



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Bruce W. McClendon FAICP
Director of Planning

June 5, 2008

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.

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 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.
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.
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 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 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 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

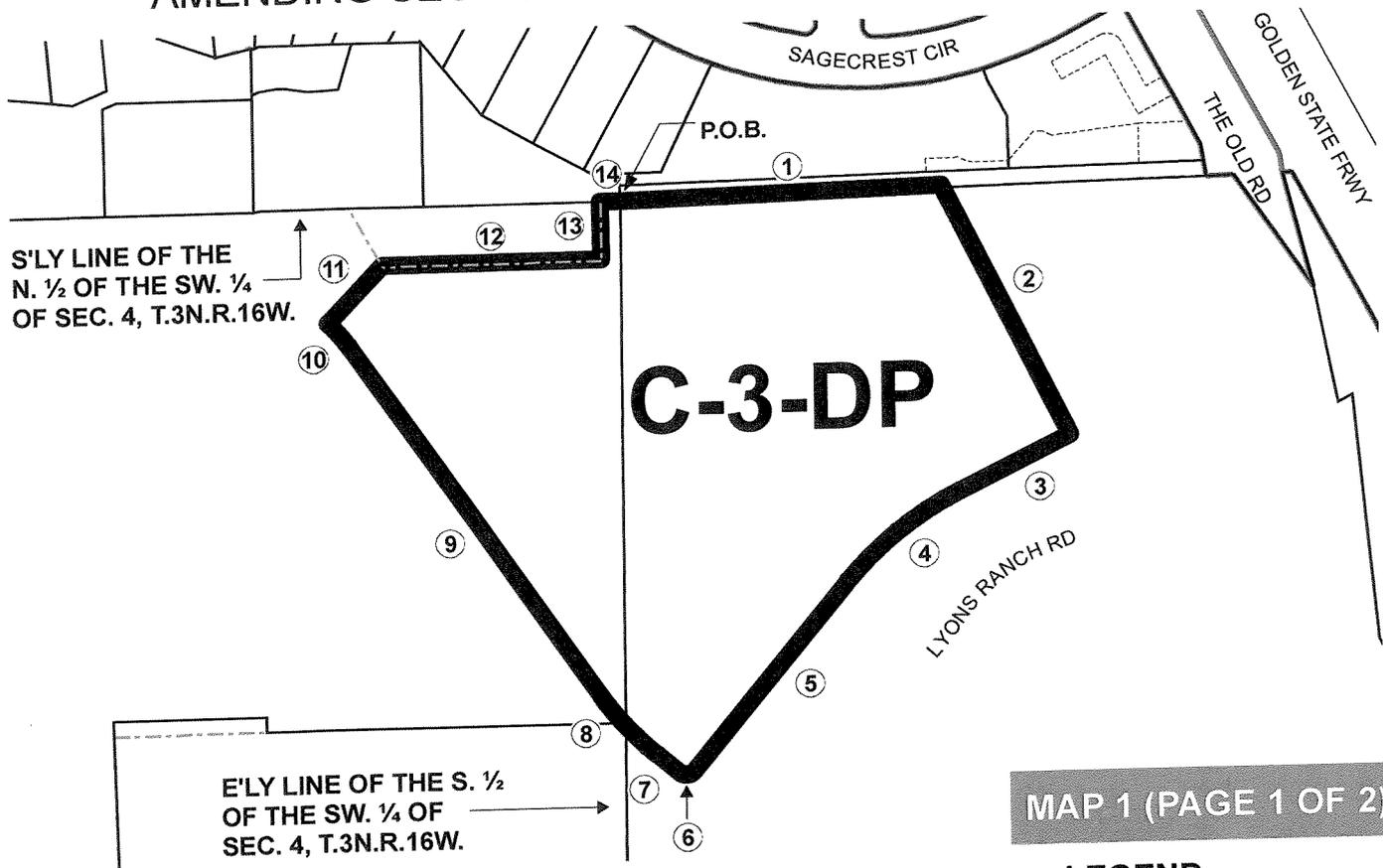
CHANGE OF PRECISE PLAN
NEWHALL ZONED DISTRICT

ADOPTED BY ORDINANCE: _____

ON: _____

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

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



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,

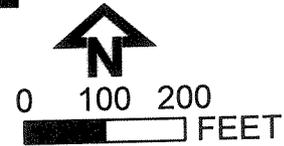
CONTINUE TO PAGE 2 OF MAP 1

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

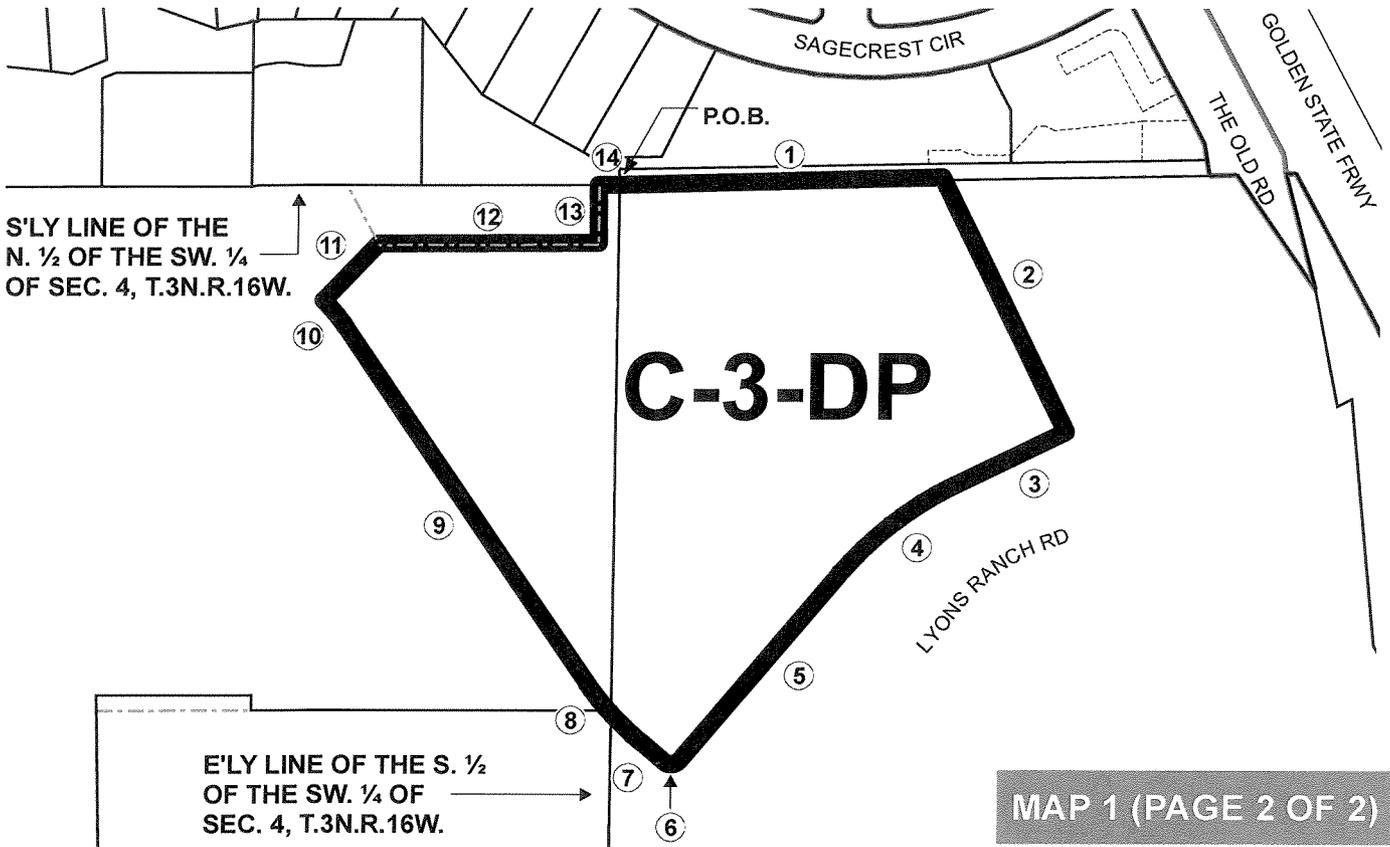
CHANGE OF PRECISE PLAN
NEWHALL ZONED DISTRICT

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

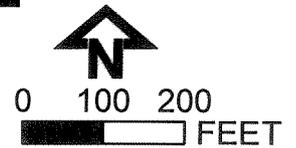
- ①—N.88°48'07"E. 399.90'
- ②—S.26°07'39"E. 356.62'
- ③—S.63°52'21"W. 153.66'
- ④—RADIUS: 432.00'
CENTRAL ANGLE: 24°19'32"
ARC DISTANCE: 183.41'
- ⑤—S.39°32'49"W. 303.55'
- ⑥—RADIUS: 13.00'
CENTRAL ANGLE: 90°00'00"
ARC DISTANCE: 20.42'
- ⑦—N.50°27'11"W. 36.30'
- ⑧—RADIUS:370.00'
CENTRAL ANGLE:15°58'43"
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

DIGITAL DESCRIPTION: VZCO\ZD_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

**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 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 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

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.

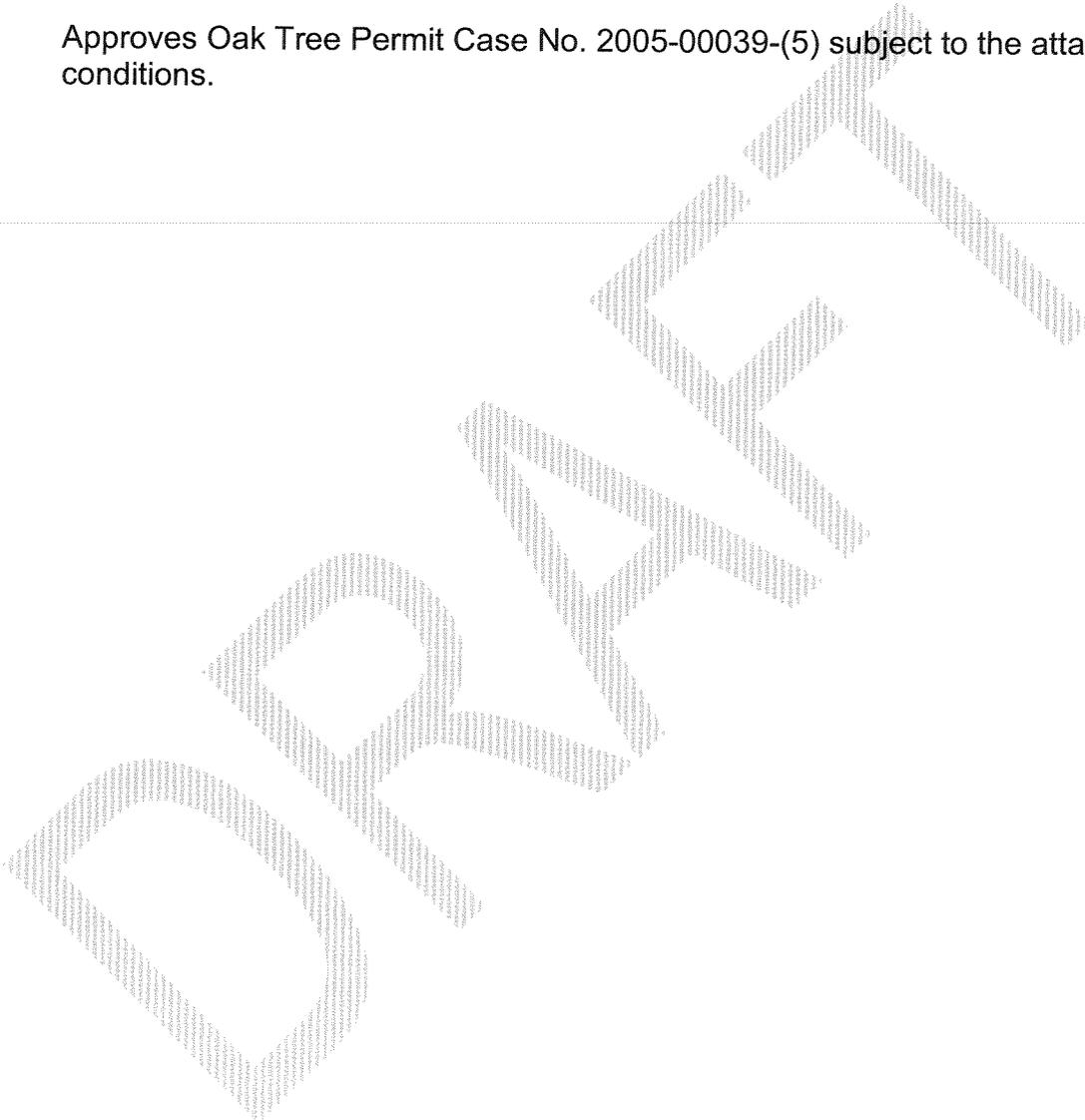
THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for an oak tree permit as set forth in Section 22.56.2100 of the Los Angeles County Code (Zoning Ordinance).

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.

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.
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.

DRAFT

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.



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.
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 2,090,350 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 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.
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 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
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53653 (Rev.)

Page 1/3

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
tr53653L-rev4.doc

Phone (626) 458-4915

Date 09-11-2006



**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
SUBDIVIDER Warner Bros. Entertainment, Inc.
ENGINEER Daly Owens Group
GEOLOGIST & SOILS ENGINEER Pacific Soils Engineering, Inc.
TENTATIVE MAP DATED 7/11/06 (Revised)
LOCATION Santa Clarita
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 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
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:

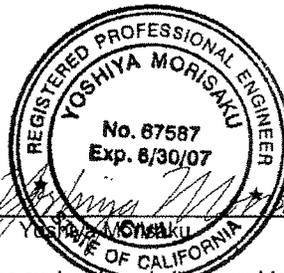
Tentative Map feasibility is recommended for approval, subject to conditions below:

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 Yoshiya Morisaku

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:\Yosh\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.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).

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.

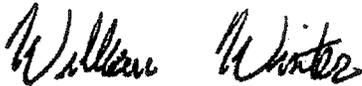
We recommend that the study also be reviewed by the City of Santa Clarita for potential CEQA impacts within their jurisdiction. Written comments from the City shall be submitted to Public Works.

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)

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.

HW

Prepared by Juan M Sarda

Phone (626) 458-4921

Date 08-30-2006

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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.

HW

Prepared by Gregory Sommer

tr53653s-rev4.doc

Phone (626) 458-4921

Date 08-17-2006



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 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. **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: 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: Junna 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 Slu, 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 18, 2006 07:14:38
QMB02F.FRX



**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)people x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = 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 1). 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 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.

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.

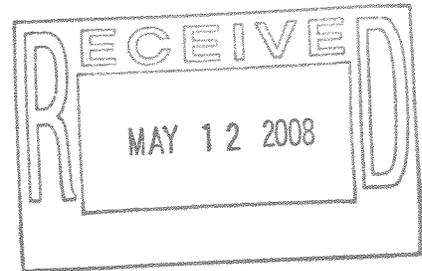
Final Project Approval: July 2008
Improvement Plan Preparation: July 2008-July 2009
Final Map Recordation: December 2009
Site Grading: January 2010 – January 2011
Site Infrastructure: January 2010 – June 2011
New Home Construction: July 2011 – December 2012

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", with a long horizontal flourish extending to the right.

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 valve 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

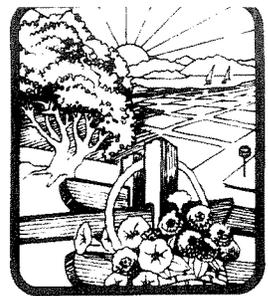
Wondering what's for Dinner Tonight? [Get new twists on family favorites at AOL Food.](#)

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.

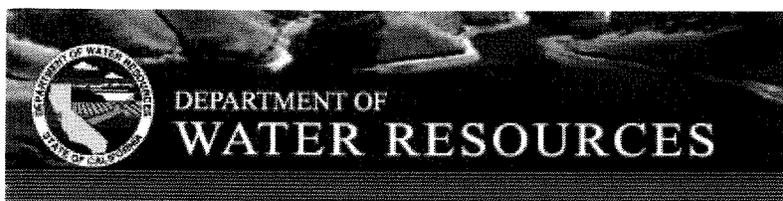
We request that a cumulative analysis of the total amount of oaks and oak woodlands destroyed by development in the last 15 years be analyzed. We believe such cumulative analysis is necessary to evaluate the substantial impact that has occurred to oaks and oak woodlands by this destruction in the last 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:

Raphael L. Jans
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

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 ¼ 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 be 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

Tr. NO. 43794

TRACT

Tr. NO. 43792

Condor
7 Developers

2826-038-045

TRACT NO. 43791

APN 2826-041-039

APN 2826-041-039

VACANT

APN 2826-038-040

APN 2826-038-037

APN 2826-041-038

RESIDENTIAL

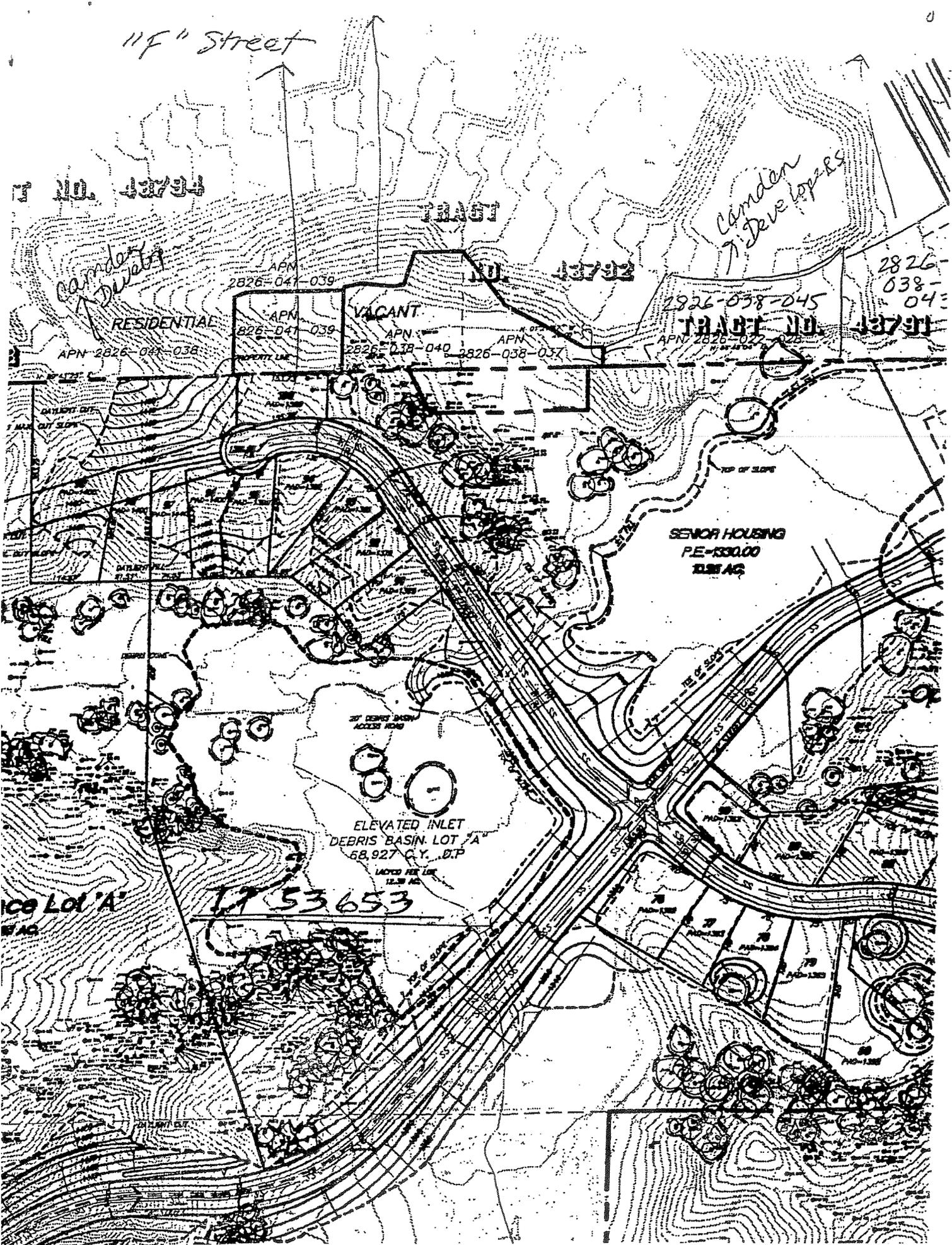
GATEWAY DR.
1/4 MI. CUT SLOPE

SENIOR HOUSING
P.E.-1330.00
12.8 AC

ELEVATED INLET
DEBRIS BASIN LOT "A"
68,927 C.Y. D.P.
LACED PER L&L
12.8 AC

ICE Lot "A"

17 53653



21" F STREET EXTENSION
11/17/06

SPEED/EWING

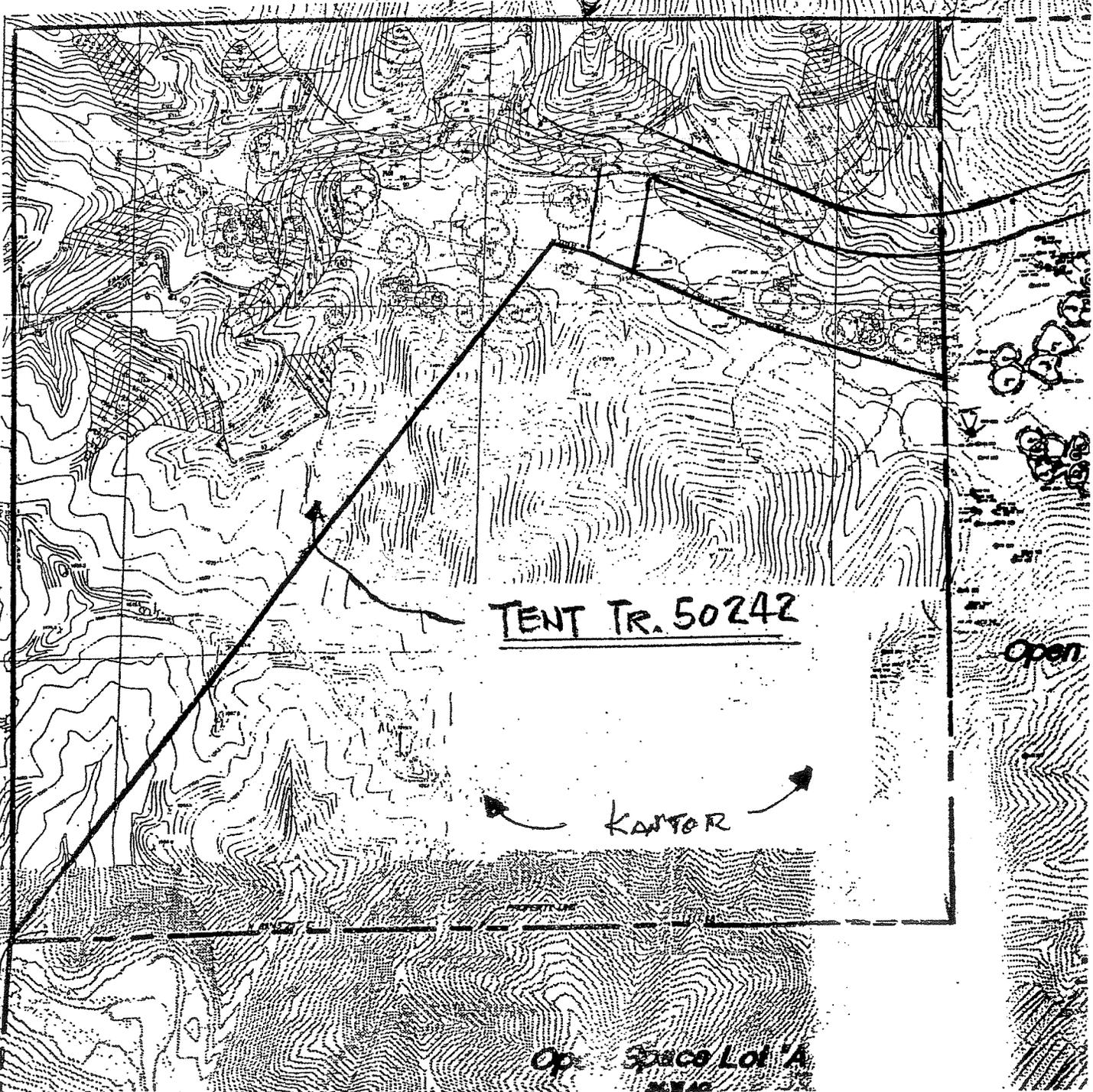
TENT TR. 50242

KARTER

Open

Op. Space Lot 'A'

CAL 382





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
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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

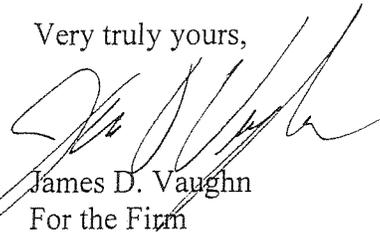
Paul C. Anderson, Esq.
Jeffer Mangels Butler & Marmaro LLP
November 13, 2006
Page 2

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.

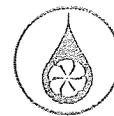
Very truly yours,



James D. Vaughn
For the Firm

JDV:bsm

cc: Susan Tae, AICP
Rick Coop
Jasch Janowicz
Richard S. Zeilenga, Esq.



Valencia Water Company

20070 Valencia Boulevard • P.O. Box 8391 • Valencia, CA 91385-6901
Tel: 661-254-0226 • Fax: 661-279-4300

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

I:\Administration\Will Serve Water Avail Letters\tr 53653.doc



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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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

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

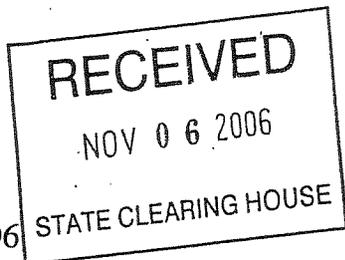
Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 4; Department of Parks and Recreation; Native American Heritage Commission; Department of Health Services; Office of Historic Preservation; Department of Forestry and Fire Protection; Department of Fish and Game, Region 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!



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

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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, appearing to read "Cheryl J. Powell". The signature is fluid and cursive, with the first name "Cheryl" and last name "Powell" clearly distinguishable.

CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse