.E.
Executive Officer

Date

Home builder D.R. Horton says orders plunged last quarter

REUTERS 3

Other ways to share:

NEW YORK (Reuters) — D.R. Horton (DHI), one of the largest U.S. home builders, said Tuesday that declining home values would lead to its first quarterly loss since it listed on the New York Stock Exchange in 1995.

Hurt by the deteriorating housing market, the home builder said net sales orders in its fiscal third quarter, ended June 30, fell 40% to 8,559 homes. The dollar value of the orders dropped 47% to \$2.0 billion.

"Market conditions for new-home sales declined in our June quarter as inventory levels of both new and existing homes remained high, and we expect the housing environment to remain challenging," Chairman Donald Horton said in a statement.

Regionally, the sharpest decline came in California, where the value of orders fell 61.9% to \$307.1 million.

The company said that as a result of the weak market, it will post significant asset impairments that will result in a loss for both the third quarter and the nine-month period.

"D.R. Horton was as aggressive as anyone in buying land during the bubble years," said Eric Landry, analyst at Morningstar, in Chicago. "They bought plenty of land when land prices were dear. Home prices now have declined such that there are several communities that aren't profitable."

Horton's third-quarter cancellation rate was 38%, up from 32% in its fiscal second quarter. The company's traditional customer is a first- or second-time home buyer. It builds homes in 27 states with sales prices ranging from \$90,000 to more than \$900,000.

Executives of some of the largest U.S. home builders, including Horton Chief Executive Donald Tomnitz, have said they do not expect the market to rebound this year — and probably not in the first half of next year, either.

"The fundamental headwinds are stiff right now and no one has any idea when it will turn around," said Morningstar's Landry.

Late last month, home builders Lennar (LEN) and KB Home (KBH) reported quarterly losses.
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Fitch Downgrades D.R. Horton's IDR to 'BB+'; Outlook Remains Negative

NEW YORK--(BUSINESS WIRE)--Fitch Ratings has downgraded D.R. Horton, Inc.'s (NYSE: DHI) Issuer Default Rating (IDR) and other outstanding debt ratings as follows:

- IDR to 'BB+' from 'BBB-';
 - Senior unsecured to 'BB+' from 'BBB-';
 - Unsecured bank credit facility to 'BB+' from 'BBB-';
 - Senior subordinated debt to 'BB-' from 'BB+'.
- The Rating Outlook remains Negative.

The downgrade reflects the current difficult housing environment and Fitch's expectations that housing activity will be even more challenging than previously anticipated during the balance of calendar 2008 and that new home activity will still be on the decline well into 2009. The anemic economy and impaired mortgage markets are, of course, contributing to the housing shortfall. The ratings changes also reflect negative trends in D.R. Horton's operating margins, further deterioration in credit metrics (especially interest coverage and debt/EBITDA ratios) and erosion in tangible net worth from non-cash real estate charges. However, D.R. Horton's liquidity position provides a buffer and supports the new ratings. Future ratings and outlooks will be influenced by broad housing market trends as well as company-specific activity, such as land and development spending, general inventory levels, speculative inventory activity (including the impact of high cancellation rates on such activity), gross and net new order activity, debt levels and free cash flow trends and uses.

Ratings for D. R. Horton are based on the company's execution of its business model in the current housing correction, steady capital structure, geographic and product line diversity, and the company's above average growth during this past housing expansion. D.R. Horton had been an active consolidator in the homebuilding industry, which had kept debt levels a bit higher than its peers. But management also exhibited an ability to quickly and successfully integrate its many acquisitions. During fiscal 2002 the company completed its largest acquisition in absolute size (Schuler Homes). However, D.R. Horton made no acquisitions in fiscal 2003 through fiscal 2007 or so far in fiscal 2008. It also appears that D.R. Horton may be less acquisitive in the future as it primarily focuses on harvesting the opportunities within its current and adjacent markets.

D.R. Horton maintains a 5.2-year supply of lots (based on last 12 months deliveries), 78% of which are owned and the balance controlled through options. (The options share of total lots controlled is down sharply over the past two years as the company has written off substantial numbers of options.) The ratings also manifest the D.R. Horton's historic aggressive, yet controlled growth strategy and its relatively heavy speculative building activity (which had lessened late in the last up-cycle). D.R. Horton has historically built a significant number of its homes on a speculative basis (i.e. begun construction before an order was in hand). D.R. Horton successfully executed this strategy in the past. Nevertheless, Fitch was more comfortable with the more modest 'spec' targets of 2004 and 2005. At present 'spec' counts are high for D.R. Horton as with certain other builders because of unusually elevated cancellation rates.

D.R. Horton ended the March 2008 quarter with \$518.9 million of cash on the balance sheet and \$1.3 billion of availability under its \$2.25 billion unsecured revolving credit facility. As of March 31, 2008, D.R. Horton was in compliance with all the covenants under its revolving credit facility. However, the

cushion under its tangible net worth covenant has declined to approximately \$290 million. Management indicated that it intends to seek an amendment to its revolving credit facility to modify the covenant provisions by the end of its current fiscal year (ending Sept. 30, 2008). The revolving credit facility matures in December 2011.

Fitch's rating definitions and the terms of use of such ratings are available on the agency's public site, www.fitchratings.com. Published ratings, criteria and methodologies are available from this site, at all times. Fitch's code of conduct, confidentiality, conflicts of interest, affiliate firewall, compliance and other relevant policies and procedures are also available from the 'Code of Conduct' section of this site.

Contacts

Fitch Ratings

Robert Curran, +1-212-908-0515, New York

Robert Rulla, +1-312-606-2311, Chicago

Media Relations:

Brian Bertsch, +1-212-908-0549, New York

D.R. Horton swings to \$1.3 billion loss

Builder cuts dividend and records \$834 million in inventory, land charges

By John Spence, MarketWatch

Last update: 3:22 p.m. EDT May 6, 2008

BOSTON (MarketWatch) – D.R. Horton Inc., one of the nation's largest home builders, on Tuesday reported a \$1.3 billion quarterly loss as housing weakness and turmoil in mortgage markets continued to drain financial results.

The Ft. Worth, Texas-based company

D.R. Horton, Inc swung to a net loss of \$1.31 billion, or \$4.14 a share, compared with net income of \$51.7 million, or 16 cents a share, in the year-earlier period.

D.R. Horton also halved its quarterly dividend.

For the fiscal second quarter ended March 31, total revenue slipped to \$1.62 billion from \$2.62 billion. Analysts polled by Thomson Financial had been looking for a loss of 39 cents a share on revenue of \$1.36 billion, on average. Analyst estimates typically exclude charges.

D.R. Horton's latest quarterly results included \$834.1 million in pretax charges related to inventory impairments and land options it's walking away from. During the quarter, the company booked a valuation allowance of \$714.3 million against its deferred tax assets.

"Although market conditions in the homebuilding industry remain challenging, we continue to focus on reducing inventory and generating cash flow from operations," said Chairman Donald Horton in the earnings release.

D.R. Horton declared a quarterly dividend of 7.5 cents a share, down from 15 cents. Carl Reichardt at Wachovia estimated the move will save the company \$95 million annually. D.R. Horton said it expects the quarterly dividend payment to remain at 7.5 cents a share for the next three quarters.

Reflecting ongoing weakness in the residential market, D.R. Horton's net sales orders fell to 7,528 homes from 9,983 homes a year ago. The cancellation rate, measured by cancelled sales orders divided by gross sales orders, was 33% in the fiscal second quarter.

"The spring selling season is once again likely to be a bust as deteriorating economic conditions and fear of declining prices keep would-be buyers on the sidelines," wrote Morningstar Inc. analyst Eric Landry in a recent research note. He estimated there could be as many as 2 million surplus homes for sale, most of which are sitting empty.

"Slower starts will be helpful, but it's likely that current single-family production has only recently fallen to a point that will allow standing inventory to be absorbed at a meaningful rate," Landry said.

"Market conditions remained challenging for D.R. Horton in [the fiscal second quarter], as the mortgage market remained tight and negative homebuyer sentiment impacted the company," said analysts at Soleil Securities Group.

Deutsche Bank analysts pointed to rising impairment charges at D.R. Horton, which is one of the builders with longer, less-developed land supplies including Pulte Homes Inc. (PHM:

[pulte homes inc com](#)

[News](#), [chart](#), [profile](#), [more](#)

Last: 10.75+0.12+1.13%

2:58pm 06/17/2008

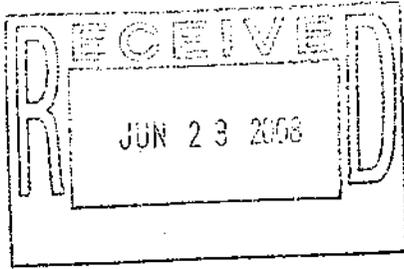
Delayed quote data

"In prior quarters, D.R. Horton's impairments had lagged those of the group, especially considering its land supply; however, with an \$834 million impairment charge most of the gap has closed," wrote Nishu Sood and Rob Hansen in an investor note.

They said the company also appears to have renewed its push on driving orders with reductions on home prices. Still, margins were still above the builder group's average, "perhaps reflecting D.R. Horton's lesser exposure to bubble markets."

D.R. Horton's average closing price for the quarter fell 8% from the year-ago quarter to \$237,800, management said on the earnings call. The company continues to scale down its homes in inventory and speculative homes, or those without a buyer. It owns or controls 181,000 lots, or a 5.2-year supply.

John Spence is a reporter for MarketWatch in Boston.



June 19, 2008

Los Angeles, County Regional Planning Commission,
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone
Change 2008-0004 (5) VTT# 83653, OT Permit #
2005-0039

Dear Commissioners and Ms. Tae:

We have concerns regarding the sensibility of this project for a host of reasons.

We did not see any indication in the agenda packet for this item as to whether the question of a second exit for this project has been resolved. We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit.

We continue to protest the lack of a Development Monitoring System Analysis for this project. The Development Monitoring System (a General Plan Amendment passed as a result of a Court Settlement) requires a fire station within 1.5 miles of new development proposals. No such fire station exists. We note that the plan for this project requires a LOT for a fire station, but does not mandate the station itself. We request that the developer be conditioned to help provide such a station. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area. We request that the station should be built and functioning before occupancy of these houses is permitted.

Additionally, the County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future.

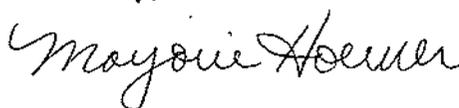
Further, we believe that changed circumstances regarding water supply must be addressed in any new hearing. Two Federal Court decisions have occurred since this case was last reviewed. Judge Oliver Wanger's decision of Dec. 14th, 2007 that the Delta Smelt must be protected under the Endangered Species Act has resulted in substantial cutbacks to State Water Supply, on which the Santa Clarita Valley depends for 60% of its water supply. A further decision was made in April 2008 to protect the Salmon in the Delta. This decision will result in further impacts to our water supply. We have attached the notice from the Dept. of Water Resources regarding this Court decision, along with the notice of reduction in state water deliveries to Castaic Lake Water Agency.

Oaks

This project proposes the removal of 162 oaks. This is a substantial number of oaks and will come under the obligations of new State Law, which requires not only replacement of oaks, but replacement for lost Oak Woodland Habitat as well. This project is immediately adjacent to an important wildlife corridor. Without sufficient habitat, animal movement will be impaired by lack of food and cover. It is therefore important that habitat destruction not occur here. We ask that the Planning Commission look for ways that the number of oaks can be reduced. This could occur by discouraging mass grading and requiring grading for only the footprint of the lot. Again, we believe the back portion of this project should be eliminated from the proposal.

We request that a cumulative analysis of the total amount of oaks and oak woodlands destroyed by development in the last 15 years be analyzed. We believe such cumulative analysis is necessary to evaluate the substantial impact that has occurred to oaks and oak woodlands by this destruction in the last two decades. The analysis should include the increase to air pollution and loss of carbon sequestering that will result from the removal of these trees. Thank you for your attention to our concerns.

Sincerely,



Marjorie Hoerner



Brent Hoerner

24024 Via Candela
Valencia, CA 91355

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



June 23, 2008

Regional Planning Commission
Los Angeles County Department of Regional Planning
320 West Temple Avenue
Los Angeles, California 90012

**Lyons Canyon Ranch FEIR Comments
Vesting Tentative Tract Map No. 53653
SCH No. 2003031086**

Dear Planning Commission Members:

The Santa Monica Mountains Conservancy always pursues the strongest protection for natural lands located both within County-designated Significant Ecological Areas (SEA) and adjacent to significant public lands--such as the Santa Clarita Woodlands Park. A project with significant SEA, oak woodland, and streambed impacts must have the most precise and enduring mitigation.

In addition to our Draft Environmental Impact Report (DEIR) comments that are addressed in the FEIR and that provide supportive background for the below requests, we adamantly request that the following mitigation measures be added to the certified FEIR to achieve this minimum level of mitigation. These mitigation measures require no modification of the proposed project.

Without the complete incorporation of each and every one these below mitigation elements in the FEIR, we urge the Commission not to certify the document on the grounds of inadequate mitigation for several unavoidable significant adverse biological impacts.

1. Per the DEIR and FEIR, open space lots 103-106 of the subject project shall be irrevocably offered for fee simple dedication to the Mountains Recreation and Conservation Authority (MRCA) or shall be recorded in fee simple by the MRCA prior to or concurrent with tract map recordation. Under absolutely no circumstances shall there be an exception to this requirement. If the land is not recorded by the MRCA prior to, or concurrent with, map recordation, the irrevocable offer to dedicate shall be duly recorded prior to map recordation.

The amount of land transferred in fee to the MRCA shall not be less than 122.74 acres per the DEIR and FEIR. If the MRCA does not accept the land within one year after being notified via Certified Mail concurrently with the recording of an offer to dedicate, the offer to dedicate shall expire. The land shall be free and clear of all liens and encumbrances. The developer shall be allowed to conduct only the subject project required mitigation on lots 103-106 and only exactly as depicted in the DEIR and FEIR.

If any portions of lots 103-106 fall within the 200-foot-wide variable fuel modification zone depicted in the DEIR, the Homeowners Association (HOA) shall retain an easement solely for the purpose of fuel modification only where such overlap of DEIR and FEIR depicted fuel modification occurs. The Homeowners Association CC&Rs shall include all necessary elements to recognize this easement and to require that the HOA be wholly responsible for any fuel modification required on lots 103-106 as depicted in the DEIR and FEIR.

2. The Homeowners Association CC&Rs shall include an irrevocable requirement to provide an annual open space maintenance fee to the fee title holder of lots 103-106. That payment of \$15,000 annually shall first be due in full concurrently with map recordation. That map recordation date shall establish the annual due date for each subsequent \$15,000 payment. Fee owner of said open space lots shall invoice the HOA for all subsequent payments. Said fee shall include an indexed inflation adjustment.
3. No remedial grading or mechanical disturbance shall be allowed under any circumstances more than 15 feet outside of the shown limits of grading for Vesting Tentative Tract Map 53653. This amount of space should allow for normal calculation errors and difficult vehicle turnaround conditions that require added safety. Any grading or mechanical disturbance impact beyond 15 feet would constitute additional adverse ecological impact not addressed in the FEIR. Unforeseen geological instability must thus be solved internal to the limits of grading as shown in the DEIR and FEIR and approved by the Board of Supervisors.
4. The Gavin Canyon Trail with a 12-foot-wide easement as depicted in the DEIR and FEIR must be dedicated to the Los Angeles County Department of Parks and Recreation prior to or concurrent with tract map recordation. Under no

circumstances shall there be an exception to this requirement. If the land is not transferred, an irrevocable offer to dedicate shall be duly recorded.

5. With the exception of one "required offsite access easement" (FEIR Exhibit 6-1) in the northwest project corner approximately following unpaved Lyon Ranch Road), the DEIR and FEIR do not depict or analyze any public or private access or utility easements across any portion of open space lots 103-107 or the potential impacts of their improvement.

The two owners of APNs 2826-022, 022, 023 and 024 have gone on the public record for the subject project to request access easements. The above mentioned "required offsite access easement" could service these two subject ownerships. It is our understanding that the applicant has agreed to grant exclusive access and utility easements to the owners of these parcels in the width of approximately thirty feet. The location and scope of the easements are not otherwise defined to our knowledge. The MRCA has APN 2826-022-024 under contract to acquire in August 2008.

Based on the DEIR and FEIR analysis and disclosure, the public must then be able to conclude that no other additional access and utility easements exist, or shall exist in the future, that can diminish the ecological integrity of open space lots 103-107 in any way shape or form. This conclusion must include any public street reservations to the Los Angeles County Department of Public Works. For the record APN 2826-022-024 does have a narrow easement across a small sliver of open space owned by the Vesting Tentative Tract Map No. 53653 owner.

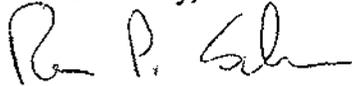
The FEIR shall include a mitigation measure that expressly states that open space lots 103-106 must be offered to the MRCA free and clear of all access and utility easements except a future exclusive easement to benefit only APNs 2826-022, 022, 023 and 024. The narrow easement coming from the north that benefits APN 2826-022-024 would be the one exception.

It seems most appropriate too that the application be required to construct the subject section of the Gavin Canyon Trail or to provide a public agency in advance with adequate funds to construct the trail. We respectfully ask the Commission to add this requirement to the conditions of approval.

Los Angeles County Regional Planning Commission
Lyons Canyon Ranch - Vesting Tentative Tract Map No. 53653 FEIR Comments
June 23, 2008
Page 4

Please address any future documents to the attention of Paul Edelman at the letterhead address and questions to him at (310) 589-3200 ext. 128.

Sincerely,

A handwritten signature in black ink, appearing to read "R. P. Schaffer". The signature is fluid and cursive, with the first name "R." and last name "Schaffer" clearly distinguishable.

RONALD P. SCHAFER
Chairperson

Baldwin, Alejandrina C.

From: Jasch Janowicz [jasch@dalygroupinc.com]
Sent: Friday, July 25, 2008 1:41 PM
To: Tae, Susan
Cc: Baldwin, Alejandrina C.
Subject: Lyons Canyon Water Service Annexation
Attachments: Water Availability Letter_06102008.pdf

Susie:

I spoke with Keith Abercrombie from Valencia Water Company today (Friday) about the annexation of the Lyons Canyon project into the Valencia Water Company service boundary. Below I have provided a summary of pertinent facts and a summary of the annexation process.

- The Lyons Canyon project is currently adjacent to, but outside of the service area of both Valencia Water Company and Newhall Water Company (See DEIR Water and Wastewater Section, pages 5.11-1 and 5.11-2.)
- Given that water service infrastructure maintained by Valencia Water Company currently exists directly adjacent to the Lyons Canyon project boundary, we have requested water service from Valencia Water Company.
- Valencia Water Company provided a Water Availability Letter dated June 10, 2008 confirming available water to serve the subject site and a willingness to serve the Lyons Canyon project with additional water infrastructure planned as part of the project.
- Given that the proposed project is outside of the Valencia Water Company service boundary, the California Public Utilities Commission will review an application (prepared by Valencia Water Company) for annexation of the subject site into the Valencia Water Company service area subsequent to final approval of the project. Approval of the annexation is based upon required findings (involving verification of available water, capacity of existing and planned infrastructure, etc.).
- The timeframe for annexation review and approval by the Public Utilities Commission (PUC) is typically 4-6 months. These proceedings are open to the public and thus there is the opportunity to file a protest. If filed, protest proceedings typically require an additional 4-6 months of review by the PUC.
- It is important to note that Valencia Water Company has never been denied a request for annexation by the PUC.

Please feel free to contact me if you have any additional questions.

Regards,

Jasch Janowicz
The Daly Group
phone: 818.889.7252
fax: 818.889.7085



Valencia Water Company

24621 Avenue Rockefeller • P.O. BOX 5904 • Valencia, CA 91385-5904
(661) 294-0828 • Fax (661) 294-3806

June 10, 2008

Mr. Mo Kajbaf
Los Angeles County Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803

Notice of Water Availability
Tract No: 53653
Developer: Daly Owens Group

Dear Mr. Kajbaf:

The Valencia Water Company (Valencia) has determined that water is available to serve the above-referenced project. Valencia agrees to operate the water system and provide service in accordance with the company's approved Tariffs on file with the California Public Utilities Commission. The determination of water availability shall remain valid for two years from the date of this letter. Unless construction of the project has commenced within this two year time frame, Valencia is under no obligation to serve the project unless the developer receives an updated letter from Valencia confirming water availability.

Valencia has determined that the existing facilities and the additional facilities to be installed by Valencia through developer funding of this project will be adequate to serve this project and each of the individual parcels under normal operating conditions. These facilities will provide a fire flow of 1250 gallons per minute at 20-psi residual pressure for two (2) hours as required by the Fire Department.

Valencia requires that the project comply with the Company's Best Management Practices regarding water conservation. This program identifies water saving techniques, methods, landscape designs and internal water use practices that will achieve the Company's long term conservation goals described in its most current Santa Clarita Valley Urban Water Management Plan. Unless the project is constructed to Valencia's conservation standards, Valencia is under no obligation to serve the project.

This letter shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.

If you have any questions regarding the above please call Keith Abercrombie, Valencia Water Company Vice President of Operations at (661) 295-6504.

Sincerely,

Robert J. DiPrimio
President

cc: Keith Abercrombie, Vice President of Operations, Valencia Water Company

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



June 23, 2008

Regional Planning Commission
Los Angeles County Department of Regional Planning
320 West Temple Avenue
Los Angeles, California 90012

**Lyons Canyon Ranch FEIR Comments
Vesting Tentative Tract Map No. 53653
SCH No. 2003031086**

Dear Planning Commission Members:

The Santa Monica Mountains Conservancy always pursues the strongest protection for natural lands located both within County-designated Significant Ecological Areas (SEA) and adjacent to significant public lands--such as the Santa Clarita Woodlands Park. A project with significant SEA, oak woodland, and streambed impacts must have the most precise and enduring mitigation.

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The two owners of APNs 2826-022, 022, 023 and 024 have gone on the public record for the subject project to request access easements. The above mentioned "required offsite access easement" could service these two subject ownerships. It is our understanding that the applicant has agreed to grant exclusive access and utility easements to the owners of these parcels in the width of approximately forty feet. The location and scope of the easements are not otherwise defined to our knowledge. The MRCA has APN 2826-022-024 under contract to acquire in July 2008.

Based on the DEIR and FEIR analysis and disclosure, the public must then be able to conclude that no other additional access and utility easements exist, or shall exist in the future, that can diminish the ecological integrity of open space lots 103-107 in any way shape or form. This conclusion must include any public street reservations to the Los Angeles County Department of Public Works. For the record APN 2826-022-024 does have a narrow easement across a small sliver of open space owned by the Vesting Tentative Tract Map No. 53653 owner.

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Please address any future documents to the attention of Paul Edelman at the letterhead address and questions to him at (310) 589-3200 ext. 128.

Sincerely,

RONALD P. SCHAFER
Chairperson

Tae, Susan

From: Mary Ann Griffin [magriffin555@sbcglobal.net]
Sent: Friday, July 25, 2008 9:34 AM
To: Tae, Susan
Subject: Lyons Cyn Project

We are in such need of Senior Housing! Please allow this project to go through.

Thanks

Mary Ann Griffin

Linda Pursell
23324 8th Street
Santa Clarita, CA 91321

Mr. Pat Modugno
Los Angeles Regional Planning Commissioner
LA County Regional Planning Department
320 West Temple Street
Los Angeles, CA 90012

July 28, 2008

RE: Agenda Item 8, July 30th, Lyons Canyon Project

Dear Mr. Modugno,

I am very concerned about this Lyons Canyon Project that would put a senior housing project so far away from services they will need. The planned project is the Lyons Canyon Ranch housing development which calls for 93 single-family lots and 93 condos, all intended for seniors, on more than 231 acres, next door to the Ed Davis Park in Towsley Canyon. Senior housing should be close to services like shopping and banking and bus transportation so they will not have to drive. I took care of my father for several years before he died and I know firsthand how important it is for seniors to be independent as long as possible.

Dr. Horton, the developer of this project, seems to have used the senior housing designation to get this large project approved, waiving regular zoning rules.

Please do not approve this project. I realize that we need more good senior housing but this is absolutely the wrong place for it.

Sincerely,

Linda Pursell

Tae, Susan

From: Barbara Wampole [barbara@wampole.com]
Sent: Thursday, July 24, 2008 3:09 PM
To: Tae, Susan
Cc: bottorffm@verizon.net
Subject: Lyons Canyon Project # 2005-0008
Attachments: Lyons Cyn FSCR comments.doc

Dear Ms. Tae, and Planning Commissioners,

The following letter reflects our concerns regarding the Lyons Canyon Project. We would like you to take these concerns into consideration as you review this project. We have attached our letter and it will be followed by a hard copy. Thank you.

Sincerely,
Barbara Wampole
Vice-chair Friends of the Santa Clara River

=====
Friends of the Santa Clara River
660 Randy Drive
Newbury Park, CA 91320-3036

Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St.
Los Angeles, CA 90012

Re: Lyons Canyon Project # 2005-0008, Zone Change 2008-0004 (5) VTT# 83653,
OT Permit # 2005-0039, Agenda Item #8 July 31st.

Dear Commissioners and Ms. Tae:

Friends of the Santa Clara River are concerned that there are a multitude of issues not addressed in the review of this project. We believe that to make a decision you must take into consideration the following:

On June 5th, the Governor of California declared a statewide drought. Castaic Lake Water Agency will only receive 35% of its state water allotment this year and early projections for next year indicate as little as 10% of its annual state water allotment will be available. We believe that under such conditions the County may not rely on the 2005 Urban Water Management Plan because circumstances have substantially changed. As required by law, an amendment to the 2005 Urban Water Management Plan needs to be submitted by the water purveyors, prior to granting any further housing approvals.

The County may also not rely on the **draft** State Water Reliability report for the same reason. That draft was released before the Federal Court Oliver Wanger decision of Dec 17th, 2007 (hereby

incorporated by reference) and its figures will have to be adjusted downwards to comply with the remedies ordered by that decision. Further, Judge Wanger has just released the remedy phase of his decision regarding impacts on salmon runs in the Sacramento Delta. This decision will also reduce water supply to the Santa Clarita Valley and must be evaluated before approving further housing units.

Further, the Friends of the Santa Clara River object to the continued impacts on tributaries of the Santa Clara River such as that envisioned by this project without a cumulative impact analysis for the whole watershed. Piecemeal concreting and elimination of tributaries, as occurs in the proposed project, reduces flow and re-charge to the Santa Clara River as well as causing water quality problems and loss of critical wetland function and habitat. We request that a cumulative impacts study be conducted before any further modification to Santa Clara River tributaries is permitted.

We do not believe that this project meets the Burden of Proof required by the proposed issuance of a Zone Change, a Conditional Use permit and a Statement of Over-riding Considerations for significant unmitigated impacts to biology, aesthetics, geologic formations, air quality, traffic and noise.

CUP Burden of Proof

Contrary to the requirements of a CUP, this project adversely affects the health, peace, comfort and welfare of the surrounding community by significantly increasing the traffic and noise to a level that cannot be mitigated (EIR), significantly impacting the biological resources of the area (EIR), significantly impacting the aesthetic views of the area by grading down hillsides and removing important geologic features (see EIR) and removing a significant number of oaks which sustain clean the air.

The loss of oaks, ridge lines and view shed is also materially detrimental to the use, enjoyment and valuation of property of other persons located in the vicinity of the site as well as those that must pass by it on the freeway every day by significantly impacting the natural beauty of the area that lies immediately adjacent to a regional park.

This project jeopardizes, endangers and constitutes a menace to the public health safety or general welfare by placing housing in a high fire prone wildfire area. Fires have already burned through this area three times in the last 15 years. Fires burned right to the edge of houses in the neighboring community, requiring evacuations. The stresses to a community of elders is simply unacceptable

This project provides only one ingress and egress to the back units. This puts residents of those units in extreme danger because it will be difficult for them to escape while emergency vehicles are arriving. It will be difficult and expensive to defend this area from fire, thus reducing the defense that is available for existing homes.

We do not believe that further consideration should be afforded a project in a fire hazard zone that does not have a second exit for half the proposed units.

This project will only provide the pad for a fire station in this area, NOT the fire station itself. The Development Monitoring System requires a fire station within 1.5 miles of new development proposals. The nearest station is 3 miles away. The long response time would enable a fire to get out of control and into the surrounding natural areas.

We therefore request that any approval of this discretionary permit require that the developer help

provide an actual fire station and that no units be built until the fire station is in place. We believe the County must work to avoid the situation that has occurred in the past, i.e., the station lot is designated but there is no funding for the station itself, so houses are built without the required fire protection. Such an occurrence would be extremely dangerous in this high fire prone area.

The County should require that buyers be warned of the severe fire danger on their Real Estate Purchase Agreement. We also believe that the County should make some mitigation for the costs of fighting the fires that will threaten this neighborhood in the future. Failure to do so puts an unfair burden on existing residents and therefore does not meet the burden of proof required for a CUP.

One Finding of the CUP that states:

" The proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community and is consistent with the objectives and policies of the General Plan."

This finding is untrue on its face, since there are no nearby shopping or commercial opportunities and certainly nothing convenient for seniors.

Burden of Proof for a Zone Change

The modified conditions do not warrant a change in the zoning because the project is in a fire prone area with only one exit to half of the units. The placement of this zoning in this area is not in the interest of public health, safety and general welfare and in conformity with good zoning practices because of the known extreme fire hazard of the area. Future residents would be put in jeopardy and existing residents fire protection would be reduced by having to defend this project placed in a known high fire hazard area.

Also, many housing units are already in foreclosure in the Santa Clarita Valley, indicating that housing is overbuilt for the area. The Santa Clarita area already has available at least 5 large senior housing complexes with rental space available as well as a number of lower cost condominium units that are similar to those proposed in this project.

Findings of Over-riding considerations

We reference the Attorney General's office list of proposed mitigation for reducing greenhouse gases and air pollution. In order to make a finding of over-riding considerations, the County must incorporate all feasible mitigation. We believe that several additional conditions from this list are feasible and must be included.

The need for this project is not supported by any documentation. Housing in the Santa Clarita Valley is already overbuilt with many properties in foreclosure and builders in bankruptcy.

In closing, we would like to call your attention to a similar senior housing project by PacSun; the Golden Valley project, an "active senior" project, is in severe financial trouble on the east side of Hwy 14. It too required a massive amount of grading, which put the developer into bankruptcy. The natural area was destroyed for nothing. Now there is a huge hole in the ground that is an eyesore for the neighboring community.

As you are aware, financial instability impacts the entire community as the developer becomes unable to pay required fees for schools, libraries, etc, and graded pads are left standing without the storm

July 24, 2008

Department of Regional Planning
Attn: Susan Tae
320 West Temple Street
Los Angeles, CA 90012

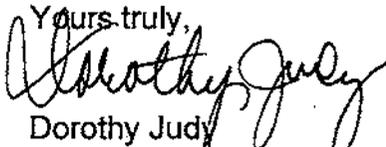
RE: Partial Map #53653

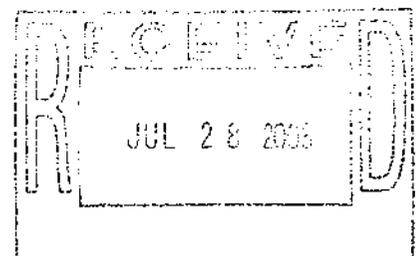
Dear Ms. Tae,

I would like to add my name to list of residents of the Sunset Pointe neighborhood and request – no demand – another local meeting regarding the additional changes that are being railroaded on us in regards to the proposed construction adjacent to our neighborhood.

What is with the County and trying to build on every last open space in our area? Not only is there a planned business/living area across the freeway from us but now you want to rezone our area? There is too much traffic in front of us on The Old Road now as it is. I cannot tell you how many mornings I get to the bottom of our street and cannot turn left to go to work because of freeway traffic that has moved on the The Old Road to try and circumvent slow downs on the freeway. It is ridiculous. Plus, people drive on The Old Road like it's got a 65 -70 miles per hour speed limit – it's dangerous. And you want to add to this by building businesses adjacent?

We have a right to be heard instead of having this project dumped on us at the last minute – the meeting on July 30th is definitely not enough. Please make sure that nothing is set in stone until we are heard. Thank you for your time.

Yours truly,

Dorothy Judy
24556 Sagecrest Circle
Newhall, CA 91381



Los Angeles, County Regional Planning Commission
& Susan Tae, Planner
320 W. Temple St
Los Angeles, CA 90012

22-Jul-2008

8. Zone Change Case No. 2008-00004-(5) (Ms. Tae)
Vesting Tentative Tract Map No. 53653
Conditional Use Permit Case No. 2005-00088-(5)
Oak Tree Permit Case No. 2005-00039-(5)
Housing Permit Case No. 2006-00001-(5)

Dear Ms. Tae and other Commissioners,

I am writing to strongly object to the unnecessary granting of zoning variances to the applicant of Lyons Canyon Project # 2005-0008 in this environmentally sensitive project area. Unfortunately I will not be able to deliver my comments in person.

The County's ordinances were put in place to restrict exactly this sort of development.

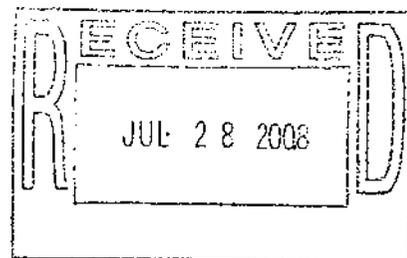
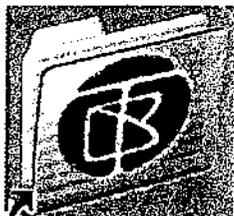
There is sufficient opportunity to work within the existing County codes to create an acceptable plan; granting these changes is a "short-cut" which will have devastating consequences. In fact the SEA/Oak Tree Avoidance Alternative, commented on by the Santa Monica Mountains Conservancy, is already included as an alternative!

How much did it cost another developer to move "Old Glory" to answer the community's concern for Oak Preservation at the public recommendation of Supervisor Antonvich, the author of the very ordinance you are being asked to ignore? Ironically there is a natural "line" in this project which "points" directly at the site of the historic "treesit" (see attached diagram.) In that case the decisions by the County were already well established and a heart wrenching, public plea to "Save Our Oaks" echoed in the corridors after the fact.

We can do better now; don't back down - hold tight with the SEA.

Sincerely,

Thomas Barron
28006 San Martinez Grande Canyon Road
Castaic, CA 91384



water or re-vegetation requirements met. This has already occurred with many projects in the Antelope Valley.

For the sake of the surrounding community we beg you to find a way to require bonding or some other assurance that required mitigation will be met BEFORE you allow any oaks to be removed or grading to occur. Please do not allow destruction of this beautiful area for a project that may never be built.

We urge you to vote no on this project because it does not meet the burden of proof for a CUP or a zone change, because it is in a very high fire prone area with only one exit for the back units of the project and because there is no analysis of its contribution to the cumulative impacts to the tributaries of the Santa Clara River.

Thank you for your attention to our concerns.

Barbara Wampole, Vice Chair

For Ron Bottorff, Chair of Friends of the Santa Clara River

--

Barbara Wampole
28006 San Martinez Grande Road
Castaic, CA 91384-2306
661-257-3036 voice
661-294-9290 fax

barbara@wampole.com
<http://www.imageg.com>
<http://FSCR.org>
<http://www.wampole.com>

When you drink the water, remember the spring / Chinese Proverb

Tae, Susan

From: rwfischer [fischerr@sbcglobal.net]
Sent: Tuesday, July 29, 2008 9:50 AM
To: Tae, Susan
Subject: Poor Planned Senior Housing

This proposed senior housing is in the wrong place!

Don't Put Seniors in Harms Way

Environmentally Speaking Published 7-3-08

We need housing for our growing senior population. That is why state law allows local jurisdictions to forgo some of their planning rules about hillsides, water supply, and other issues that normally would be a concern. This is fine - our community wants to have good, safe housing, close by, for our seniors to live in.

But "safe" should always be the operative word. Our parents and grandparents have worked hard for many years to benefit our communities. That's why SCOPE **supported** the senior housing on Valley Street, McBean Parkway, and Bouquet Canyon Rd. These senior facilities are close enough to walk to shopping areas, and they have good, or at least useable access to public transportation for our older folks that may no longer want to drive. They are situated near restaurants and doctors' offices. ?In short, they go a long way to creating safe, walkable, transit oriented senior housing.

Seniors deserve the same kind of planning, free from special interest abuse, that we would expect the County to provide for all of our housing. That is why, sadly, SCOPE must **oppose** the senior housing proposal for Lyons Canyon near Towsley Canyon Park.

DR Horton, the developer of this project, seems to have used the senior housing designation to force the development of this project in a significant ecological area (SEA) along with the removal of 162 oaks, including 10 ancient, "heritage" oaks that took root around the time of the American Revolution. The proposed project will also take an area through which a beautiful creek flows, and destroy it to create a huge debris basin, in order to manage floodwaters.

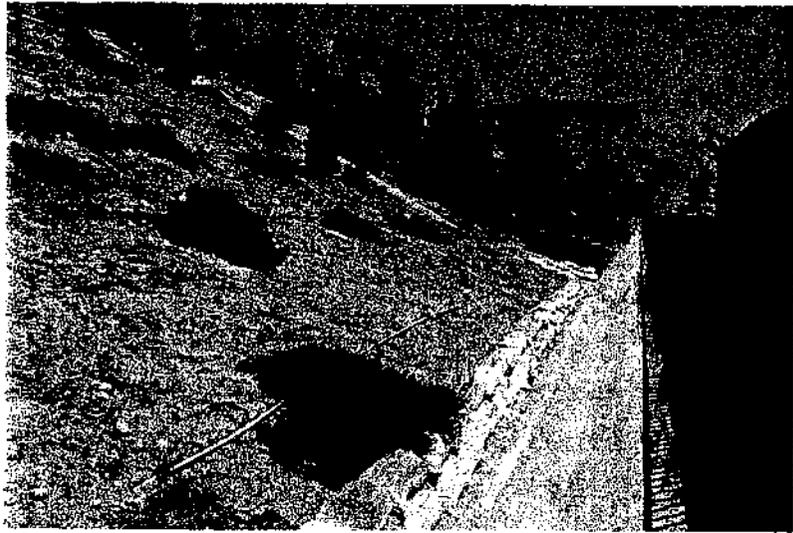
These are all issues which make this project very difficult to support, despite our desire to encourage additional senior housing in our community. However, perhaps worst of all, this project will allow development in an extremely dangerous fire hazard area.

And that is where we must draw the line. DR Horton seems to have disregarded the safety and security needs of our esteemed seniors who we seek to serve, and who deserve much better.

All of us in Santa Clarita remember the huge fires of 2003 that burned right up the edge of Stevenson Ranch. Numerous fire trucks lined up on Wiley Canyon near the gym to try to keep the flames from burning houses in Newhall. The images on all the local Los Angeles TV stations, and some national shows, showing firefighters and homeowners standing in backyards, trying to fight the blazes licking down the hills, are burned in our memories. That fire ravaged the area proposed for the senior housing development for the third time in the last decade.

As fire becomes more pervasive in drought plagued California, and the costs to Counties, tax payers and insurance companies multiply into the hundreds of millions of dollars for these fires, local and state planning agencies know they must re-think zoning in fire hazard areas. Fire fighting costs alone now reach between \$10 and \$30 million for each fire, a huge sum for our cash strapped counties. Our communities can no longer afford the cost of defending homes in areas where they should not be built in the first place.

The recent fire in Paradise California accentuated the issue of senior housing in a fire hazard area. With over 50% of its population older than 65 years, the evacuation process presented special problems. Many seniors did not drive and could not evacuate themselves. Once evacuated, the seniors had special medical needs not easily accommodated in a shelter situation. One elderly lady died of a heart attack while being evacuated.



DR Horton Newhall

Submitted into the
record for #53653

7/30/08

Agenda Item 8

Affordable Senior Housing and Assisted Living Facilities

Senior Housing

BOUQUET CANYON SENIORS

26705 Bouquet Canyon Rd.
Santa Clarita, 91350
(661) 297-3446
• 264 Affordable Units

CANTERBURY VILLAGE SENIOR APARTMENTS

23420 Avenida Rotella
Santa Clarita, 91355
(661) 255-9797
• 64 Affordable Units

CANYON COUNTRY SENIOR COMMUNITY

18701 Flying Tiger Dr.
Santa Clarita, 91351
(661) 251-2900
• 200 Affordable Units

CASTAIC LAKE SENIOR VILLAGE

31990 Castaic Rd.
Castaic, 91384
(661) 295-9599
• 150 Affordable Units

FOUNTAIN GLEN APARTMENTS

23941 Decoro Dr.
Santa Clarita, 91354
(661) 297-9000
• 8 Affordable Units

ORCHARD ARMS

23520 Wiley Canyon Rd.
Santa Clarita, 91321
(661) 255-5818 or
(800) 731-4663
www.hacola.org
• 182 Affordable Units
• Senior or Disabled

VALENCIA VILLAS

25827 Singing Hills Dr.
Santa Clarita, 91355
(661) 259-3921
• 76 Affordable Units

WHISPERING OAKS APARTMENTS

22816 Market St.
Santa Clarita, 91321
(661) 259-1583
• 13 Affordable Units

Assisted Living Facilities

CAPRI-RETIREMENT VILLA

24305 Lyons Ave.
Santa Clarita, 91321
(661) 255-3100
• Full Service Senior
Residential Care Facility
• 90 Apartment Units

SANTA CLARITA CONVALESCENT HOME

23801 Newhall Ave.
Santa Clarita, 91321
(661) 259-3660
• Skilled Nursing Home
with 24-hour Care
• 99 Bed Facility
• Rehabilitation Services

SUMMERHILL VILLA

24431 Lyons Ave.
Santa Clarita, 91321
(661) 254-9933
• 96 Residential Apartments
• Independent and Assisted
Living

SUNRISE AT STERLING CANYON

25815 N. McBean Pkwy.
Santa Clarita, 91355
(661) 253-3551
• Full Service Senior
Residential Care Facility
• 120 Apartment Units

✓ In Santa Clarita
Agenda Item #8
7/30/08
#53653

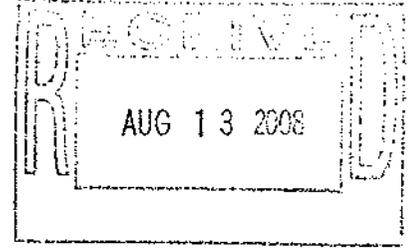


COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330



P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

August 11, 2008

Mr. Rudy Silvas
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Silvas:

FINAL ENVIRONMENTAL IMPACT REPORT, LYONS CANYON RANCH PROJECT, COUNTY PROJECT TRACT MAP NO. 53653, CONDITIONAL USE PERMIT NO. RCUPT 200500088, STATE CLEARINGHOUSE NO. 2003031086, SANTA CLARITA VALLEY (FFER #200800170)

The Final Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. The attached conditions and correspondence with the developer have not been changed at this time.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

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

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWNDALE	PALOS VERDES ESTATES	ROSEBUD	WALNUT
BELL GARDENS	COMMERCE	GLENDORA	IRWINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

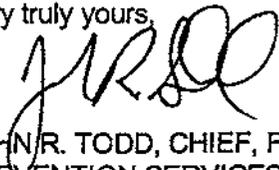
Mr. Rudy Silvas
August 11, 2008
Page 2

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

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

Very truly yours,



JOHN R. TODD, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JRT:lj

Enclosure



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. TR 53653 Tentative Map Date July 11, 2006, Ex. A

Revised Report YES

- The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
Fire hydrant requirements are as follows:
Install 18 public residential fire hydrant(s). Install 4 public multi-family/commercial fire hydrant(s).
Install private on-site fire hydrant(s).
All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
Location: As per map on file with the office.
Other location: Fire hydrant locations to be determined on approved access.
All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.
Hydrants and fire flows are adequate to meet current Fire Department requirements.
Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: THE TENTATIVE MAP IS NOT APPROVED AT THIS TIME, UNTIL ALL CONDITIONS HAVE BEEN APPROVED. Required fire flow for the public multi-family/commercial fire hydrants at this location is 5000 gallons per minute at 20 psi for a duration of 5 hours, over and above maximum daily domestic demand. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow. Fire Department's Fire Prevention Engineering will set the private/on-site fire hydrant locations within the multi-family lot and may reduced the required 5000 gpm fire flow of the public fire hydrants during the building plan check phase.

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

By Inspector Janna Masi Date September 13, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 53653 Map Date July 11, 2006, Ex. A

C.U.P. _____ Vicinity Map 3322D

- FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
- Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- The Fire Department has no additional requirements for this division of land.

Comments: See additional page 1 for additional access requirements. Additional page 2-3 are the requirements for the Fire Station Site per FD Planning Section.

By Inspector: Janna Masi Date September 13, 2006



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS

ADDITIONAL PAGE

SUBDIVISION NO. **TR 53853**

PAGE NO. **1**

- 1 Gated access that has an ingress and egress shall comply with the following: Each gate shall be a minimum width of 20' wide, the key pad shall be located a minimum distance of 50' from the right-of-way, also provide a 32' turning radii after the keypad and prior to the gate. Indicate compliance on the exhibit "A", prior to the tentative map clearance.
- 2 IN LIEU OF THE REQUIRED SECONDARY ACCESS, THE FOLLOWING CONDITIONS WILL APPLY: ALL NEW CONSTRUCTION SHALL BE FULLY FIRE SPRINKLERED IN ACCORDANCE WITH NFPA 13.
- 3 Access to the senior housing lot shall be as follows, provide 28' of vehicular access to within 150' of all exterior walls. Said access shall be parallel to two sides of the proposed structures. Compliance shall be indicated on either the Exhibit "A" or the C.U.P. prior to the tentative map clearance.
- 4 Due to the proposed driveway lengths for the senior multiple housing development, fire department turnarounds are required. The turnarounds designs shown on the Ex. A are not adequate. Turnarounds shall be designed to the Ladder Truck Standards. Indicate compliance on the Ex. A.
- 5 Show all turning radii have a 32' centerline turning radius. Indicate compliance on the Ex. A.
- 6 Identify plantings within the proposed entry roundabout.
- 7 Clarify if parking is covered or uncovered.

By Inspector: *Janna Masi*

Date: September 13, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerence, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **2**

CONDITIONS OF APPROVAL – VTTM 53653 FIRE STATION SITE REQUIREMENTS

DEVELOPER shall convey an improved FIRE STATION SITE to the DISTRICT (actual title to be transferred to "Consolidated Fire Protection District of Los Angeles County") prior to the issuance of the building permit for the 50th unit for VTTM 53653⁽¹⁾. DEVELOPER shall improve the FIRE STATION SITE at its sole cost and expense (the only compensation due the DEVELOPER is a credit for developer fees equal to the appraised value of the improved site as provided through a Developer Fee Credit Agreement⁽²⁾). Improvements shall include:

1. The FIRE STATION SITE shall have a net buildable pad of 1.26 acres (gross lot size is 2± acres).
2. Grading of the FIRE STATION SITE net buildable pad must meet the following requirements: a level pad that measures 225' (width, fronting a public street) X 242' (depth). The pad shall be graded to +/- 0.1 and tops and toes of slopes to +/- 0.3. The minimum pad dimensions shall be free of any easements, building set backs (front, rear and sides), slopes or any other conditions that would restrict full use of the net pad area. The gross acres / square footage to be provided will be calculated based on the net pad requirements outlined above and any additional property that will be conveyed to the DISTRICT. The site is to be graded in relation to the street or streets which front the site such that the emergency vehicle egress driveway can be constructed with a maximum 2% slope and the return driveway can be constructed with a maximum 5% slope. The above driveways begin at the fronting public street and become level at an imaginary 40-foot setback.
3. A two-inch diameter domestic water line installed to a DISTRICT approved meter location with a jumper and meter box. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from Back of Curb (BOC). DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the water purveyor.
4. A one-inch irrigation water line (reclaimed if available) installed to a DISTRICT approved meter location with a jumper and meter box. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC. DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the water purveyor.
5. A fire hydrant on site at a location directed by the DISTRICT.
6. A six-inch diameter fire sprinkler service line installed to a DISTRICT approved location. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC, with a shut-off valve located within a public street.
7. A sewer lateral (fixture count to be provided by the DISTRICT) installed to a DISTRICT approved location. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC. DEVELOPER will obtain and provide the DISTRICT with a Will Serve letter from the permitting agency.
8. A storm drain connection (sized to accommodate both onsite and offsite drainage) installed to a DISTRICT approved location. The invert of the storm drain pipe must be at an elevation that allows for collection of all surface flows and piped drainage systems. Point of connection shall extend into the FIRE STATION SITE a minimum of 5'0" behind the BOC.
9. Electric (loading to be provided by the DISTRICT), telephone (number of pairs to be provided by the DISTRICT), television cable, fiber optics (if available), and gas connections stubbed to DISTRICT approved locations. Points of connections shall extend into the FIRE STATION SITE a minimum of 5'0" from the BOC.

By Inspector: Janna Masi

Date: September 13, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerence, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS ADDITIONAL PAGE

SUBDIVISION NO. **TR 53653**

PAGE NO. **3**

CONDITIONS OF APPROVAL - VTTM 53653 FIRE STATION SITE REQUIREMENTS

10. All offsite street improvements adjacent to the FIRE STATION SITE which at a minimum shall include curbs, gutters, sidewalks, driveway approaches (maximum of three), traffic signs, street lights, and median breaks with turn lanes at both the emergency vehicle egress driveway and the emergency vehicle ingress driveway.
11. Installation of two traffic signals that allow for safe access from the emergency egress driveway onto the adjacent public roadways. Traffic signal number one will be installed on A Street fronting the FIRE STATION SITE and traffic signal number two will be installed at the intersection of A Street and The Old Road. Both signals will be designed to include interconnects to the fire station that allows for an emergency override of the signal controllers. Traffic signals must be installed by the time the FIRE STATION SITE is operational.
12. The Completion of a Phase I Site Assessment and, if warranted, a Phase II Site Assessment, and removal or remediation of any hazardous materials located in, upon, or on the FIRE STATION SITE, as required by all applicable federal, state and local laws (to be provided at the completion of all required site improvements).
13. Proof of full compliance with the "California Environmental Quality Act" for the development and operational impacts of a first responder fire station.
14. Remediation of any defects of the property to the satisfaction of the DISTRICT.
15. Any other requirements as reasonably determined by the DISTRICT that are necessary before construction of a fire station can begin on the FIRE STATION SITE.
16. **The FIRE STATION SITE shall be free of any soils and geological hazards and must be located outside of the Los Angeles County 50-year capital flood zone. The soils and geology reports must include language that states that the site has meet the requirements of the California Geological Survey (CGS) – Note 48 "Checklist for the Review of Engineering Geology and Seismology Reports for California Public Schools, Hospitals, and essential Services Buildings".**
17. **The FIRE STATION SITE shall be free of easements, except as expressly approved by the DISTRICT. The developer must provide the DISTRICT with a current American Land Title Association survey (ALTA).**
18. The FIRE STATION SITE shall not contain slopes or hillsides for the DISTRICT to maintain. The developer must arrange for the sloped area to be maintained by a third party, such as a landscaping / maintenance district, at no cost to the DISTRICT.
19. Provide the DISTRICT with the information outlined on the attached "Request for Information" (RFI) form.
 - (1) Developer shall provide a copy to and receive approval of the title language for the FIRE STATION SITE from the Fire Department Planning Division prior to Land Development's final map clearance.
 - (2) Prior to a developer fee credit being issued, an agreement must be approved by the Los Angeles County Fire District. No refunds of developer fees are made for any building permits issued prior to developer fee credit issuance. This agreement takes approximately 30 days to process after DEVELOPER has submitted approved copies to the DISTRICT.

Revised: February 21, 2006

By Inspector: Janna Masi

Date: September 13, 2006

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(Lot No. ____ on VTTM ____)

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being

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mutually acceptable

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DEVELOPER shall convey improved site to the DISTRICT (actual title to be transferred to "Consolidated Fire Protection District of Los Angeles County") prior to the developer fee credit being granted ⁽¹⁾.

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STATION SITE

DEVELOPER shall improve the

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STATION SITE (Lot No. ____ on VTTM ____) at its sole cost and expense (the only compensation due the DEVELOPER being a credit for developer fees equal to the mutually acceptable appraised value of the improved site). DEVELOPER shall convey improved site to the

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DISTRICT (actual title to be transferred to "Consolidated

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Fire Protection District of Los Angeles County") prior to the developer fee credit being granted ⁽¹⁾. Improvements shall include:

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that is approved by the water purveyor with a jumper, meter box and

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extension

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the

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.O.C.

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eveloper

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DISTRICT

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W

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S

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that is approved by the water purveyor

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with a jumper, meter box and

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.O.C

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eveloper

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STATION SITE, including a level pad that is a minimum of one and a quarter acres in area.

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The pad shall be graded to +/- 0.1

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and tops and toes of slopes to +/- 0.3 (per the

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approved rough grading plan), with the minimum net usable pad dimensions of 225' x 242'.

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, with the minimum dimensions of 225' x 242'.

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Site to be graded in relation to the street or streets which front the site such that the emergency vehicle egress driveway can be constructed with a maximum 2% slope and the return driveway can be constructed with a maximum 5

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% slope. The above driveways

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begin at the street and become level at an imaginary 40-foot setback line.

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The completion of a Phase I Site Assessment

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and, if warranted, a Phase II Site

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(CEQA) for

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the operations associated with a first responder FIRE STATION SITE.

Three (3) hard copies of the approved preliminary soils report, approved preliminary geology report, approved rough grading plan, and approved site/plot plan.

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Three (3) hard copies and two (2) PDF files of the following documents: approved final soils report, approved final geology report, soils pad certification, civil pad certification, approved as-built grading plan, water and sewer Will Serve letters, approved landscape plan, as-built dry utility plan, as-built sewer lateral plan, as-built water services plan, and approved storm drain plan (if applicable).

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Preparation of a parcel soils report, geology report, site survey, as-built topographic map and as-built utility plan. Remediation of any defects of the property to the satisfaction of the FIRE DEPARTMENT.

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Fire Department

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fire

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station

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FIRE

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STATION

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FIRE

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STATION

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environmental,

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