Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

August 2, 2016

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

Dear Supervisors:

RELEASE OF UNILATERAL CONTRACT
IMPOSING LAND USE RESTRICTIONS
QUARTZ HILL ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTES)

SUBJECT

The proposed request is for the release of a recorded Unilateral Contract Imposing Land Use Restrictions (unilateral contract) on a property located in the northeastern corner of the intersection of 60th Street West and Columbia Way/West Avenue M (Assessors Parcel Number 3102-001-041) in the unincorporated community of Quartz Hill.

IT IS RECOMMENDED THAT THE BOARD,

1. Find that the release of the unilateral contract is within the scope of the analysis for the adopted Antelope Valley Area Plan (AVAP) Final Environmental Impact Report (FEIR) and is therefore compliant with the California Environmental Quality Act (CEQA).

2. Authorize the Director of the Department of Regional Planning to release the recorded unilateral contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In 1987, the zoning of the subject property was changed from A-1-10000 (Light Agricultural – 10,000 Square Feet Minimum Required Lot Area) to C-1 (Restricted Business) with the approval of Zoning Case No. 86131. As part of the approval, the owner of the subject property recorded a unilateral contract with respect to the subject property. The unilateral contract was in the form of a land use covenant which, among other things, restricted the use of the property to a church.

In 2015, the subject property was rezoned to C-RU (Rural Commercial) as part of the zoning consistency update with the adoption of the AVAP. The AVAP analyzed the effect of rezoning parcels throughout the Antelope Valley, including the subject property, to the C-RU zone, and the environmental impacts of such rezoning were analyzed in the FEIR certified by the Board of Supervisors (Board) on November 12, 2014.

The property owner is requesting the release of the unilateral contract in order to create an opportunity to develop the property with uses permitted in the C-RU zone. Without the release of the unilateral contract, the property will be restricted to a church use. The Department of Regional Planning's staff (Department) has evaluated the request and believes that the release of the unilateral contract would help to fulfill the intended purpose of the property rezone to C-RU. Furthermore, the request is consistent with the AVAP; the property's current land use designation of Rural Commercial supports low-intensity commercial development that will serve local residents and retain the semi-rural character of Quartz Hill.

Implementation of Strategic Plan Goals

The release of the unilateral contract would help implement the County's Strategic Plan goals to invest in basic community infrastructure. By lifting the restriction of use on the site, there is potential for the addition of new "job-producing" and community-serving commercial uses.

FISCAL IMPACT/FINANCING

The recommended action should not result in any new significant costs to the County or the Department as the impacts of future development on the project site were analyzed at the time of the zone change in 2015.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Board ordered the recordation of a unilateral contract that set forth land use restrictions and development standards on the subject property as part of the adoption of the zone change. The recorded contract restricts the use of the property to a church with customary accessory and related uses (Condition No. 3C) and requires the authority of the Board to release the provisions imposed by the unilateral contract (Condition No. 5).

The subject site is one of two properties in the Quartz Hill Zoned District that is zoned C-RU; the other property is approximately 1.5 miles east of the subject site. There are also properties zoned M-1 (Light Manufacturing) and MXD-RU (Rural Mixed Use Development) located approximately 4,000 feet east of the site lining 50th Street West. There is a mobilehome park that borders the property to the north and east, a church to

the northwest, vacant property immediately west and southwest of the site, and single-family residences to the south.

Churches are a permitted use in the C-1 and C-RU zone, but require an approved Conditional Use Permit (CUP) in the A-1 zone. The C-RU zone permits many of the same by-right uses that are allowed in the C-1 zone, but allows for additional rural uses such as the storage, sale, and rental of farm equipment; feed and grain sales, bait and tackle shops, boat rentals, and grange halls.

ENVIRONMENTAL DOCUMENTATION

The effects of rezoning the subject property to C-RU were analyzed within the FEIR for the AVAP without consideration to the restrictions of the unilateral contract. Therefore, the release of the unilateral contract would be within the scope of the FEIR. No additional environmental analysis is necessary for the release of the unilateral contract.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Releasing the unilateral contract is not anticipated to have a negative impact on current services as the impacts of future development on the project site were analyzed at the time of the zone change in 2015.

For further information, please contact Kristina Kulczycki at (213) 974-6443 or kkulczycki@planning.lacounty.gov.

Respectfully submitted,

Richard J. Bruckner
Director

RJB:SA:KK:lm

Attachments: Draft Release of Unilateral Contract Imposing Land Use Restrictions
Minutes of the Board of Supervisors meeting held on May 7, 1987
Zoning Map

c: Executive Office, Board of Supervisors
Assessor
Chief Executive Office
County Counsel
Public Works

LOS ANGELES COUNTY BOARD OF SUPERVISORS

AGENDA ENTRY

DATE OF MEETING:	August 2, 2016
DEPARTMENT NAME:	REGIONAL PLANNING
BOARD LETTERHEAD:	DEPARTMENT
SUPERVISORIAL DISTRICT AFFECTED	FIFTH DISTRICT
VOTES REQUIRED	3-VOTE
CHIEF INFORMATION OFFICER'S RECOMMENDATION	NONE

*** * * * *ENTRY MUST BE IN MICROSOFT WORD* * * * ***

Instructions: To comply with the Brown Act requirement the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for; with whom the action is being taken; fiscal impact, including money amounts, funding sources, and effective dates. Also, include an instruction for the Chair(man) or Director to sign when such signature is required on a document.

PROJECT NO.: N/A

PUBLIC HEARING

BOARD AGENDA TEXT:

1. Consideration to release a recorded Unilateral Contract Imposing Land Use Restrictions on a property located in the northeastern corner of the intersection of 60th Street West and Columbia Way/West Avenue M (Assessor Parcel Number 3102-001-041) in the unincorporated community of Quartz Hill.

BOARD LETTER COVER SHEET

Agenda Date: August 2, 2016

Subject: **DEPARTMENT OF REGIONAL PLANNING**
TO CONSIDER REMOVAL OF A RECORDED UNILATERAL CONTRACT IMPOSING LAND USE RESTRICTIONS
(FIFTH SUPERVISORIAL DISTRICT)
(3 VOTES)

If the Board Agenda item requires clearance from County Counsel or Chief Information Officer, explain where you are in that review process. If not, please indicate that it is not required.

County Counsel has reviewed this project. CIO review is not required.

If there is an urgency to the Board Agenda item, explain the urgency, citing the reason for the urgency (including the drop-dead due date) and consequences if the due date is missed. If not, please indicate that there is no urgency.

Property owner requests that the project be heard as soon as possible because the property is in escrow.

Is this a Consent Agenda item? Check the appropriate box below and explain why for either item.

☒ Consent

☐ Not Consent. This item requires a de novo public hearing.

Board Notification:

☒ Yes (see attached)

☐ No (please explain why not)

Contact person for the Board Agenda item, division, phone number, and e-mail address.

Kristina Kulczycki
Department of Regional Planning, Zoning Permits North
(213) 974-6443
kkulczycki@planning.lacounty.gov

RECORDING REQUESTED BY:

Department of Regional Planning
320 West Temple Street
Room 1360, Hall of Records
Los Angeles, California 90012

WHEN RECORDED MAIL TO:

Name: QUARTZ HILL PRESBYTERIAN CHURCH
5827 COLUMBIA WAY
City: LANCASTER CA 93536-3108

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RELEASE OF UNILATERAL CONTRACT IMPOSING LAND USE RESTRICTIONS

The owners of real property described in the attached Exhibit "A", the Presbytery of San Fernando, previously agreed to a record a unilateral contract on the subject property that restricts the use of the site to a church with customary accessory and related uses. The recordation of this contract was a condition of approval for Zoning Case No. 86131 which allowed for the property to be rezoned from A-1-10000 (Light Agricultural – 10,000 Square Feet Minimum Required Lot Area) to C-1 (Restricted Business). As the subject property was rezoned to C-RU (Rural Commercial) in 2015, the applicant is requesting release of the contract.

Physical address: 5827 Columbia Way, Quartz Hill

APN: 3102-001-041

The owner(s) of the described real property submitted evidence that the unilateral contract is no longer required by law.

Therefore, the property owner is hereby released from the terms of the previously recorded agreement, a Unilateral Contract Imposing Land Use Restrictions, to maintain the property as described in the attached contract dated September 29, 1988 and recorded on October 3, 1988, as instrument number 88-1589168 in the County of Los Angeles. See Exhibit "B".

Date: _____ By: _____
(Print Name of)

My name is _____, I am employed by the County of Los Angeles in the Department of Regional Planning in the position of Supervisor. In such capacity, it is my responsibility to approve various zoning permits and revisions thereto, such as the foregoing documents on behalf of the Director of Planning.

County Project No: 86131 (Zoning Case No. 86131)

Executed this _____ day of _____, 20_____ at _____, California, I declare the foregoing to be true and correct, under penalty of perjury of the laws of the State of California.

Signed:

_____

(NOTARY SEAL TO BE ATTACHED)

EXHIBIT "A"

LEGAL DESCRIPTION

The south 466.69 feet of the west 466.69 feet of the Southwest Quarter of Section 35, Township 7 North, Range 13 West, San Bernardino Base and Meridian, Los Angeles County, California.

The Northeast corner of 60th street and Avenue M, Quartz Hill, California.

RECORDING REQUESTED BY:

County Counsel of Los Angeles

88-1589168

10/3/88

EXHIBIT "B"

AFTER RECORDATION, RETURN TO:

The Presbytery of San Fernando
10400 Zelzah
Northridge, CA 91326

COPY of Document Recorded

H[illegible] original.
Ori[illegible]
processing has been completed. L
LOS ANGELES COUNTY REGISTRAR - RECORDER

UNILATERAL CONTRACT
IMPOSING LAND USE RESTRICTIONS

1. The Presbytery of San Fernando, hereinafter referred to as Declarant, is the fee owner of that certain real property located in the County of Los Angeles, more particularly described by the following:

The south 466.69 feet of the west 466.69 feet of the Southwest Quarter of Section 35, Township 7 North, Range 13 West, San Bernardino Base and Meridian, Los Angeles County, California.

The Northeast corner of 60th street and Avenue M, Quartz Hill, California.

The property is the subject of Zone Change 86-131-(5), which proposes a change to C-1 zoning.

2. Declarant hereby makes the following declaration of covenants, conditions, restrictions, limitations, rights and uses to which the real property may be put; each and all covenants, conditions, restrictions, limitations, rights and uses contained herein shall run with the land and shall be binding on Declarant, its successors and assigns and all subsequent owners of all or any part of the real property.

3. Any C-1 land uses which are established and any structures which are built on the subject property shall be required to meet the following development criteria. The criteria are intended to ensure that the commercial uses and structures are attractive, adequately buffered from surrounding land uses, and are in keeping with the aesthetic character of the surrounding Quartz Hill community:

A. Prior to issuance of the building permits, the Declarant shall submit a site plan for approval by the Director of Planning.

B. The property shall be developed and maintained in substantial conformity to the site plans exhibited at the public hearing before the Regional Planning Commission on October 8, 1986.

Quartz Hill Presbyterian Church
J. N. 3071

C. The subject property shall be used for Church and customary accessory and related uses only.

4. Declarant shall maintain said real property and all structures situated thereon in good, neat, attractive, safe and sanitary condition, and make all structural repairs as they may be required.

5. The provisions imposed by this declaration shall be effective only during such time that the zoning classification of the real property described in paragraph 1 above permits the construction and operation of the uses specified in paragraph 3 above, and related accessory uses, unless otherwise released by authority of the Board of Supervisors of the County of Los Angeles.

6. The County of Los Angeles shall have the right to enforce by proceedings at law or in equity all of the provisions imposed by this declaration, including without limitation, the right to prosecute a proceeding at law or in equity against the person or persons who have violated or are attempting to violate any of said provisions, to enjoin or prevent them from doing so and to cause said violation to be remedied.

7. If Declarant defaults in the performance or observation of any provisions of this declaration, Declarant agrees to pay the County of Los Angeles all costs and fees incurred including reasonable attorney's fees, regardless of whether legal proceedings are instituted.

8. The failure of the County of Los Angeles to enforce any of the provisions imposed by this declaration shall not constitute a waiver of the right to enforce the same thereafter.

9. The provisions of this instrument shall inure to the benefit of and be binding upon all of Declarant's assigns, transferees, heirs and successors in interest.

10. An executed copy of this contract will be returned to the County Counsel along with the date of the contract's recordation and the recording information.

THE PRESBYTERY OF SAN FERNANDO

Date: 9-29-88

By: Robert T. McDoll
President

STATE OF CALIFORNIA
COUNTY OF Los Angeles ss.

On September 29, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert T. McCall and _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed the within instrument as _____ President and _____ ~~Secretary, on behalf of~~ the Presbytery of San Fernando the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature [signature]

OFFICIAL SEAL
SUSAN E. FRIEDLE
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Commission Expires March 31, 1992

(This area for official notarial seal)

~~3000 (6/92)~~ — (Corporation) First American Title Insurance Company

File

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Larry J. Monteith, Executive Officer
Clerk of the Board of Supervisors
383 Hall of Administration
Los Angeles, California 90012

County Counsel
Director of Planning

At its meeting held May 7, 1987, the Board took the following action:

7

At the time and place regularly set, notice having been duly given, the following matter was called up:

Hearing on proposed change of zone for 3.98 acres located on the northeasterly corner of the intersection of West Avenue M and North 60th Street West, Quartz Hill Zoned District, from A-1-10,000 to C-1, Case No. 86-131-(5), petitioned by Quartz Hill Presbyterian Church.

Don Culberston, representing the Department of Regional Planning, was duly sworn, and testified. Opportunity was given for anyone present to be heard. No oral or written protests were presented.

Supervisor Antonovich made the following statement:

"In this case, I concur with the findings and recommendations of the Regional Planning Commission.

"The proposed change of zone is consistent with the Antelope Valley General Plan and is a logical extension of existing development in the area. The applicant proposes to limit the use of the zoning to a church and will enter into a unilateral contract to this effect."

(Continued on Page 2)

Syn. 7 (Continued)

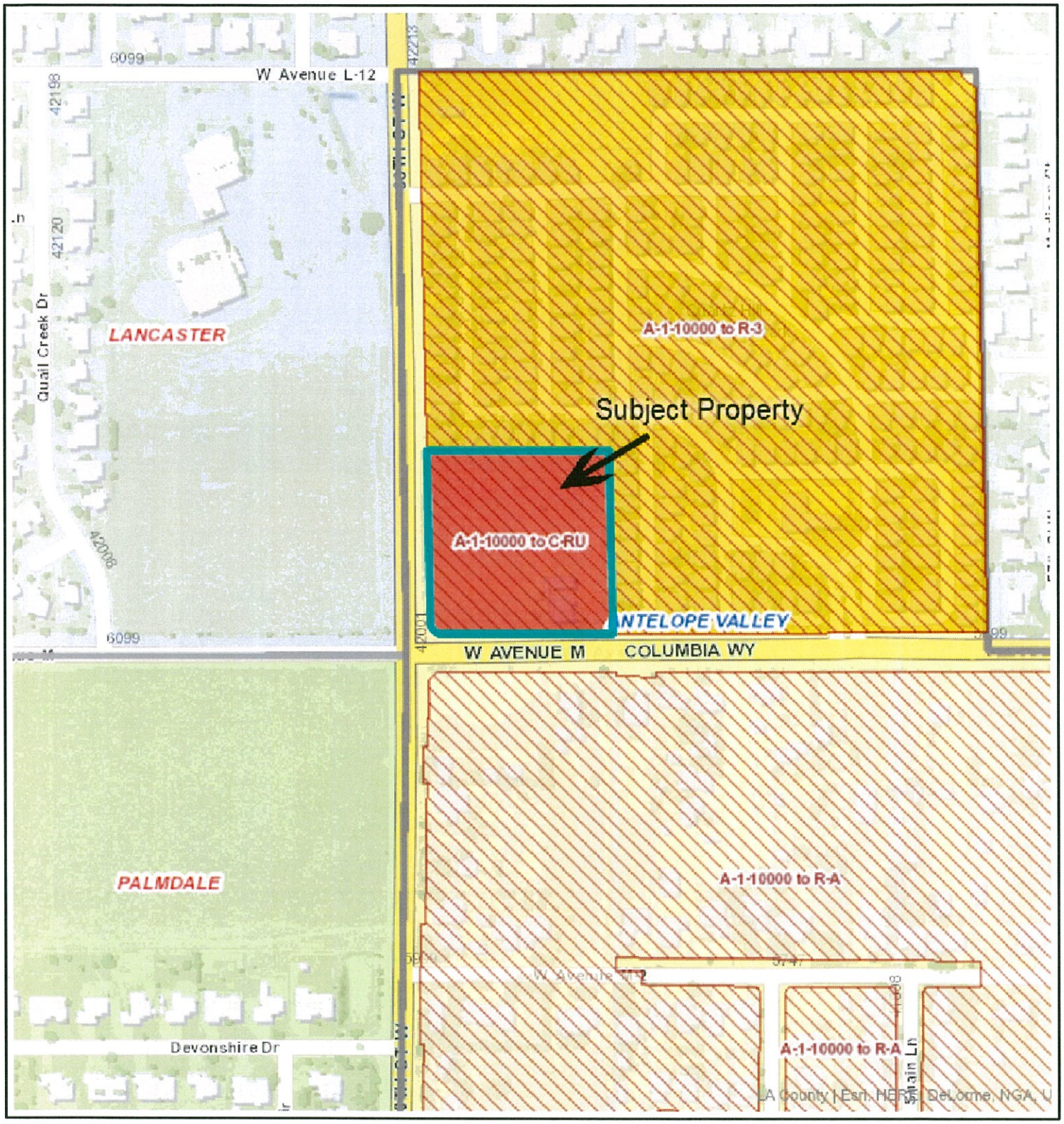
Therefore, on motion of Supervisor Antonovich, seconded by Supervisor Edelman, unanimously carried (Supervisors Schabarum and Hahn being absent), the hearing was closed and the proposed change of zone was adopted. The Board approved the Negative Declaration and certified its completion, finding that the project will not have a significant effect on the environment and that the proposed change of zone is consistent with the General Plan.

Further, the Board ordered that a unilateral contract setting forth land use restrictions and development standards to the satisfaction of the Director of Planning and County Counsel be recorded prior to the adoption of an ordinance changing the zoning classification on the subject property.

The County Counsel was instructed to prepare the necessary ordinance amendment to Ordinance No. 1494, the Zoning Ordinance, to change the Official Zoning Plan of the District accordingly.

MIN2:c24.1

Copies distributed:
Each Supervisor
Assessor
Chief Administrative Officer
Acting Director of Facilities Management
Director of Public Works
Quartz Hill Presbyterian Church



Zoning Map

APN: 3102-001-041

Printed: May 25, 2016

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0 500
Feet

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