Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

March 23, 2016

To: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: Richard J. Bruckner
Director

BOARD MOTION OF JANUARY 19, 2016, AGENDA ITEM 6 – REPORT ON DEERLAKE PROJECT NO. 99-239-(5)

SUBJECT

This letter provides the Board of Supervisors (Board) with a background on the Deerlake Ranch development project located approximately 2.6 miles from the Aliso Canyon gas leak, and presents options available to the Board to ensure development does not proceed until appropriate investigations have taken place regarding the cause of the leak and appropriate future safeguards.

PURPOSE

On January 19, 2016, the Board instructed the Director of the Department of Regional Planning "to report back to the Board on what the County can do to halt the 314-unit Deerlake Ranch development near the Aliso Canyon gas leak and to disallow the building of further residential development in close proximity to the site until a thorough investigation has taken place to determine what caused the leak and what safeguards would be put in place to prevent a failure of this magnitude again."

This letter constitues the report back to the Board, as directed on January 19, 2016.

LOCATION OF THE DEERLAKE RANCH PROJECT

The Deerlake Ranch project site is located north of the 118 Freeway between Canoga Avenue and Topanga Canyon Boulevard in the unincorporated Los Angeles County. The project site is 232 gross acres and irregularly-shaped with flat to hilly terrain. The project site is bordered to the west and south by Devil's Canyon and to the east by Brown's Canyon.

The project is located at its nearest point 2.6 miles southwest (measured from the northeastern property boundary line) from the Aliso Canyon natural gas storage facility. The gas leak site is located about a mile from the nearest homes in Porter Ranch. Within a one-mile radius of the Deerlake Ranch project, two residential subdivision projects have been recorded and built; and two subdivision projects have been denied due to inactivity in the last twelve years. One of the recorded and built projects (65-unit condominium residential project) is located adjacent to the west of the Deerlake Ranch project. Currently, there is one inactive case pending further processing for a two-lot single-family residential subdivision within the one-mile radius. Aside from this one inactive case, there are no other pending maps in the vicinity.

PROJECT HISTORY AND CHRONOLOGY

On August 10, 2004, the Board approved Vesting Tentative Tract Map No. 53138 (map dated March 24, 2004, TR53138), Conditional Use Permit (CUP) No. 99-239, and Oak Tree Permit No. 99-239. These entitlements authorized the creation of 375 single-family lots, 21 open space lots, 14 private and future street lots, four debris basin lots, one helispot lot, one Sheriff's storefront facility, and four designated remainder parcels on approximately 232 acres; a density controlled residential development in a non-urban hillside management area and 2.2 million cubic yards of earthwork; and the removal of 61 oak trees and encroachment into the protected zone of 11 oak trees.

On September 6, 2005, a Los Angeles County Hearing Officer (Hearing Officer) approved Oak Tree Permit No. 200500037 for the removal of three oak trees and encroachment into the protected zones of two oak trees. On September 16, 2006, a Hearing Officer approved the CUP Modification No. 99-239 to modify condition No. 57 to allow the placement of construction trailers for the construction of the "A" Street (Poema Place) bridge.

On September 16, 2008, a Hearing Officer approved the first amendment to Vesting Tentative Tract Map No. 53138 (map dated October 31, 2007, TR53138-1) to realign a portion of Canoga Avenue to accommodate a public trail; eliminate one of three sewer pump stations; revise grading amount and grading footprint; and construct a mainline sanitary sewer system for the adjoining Twin Lakes community, among other changes.

On July 18, 2012, the Regional Planning Commission (Commission) approved the second amendment to TR53138 (map dated July 12, 2011, TR53138-2) to reduce the overall number of lots from 421 (including 375 single-family lots) to 344 lots (including 314 single-family lots); and reduce the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards, among other changes. The Commission also approved CUP Modification No. 201100160 to align the CUP with the approved map changes,

and approved Oak Tree Permit No. 201200001 for the removal of 42 oak trees and encroachment into the protected zones of 13 oak trees.

A third amendment to TR53138 was submitted on February 13, 2013, but subsequently withdrawn on April 23, 2015.

On November 17, 2015, a Hearing Officer approved the fourth amendment to TR53138 (map dated July 22, 2015, TR53138-4) and CUP Modification No. 201400166 to allow the reconfiguration of lots and add a recreational facility, among other changes.

CURRENT STATUS OF PROJECT

The applicant (Forestar Chatsworth, LLC) submitted bulk grading plans for a ministerial review to the Department of Public Works on May 19, 2015. Thus far, the applicant has made five bulk grading plan submittals, most recently on February 29, 2016. There are two departmental holds from the Department of Regional Planning (Department) and Department of Public Works (DPW); and one outstanding agency approval from the California State Division of Oil, Gas, and Geothermal Resources (DOGGR). The landscaping plans are currently under review by the Department to ensure the mitigation measure related to activities prior to grading are in compliance with the project's adopted Mitigation Monitoring Program (MMP).

To receive approval for the grading plan application submitted on May 19, 2015, the applicant will need to receive clearances from the Department and DOGGR. Upon receiving the grading plan approval, the applicant will then need to apply for the grading permit at the Calabasas/Malibu Building and Safety Office.

At the time of writing of this report, the applicant has not submitted or applied for the final map review for any of the units or the parent tract map. During the final map process, the applicant will need to show that the project complies with the mitigation measures and map conditions. The applicant may proceed with the map recordation only after the applicant has received the final map clearances from subject County departments. Once the applicant receives the final map clearances from the subject County departments, per Government Code section 66474.1, "a legislative body shall not deny approval of a final or parcel map if it has previously approved a tentative map for the proposed subdivision and if it finds that the final or parcel map is in subsantial compliance with the previously approved tentative map."

OPTIONS AVAILABLE TO THE BOARD

As requested by the Board, the following options would serve to halt development until investigations are completed and public safety is assured.

Development Moratorium

The Board could enact a development moratorium in or around the Aliso Canyon site, which could include a moratorium on new residential development within the Deerlake project site and other similarly situated sites near the Aliso Canyon facility. This moratorium could be initiated by an urgency ordinance adopted pursuant to Government Code section 65858, which must be supported with legislative findings that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, and/or building permits would result in that threat to public health, safety, or welfare.

Denial of Future Deerlake Permit Requests

The Subdivision Map Act allows cities and counties to deny permit requests related to a subdivision in certain cases. Government Code section 66498.1 (c) provides that the County may "condition or deny a permit, approval, extension, or entitlement if it determines … [a] failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both." Departments processing permit requests from Deerlake may be able to deny such requests pursuant to this Subdivision Map Act provision, provided the Board appropriately considers and finds the existence of such a health and safety risk.

Acquisition of the Site

The project site may be acquired by a conservancy or a non-profit organization, assuming the project owner is willing to sell.

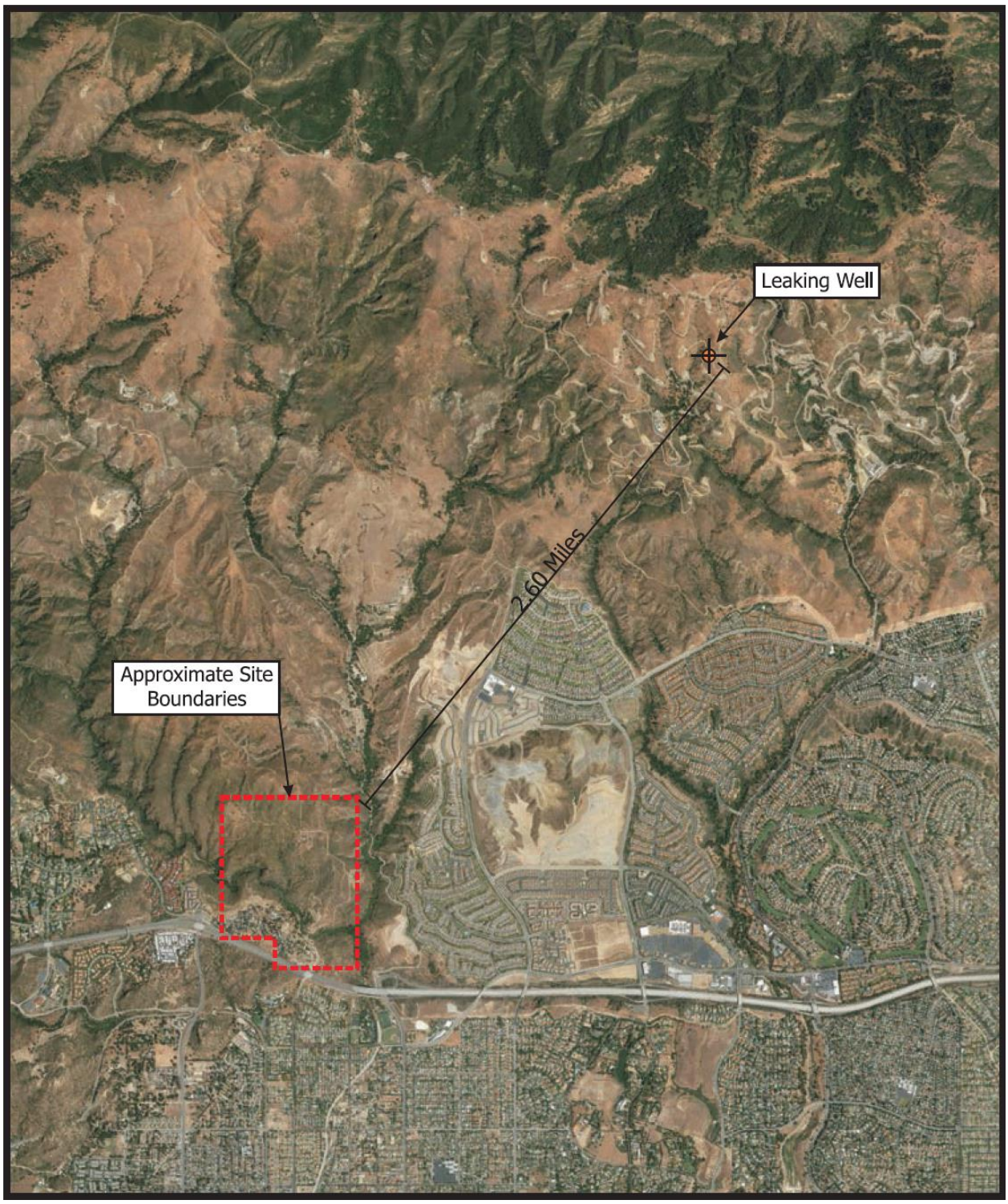
For further information, please contact Lynda Hikichi at (213) 974-6433 or lhikichi@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.

RJB:SA:KKS:LKH:lm

Attachments:

1. Distance Map
2. Ownership Map
3. Board Motion

c: Executive Office, Board of Supervisors
County Counsel


Leaking Well
2.60 Miles
Approximate Site Boundaries

COUNTY OF LOS ANGELES

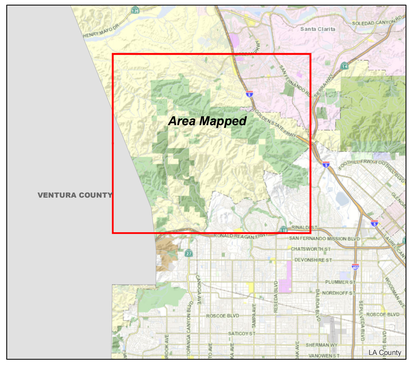
Aliso Canyon Gas Leak

Parcel Ownership Map

LEGEND

- Hidden Creeks Estates
- Deerlake Ranch (not shown at current extent)
- Buffer Rings (1 mi intervals)
- Other Subdivisions
- Mountains Conservancy Land
- Various Owners (see labels)

VICINITY MAP



Created: February 24, 2016

Map Prepared by GIS Section
Los Angeles County
Dept. of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

0 750 1,500 3,000 Feet

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CP-2016-02

Dues NIA

STATEMENT OF PROCEEDINGS FOR THE

REGULAR MEETING OF THE BOARD OF SUPERVISORS

OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B

OF THE KENNETH HAHN HALL OF ADMINISTRATION

500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

Tuesday, January 19, 2016

1:00 PM

6. Recommendation as submitted by Supervisors Antonovich and Kuehl: Direct the Chief Executive Officer's Real Estate Division and the Acting Director of Parks and Recreation to begin a dialogue with the Santa Monica Mountains Conservancy on how the property for the Hidden Creeks project, a proposed residential development in the Porter Ranch area of the San Fernando Valley, can be purchased and converted as a permanent open space and recreational activities; and request the Southern California Gas Company to fully reimburse the Los Angeles Unified School District for all costs associated with the relocation of students impacted by the Aliso Canyon Gas Leak. (16-0390)

Eric Preven, Ruth Sarnoff, Herman Herman, Wayne Spindler, Arnold Sachs and Prentiss Jenkins addressed the Board.

Supervisor Antonovich made an amendment to his and Supervisor Kuehl's joint motion to instruct the Director of Planning to report back to the Board on what the County can do to halt the 314-unit Deerlake Ranch development near the Aliso Canyon gas leak, and to disallow the building of further residential development in close proximity to the site until a thorough investigation has taken place to determine what caused the leak and what safeguards would be put in place to prevent a failure of this magnitude again.

After discussion, on motion of Supervisor Antonovich, seconded by Supervisor Solis, this item was approved as amended.

Ayes: 4 - Supervisor Kuehl, Supervisor Knabe, Supervisor Antonovich and Supervisor Solis

Absent: 1 - Supervisor Ridley-Thomas

Attachments: Report
Video
Audio
Motion by Supervisors Antonovich and Kuehl

AGN. NO._____

MOTION BY SUPERVISORS MICHAEL D. ANTONOVICH AND SHEILA KUEHL

JANUARY 19, 2016

The Hidden Creeks project is a proposed residential development in the Porter Ranch area of the San Fernando Valley. The area is county unincorporated and within the City of Los Angeles's sphere of influence. The project also immediately abuts to the northeast of the Gas Company's Aliso Canyon Gas Storage Facility. In light of the perpetual gas leak emanating from the storage facility and the fact that no entity can state that this leak will not happen again at any of the Gas Company's other 115 storage wells, it is prudent to not allow any further residential development that is next to the facility.

In addition, the project is a highly sought after piece of regional open space that provides significant trail alignment's within the Northwest San Fernando Valley Trails Master Plan.

I, THEREFORE, MOVE that the Board of Supervisors:

1. Direct the Chief Executive Office Real Estate Division and the Department of Parks and Recreation to outreach with the Santa Monica Mountains Conservancy to begin a dialogue on how the property can be purchased and converted to permanent open space and recreational activities.

2. Request the Southern California Gas Company to fully reimburse the Los Angeles Unified School District for all costs associated with the relocation of students impacted by the Aliso Canyon Gas Leak.

# # #

MDA:jd
gasstoragefacilities011916

MOTION

RIDLEY-THOMAS_____

KUEHL _____

KNABE _____

ANTONOVICH _____

SOLIS _____