

**Board of Supervisors Hearing Date: October 28, 2008**  
**Case Summary: Project No. TR53159-(5) – Conditional Use Permit Case No. 2004-00066-(5); Vesting Tentative Tract Map No. 53159**

**Project Applicant: Elaine Chen and Michael Tapley**

**RPC Hearing Date:** May 14, 2008  
**RPC Approval Date:** May 14, 2008

### **Synopsis**

The Regional Planning Commission (“Commission”), by a vote of 4-0-1 (Helsley absent) approved Project No. TR53159-(5), a clustered hillside residential development of 10 single-family lots on 21.83 gross acres, located east of San Francisquito Canyon Road and Lowridge Place in the Castaic Canyon Zoned District. The project also included a request for approval of a conditional use permit (“CUP”) to ensure compliance with the requirements for onsite project grading, density-controlled development and nonurban hillside management review criteria. A Mitigated Negative Declaration was also adopted as part of the project, with impacts to Biota and Mandatory Findings reduced to less than significant with project mitigation.

### **Project Proponents**

The applicant and their representative (two speakers) testified in favor of the project. Testimony included the representative indicating the project’s intent to dedicate five acres previously deed-restricted open space as permanent open space within Lot No. 11. The proponents also requested clarification of a condition related to grading prior to final map approval.

### **Project Opposition**

Three letters were submitted as testimony in opposition to, or with concerns regarding the project, including two pieces of correspondence from the City of Santa Clarita (“City”). Concerns from the City included the project’s potentially significant impacts on downstream sewers, and requested addition of two mitigation measures. A letter was also received from a constituent who had concerns with the size of the proposed lots, geologic sliding in the area, and referenced the pending San Francisquito Community Standards District that intends to require larger lots to reflect the rural nature of the community.

### **Issues**

- Five acres of the eastern portion of the property, zoned RPD-5,000-3.5U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – 3.5 Dwelling Units per Net Acre), was previously subdivided and dedicated as open space through Tract Map No. 46564. This acreage was not included for purposes of

calculating density under the Santa Clarita Valley Area Plan (“Plan”) and hillside provisions.

- The project, excluding the eastern five acres, is zoned A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), and requires each lot to be a minimum of two acres. Through a density-controlled CUP, the lot sizes may be smaller than two acres so long as the average of two acres is maintained throughout the project site. The project filed a density-controlled CUP and averaged their lot sizes throughout the total project site, including the five acres.
- After an appeal was filed with the Board of Supervisors, staff conducted additional research and found that the approved project density of 10 units exceeds the maximum permitted per zoning. The lot sizes for the density-controlled CUP should have been calculated using the project area minus the five acres, which yields a maximum of eight units.
- A community meeting was held on September 15, 2008, and included the applicants, neighbors, Regional Planning staff and Board office in attendance. A brief overview of the County subdivision process as well as project details was provided, followed by a question-and-answer period. Concerns raised included whether the subdivision would become part of the adjoining homeowners’ association, surrounding areas with slope failures and the effects of this project on these areas, effects on the character of the San Francisquito community, and the clustered lots incompatible with adjacent lot sizes.

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