Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

April 8, 2004

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

Dear Supervisors:

GENERAL PLAN AMENDMENT 00-188-(5)
ZONE CHANGE CASE NO. 00-188-(5)
CONDITIONAL USE PERMIT 00-188-(5)
OAK TREE PERMIT CASE NO 00-188-(5)
VESTING TENTATIVE TRACT MAP NO. 53235
PETITIONER: SONDERMANRING PARTNERS-TOPANGA
11377 WEST OLYMPIC BOULEVARD, 10TH FLOOR
LOS ANGELES, CALIFORNIA 90064
CHATSWORTH ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Certify that the Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and reflects the independent judgment and analysis of the County; find that the Board has reviewed and considered the information contained in the Environmental Impact Report prior to approving the project; and adopt the mitigation monitoring program incorporated in the Environmental Impact Report, finding that, pursuant to Public Resources Code Section 21081.6, the mitigation monitoring program is adequately designed to ensure compliance with the mitigation measures during project implementation;

2. Adopt the attached resolution amending the Los Angeles Countywide General Plan (General Plan Amendment Case No. 00-188-(5)) as recommended by the Regional Planning Commission.

3. Direct County Counsel to return with an ordinance to change zones within the

Chatsworth Zoned District as recommended by the Regional Planning Commission (Zone Change No. 00-188-(5).

4. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit 00-188-(5), Oak Tree Permit 00-188-(5) and Vesting Tentative Tract Map 53235.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

- Update the Countywide General Plan to reflect current conditions for the Chatsworth area.

- Update the zoning of the subject property to allow the property owner to develop the property with a clustered condominium residential project that is compatible with the existing surrounding uses.

- Establish development standards that ensure future development on the subject property will be compatible with the goals and policies of the General Plan.

Implementation of Strategic Plan Goals

The County's Strategic Plan goal of service excellence is achieved through the timely, accurate and efficient processing of the project.

The proposed General Plan amendment, zone change, conditional use permit, oak tree permit and vesting tentative tract map promote the goal of fiscal integrity because the proposed residential development will increase the County's revenue base.

The General Plan amendment, zone change, conditional use permit, oak tree permit and vesting tentative tract map also promote the County's vision for improving the quality of life in Los Angeles County. The project allows for the provision of critically needed housing.

FISCAL IMPACT/FINANCING

Adoption of the proposed General Plan amendment and zone change and approval of the conditional use permit, oak tree permit and vesting tentative tract map should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On September 17, 2003 the Regional Planning Commission conducted a concurrent public hearing on the proposed project. The hearing had been continued from November 20, 2002, March 19, 2003 and June 18, 2003. The requests before the Commission were: (1) general plan amendment 00-188-(5) to change the Land Use Policy Map from Non-Urban to Low Density Residential on the 13.28 acre site, (2) a zone change from the existing A-1-1 (light agriculture) to RPD-5,000-6U (Residential Planned Development zone) (3) a conditional use permit to ensure compliance with requirements of the proposed planned residential development zone and hillside management provisions, (4) an oak tree permit to authorize the removal of one oak tree, (5) vesting tentative tract map 53235 to allow the development of 65 new residential condominiums. The Regional Planning Commission voted to recommend approval of the requested general plan amendment and zone change and to approve the conditional use permit, oak tree permit, and vesting tentative tract map at their March 10, 2004 meeting.

Pursuant to subsection B.2 of Section 22.60.230 of the County Code, the conditional use permit, oak tree permit and vesting tentative tract map are deemed to be called for review by your Board. A public hearing is required pursuant to Section 22.16.200 and Section 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355 and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) 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 education, biota, noise, fire protection, visual qualities, traffic/access and libraries. A Draft Environmental Impact Report was prepared and circulated for public and agency review. As part of the public review process the proposed project was significantly reduced in intensity from 159 dwelling units to 65 residential condominiums. The Draft Environmental Impact Report, including the recirculation of the Biological Resources Section and project revisions showed that there is not substantial evidence, in light of the whole record before the Commission that the project, as revised, may have a significant effect on the environment. Based on the Draft Environmental Impact Report and project revisions, the Department of Regional Planning prepared a Final Environmental Impact Report for the project. Conditions or changes in the proposed project were necessary in order to ensure

that the proposed project will not have a significant effect on the environment and such conditions or changes have been included in the Mitigation Monitoring Program for the project.

IMPACT ON CURRENT SERVICES OR PROJECTS

Action on the proposed project is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP, Director of Planning

Frank Meneses, Administrator
Current Planning Division

FM:EF:ef
Attachments: Commission Resolution, Legal Descriptions, Commission Findings & Conditions, Commission Staff Reports & Attachments, Tentative Tract Map, EIR

C: Chief Administrative Officer
County Counsel
Assessor
Director, Department of Public Works

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

CERTIFIED-RECEIPT REQUESTED

March 11, 2004

Sonderman-Ring Partners-Topanga
13960 Marquesas Way
Marina del Rey, California 90292

Gentlemen:

SUBJECT: VestingTENTATIVE TRACT MAP CASE NO. 53235
GENERAL PLAN AMENDMENT CASE NO. 00-188-(5)
ZONE CHANGE CASE NO. 00-188
CONDITIONAL USE PERMIT CASE NO. 00-188-(5)
OAK TREE PERMIT CASE NO. 00-188-(5)

A public hearing on Vesting Tentative Tract Map No. 53235, General Plan Amendment Case No. 00-188-(5) Zone Change Case No. 00-188, Conditional Use Permit Case No. 00-188-(5) and Oak Tree Permit 00-188-(5) was held before the Regional Planning Commission of Los Angeles County on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003.

After considering the evidence presented, the Regional Planning Commission, in its action on **March 10, 2004**, recommended that the Board of Supervisors approve the requested general plan amendment and zone change and approved the tentative tract map, conditional use permit and oak tree permit in accordance with the Subdivision Map Act, Titles 21 (Subdivision Ordinance) and 22 (Zoning Ordinance) of the Los Angeles County Code, and the recommendations and conditions of the Subdivision Committee. A copy of the approved findings and conditions is attached.

The general plan amendment and change of zone are currently pending. The conditional use permit and the vesting tentative tract map are not effective until the general plan amendment and change of zone are adopted by the Board of Supervisors. Pursuant to subsection C of Section 21.56.010 and subsection B.2 of Section 22.60.230 of the County Code, the conditional use permit and vesting tentative tract map are deemed to be called for review/appealed by the Board of Supervisors and shall be considered concurrently with the recommended general plan amendment and zone change at the public hearing.

The action on the tentative tract map, conditional use permit and oak tree permit authorize:

1. The subdivision of the 13.28 acre site into 1 multi-family lot for development with 65 condominium units and 1 open space lot.

2. The development of the property in compliance with hillside management and density-controlled development design review criteria.

3. The removal of 1 oak tree.

Your attention is called to the following:

1. Condition No. 2 of the Conditional Use Permit provides that the permits shall not become effective for any purpose until the applicant and the owner of the property involved, or their duly authorized representative, have filed at the office of the Department of Regional Planning the affidavit stating that they are aware of and accept all of the conditions of the permits.

2. The decision of the Regional Planning Commission regarding the vesting tentative tract map shall become effective on the date of the decision, provided no appeal of the action taken has been filed with the Office of the Clerk of the Board of Supervisors.

3. During the fifteen-day period following your receipt of this letter, the Regional Planning Commission's action may be appealed to the Board of Supervisors. If you wish to appeal this decision to the Board, you must do so in writing. Your appeal should be filed with the Office of the Clerk of the Board, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Clerk of the Board of Supervisors at (213) 974-1432 for the current appeal fee.

The tentative tract map approval shall expire two years from the date of action by the Board of Supervisors on the call for review/appeal. If the subject tentative tract map does not record prior to the expiration date, a request in writing for an extension of the approval must be received prior to the expiration date. Pursuant to Section 22.56.140 (4) and Section 22.56.2250 of the Los Angeles County Code (Zoning Ordinance), the conditional use permit and oak tree permit shall be null and void unless utilized prior to the expiration of the tentative tract map. Recordation of the tentative tract map shall constitute use of this permit.

Time extensions granted for the tract map shall also apply to the conditional use permit and oak tree permit.

If you have any questions regarding this matter, please contact Ellen Fitzgerald of the Land Divisions Section of the Department of Regional Planning at (213) 974-6433 between the hours of 7 a.m. and 6 p.m., Monday through Thursday. Our offices are closed Fridays.

TENTATIVE TRACT MAP 53235
GENERAL PLAN AMENDMENT CASE NO. 00-188-(5)
ZONE CHANGE CASE NO. 00-188-(5)
CONDITIONAL USE PERMIT CASE NO. 00-188-(5)
OAK TREE PERMIT CASE NO. 00-188-(5)

Very Truly Yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Frank Meneses, Acting Administrator
Current Planning Division

FM:EMF:ef

Enclosures: Findings and Conditions

c: Board of Supervisors
Subdivision Committee
Save Chatsworth
B & E Engineers

A RESOLUTION OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES RELATING TO GENERAL PLAN AMENDMENT AND ZONE CHANGE CASE NO. 00-188-(5)

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted a public hearing in the matter of General Plan Amendment Case No. 00-188-(5) on September 17, 2003 and in the matter of Zone Change Case No. 00-188-(5) on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The subject property is a 13.28 acre rectangular shaped property with level to moderately sloping hilly terrain located at 11400 Poema Place in the Chatsworth Zoned District. The site is currently vacant and was previously graded for a church project that was not completed.

2. Access to the site is provided from Poema Place via Topanga Canyon Boulevard.

3. General Plan Amendment Case No. 00-188-(5) is a request to amend the Los Angeles County General Plan land use designation from Non-Urban to Low Density Residential.

4. Zone Change Case No. 00-188-(5) is a request to authorize a change of zone from A-1-1 (Light Agricultural) to RPD-5,000-6U (Residential Planned Development Zone) on the subject property. The Planned Development 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 is first obtained.

5. Zone Change Case No. 00-188-(5) was heard concurrently with Vesting Tentative Tract Map No. 53235, and Conditional Use Permit Case No. 00-188-(5), and Oak Tree Permit Case No. 00-188-(5) at the November 20, 2002, March 19, 2003, and June 18, 2003 public hearing, and concurrently with these permits and General Plan Amendment Case No. 00-188-(5), initiated by the Regional Planning Commission, at the September 17, 2003 public hearing.

6. Vesting Tentative Tract Map No. 53235 is a related request to subdivide 13.28 acres into one residential lot for development with 65 new residential condominiums and one open space lot.

7. Conditional Use Permit Case No. 00-188-(5) is a related request to authorize a planned residential development in compliance with the requirements of the hillside management provisions and the proposed RPD Zone.

8. Oak Tree Permit Case No. 00-188-(5) is a related request to authorize the removal of one oak tree.

9. Approval of the tentative tract map, conditional use permit and oak tree permit will not become effective unless and until the Board of Supervisors has approved the proposed general plan amendment and adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.

10. The site plan for the tentative tract map and conditional use permit, labeled Exhibit A, depicts 65 townhouse condominiums with two-car attached garages, an approximately 6,500 square feet recreation area, and 33 guest parking spaces distributed throughout the project site on lot 1. Lot 2 is a 6.6 acre open space lot.

11. The property is currently depicted within the Non-Urban land use classification of the Countywide General Plan Land Use Policy Map. This land use classification allows a maximum of one dwelling unit per acre and is further subject to the density limitations of the General Plan's non-urban hillside management provisions. The Regional Planning Commission is recommending that the Board of Supervisors amend the general plan to designate the subject property as Low Density Residential. This recommendation is based on consideration of the location of the property adjacent to the 118 freeway and Topanga Canyon Boulevard, both regional circulation routes and the scale of apartment and single family residential development existing in the area. The requested general plan amendment is necessary to authorize the proposed use of the subject property, as the project density of 65 residential units is inconsistent with the Non-Urban land use classification.

12. The recommended Low Density Residential designation is consistent with the goals and policies of the General Plan in that nearby existing and proposed development consists of single-family and multiple-family residences developed at densities ranging from 1-6 units per acre.

13. The project site is currently zoned A-1-1 (Light Agricultural, 1 acre minimum lot area). The current A-1-1 zoning on the subject property became effective on May 15, 1959, following the adoption of Ordinance Number 7505.

14. Surrounding zoning is A-1-1 (Light Agricultural, 1 acre minimum lot area) and R-1-6,000 (single-family residential, 6,000 square feet minimum lot area) to the north and east and RPD-10,000-4U (Residential Planned Development-10,000 square feet

minimum lot area-4 dwelling units per acres) to the west. The City of Los Angeles is located to the south.

15. Property north of the project site is vacant. Two-story multi-family residences are adjacent to the site on the west. The single-family residences of the Twin Lakes community are located to the east. Immediately to the east of the site is a proposed 388-unit single family residential project approved by the Regional Planning Commission on January 14, 2004. To the south, within the City of Los Angeles, are a mobile-home park, single-family residences, open space and highway commercial uses.

16. The proposed zone change from A-1-1 to RPD 5,000-6U is consistent with the goals and policies of the General Plan in that it will increase the supply and diversity of housing and promote the efficient use of land through a more concentrated pattern of urban development.

17. The requested zone change to RPD 5,000-6U is necessary to authorize the proposed use of the subject property. Pursuant to Section 22.24.070 of the Los Angeles County Code, the proposed clustered residential development is not allowed in the A-1-1 zone because the zone limits residential uses to large lot single family detached residential uses. The subject development project is authorized in the proposed RPD zoning classification pursuant to Section 22.20.460 of the County Code, which provides that property in an RPD zone may be used for a planned residential development, including attached condominium residences, which will afford the same or lesser density of population or intensity of use than is specified in the zone, provided a conditional use permit is first obtained. The proposed density of 65 dwelling units is consistent with the proposed RPD 5,000-6U zone, which would allow a maximum of 79 dwelling units on the 13.28 acre subject property.

18. Modified conditions warrant a revision in the zoning of the subject property. Since the A-1-1 zoning was established, the area has changed from predominantly vacant land to a primarily residential community traversed by a freeway. Major commercial/industrial employment areas are proximate to the area. The proposed zone change is consistent with the emerging development pattern in the area.

19. A need for the proposed zone classification exists within the community because the property is not necessary for agricultural use and the proposed zone is compatible with adjacent residential uses. The General Plan recognizes the limited supply of prime land available for housing.

20. The subject property is a proper location for the proposed RPD zoning classification and 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,

because the site has access to all necessary services and facilities and is of sufficient size and shape to accommodate residential development at RPD–5,000-6U densities. The proposed RPD zoning is compatible with existing adjacent residential uses and the surrounding residential zoning. Moreover, the proposed zoning classification will be consistent with the Countywide General Plan as amended.

21. Compatibility with surrounding land uses will be further ensured through the conditions of approval of the related conditional use permit and planned development design contained therein.

22. An Initial Study and an Environmental Impact Report were prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the County's environmental document reporting procedures and guidelines. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: education, biota, noise, fire protection, traffic/access, visual qualities and libraries. The Initial Study determined that an Environmental Impact Report (EIR) would be required.

23. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including education, biota, noise, fire protection, traffic/access, visual qualities, and libraries can be mitigated to less than significant level through implementation of the mitigation measures identified in the EIR. The Final Environmental Impact Report (FEIR) consists of the Draft EIR dated August 2002, the Technical Appendices to the Draft EIR dated August 2002, and the Final EIR, including responses to comments, dated January 2004.

24. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured.

25. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated into the conditions of Vesting Tentative Tract Map 53235. The conditions of approval require compliance with the applicable mitigation measures in accordance with the Mitigation Monitoring Program.

26. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related

thereto and that the document reflects the independent judgment and analysis of the Commission, and determines that all significant adverse effects of the project have been reduced to an acceptable level as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference.

27. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based is the Los Angeles County Department of 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, Los Angeles County Department of Regional Planning.

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

1. Hold a public hearing to consider General Plan Amendment Case No. 00-188-(5), a proposed change of land use designation in the Countywide General Plan from Non-Urban to Low Density Residential, and Zone Change Case No. 00-188-(5), a proposed change of zone from A-1-1 (Light Agricultural, 1 acre minimum) to RPD-5,000-6U (Residential Planned Development Zone-5,000 square foot minimum lot area-6 dwelling units per acre) on 13.28 acres;

2. Certify that the Final Environmental Impact Report 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;

3. Find that the Board has reviewed and considered the information contained in the Final Environmental Impact Report prior to approving the proposed general plan amendment and zone change;

4. Determine that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have been reduced to acceptable levels as stated in the attached Findings of Fact for the project, which findings are incorporated herein by reference;

5. Approve and adopt the Mitigation Monitoring Program for the 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;

6. Find that the recommended General Plan Amendment is consistent with the goals, policies and programs of the Los Angeles County General Plan;

7. Adopt General Plan Amendment Case No. 00-188-(5), amending the Land Use Policy Map of the Los Angeles County General Plan as depicted on the Exhibit attached hereto and described hereinabove;

8. Find that the recommended change of zone is consistent with the goals, policies and programs of the Los Angeles County General Plan, with the adoption of General Plan Amendment Case No. 00-188-(5) by the Board;

9. Find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and.

10. Adopt recommended Zone Change Case No. 00-188-(5), changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on **March , 2004.**

_____

Rosie Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR CONDITIONAL USE PERMIT NO. 00-188-(5)

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Conditional Use Permit Case No. 00-188-(5) on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003.

2. The applicant is proposing to construct a residential development on the subject property consisting of one multi-family lot with 65 new townhouse condominiums and one open space lot of 6.6 acres with project-associated infrastructure to be developed in compliance with hillside management and planned residential development design review criteria.

3. A conditional use permit is required to ensure compliance with the requirements of the proposed Residential Planned Development (RPD) zone and hillside management provisions pursuant to Sections 22.20.460 and 22.56.215, respectively, of the Los Angeles County Code.

4. A conditional use permit for a planned residential development promotes well-planned projects with innovative design and residential amenities beyond those expected under conventional development, to reduce development impacts in hillside areas and to preserve natural scenic areas.

5. A conditional use permit for development in a hillside management area protects the resources in hillside areas from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property, and ensures to the extent possible that development maintains and, where possible, enhances the natural topography, resources and amenities of the hillside management area while allowing for the limited controlled development therein.

6. The subject property is located north of State route 118 (Simi Valley Freeway) at 11400 Poema Place in the Chatsworth Zoned District.

7. Access to the site is provided by Poema Place via Topanga Canyon Boulevard.

8. The subject property is 13.28 acres in size and is rectangular-shaped with level to moderately sloping hilly terrain. The site is currently vacant and was previously graded for a church project that was not completed.

9. Property north of the project site is vacant. Two-story multi-family residences are adjacent to the site on the west. The single-family residences of the Twin Lakes community are located to the east. Immediately to the east of the site is a proposed 388-unit single family residential project approved by the Regional Planning Commission on January 14, 2004. To the south, within the City of Los Angeles, are a mobile-home park, single-family residences, open space and highway commercial uses.

10. The project site is currently zoned A-1-1 (Light Agricultural, 1 acre minimum lot area). The zoning was established by Ordinance No. 7505, which became effective on May 15, 1959. Concurrent with this approval, however, the Commission has recommended that the Board of Supervisors approve Zone Change Case No. 00-188-(5), a request to change the zoning of the subject property to RPD-5,000-6U (Residential Planned Development Zone-5,000 square feet minimum lot area-6 dwelling units per acre). The Planned Development designation will ensure that development occurring after the property has been rezoned will conform to plans submitted by the applicant through the conditional use permit approval process.

11. Surrounding zoning is A-1-1 (Light Agricultural, 1 acre minimum lot area) and R-1-6,000 (single-family residential, 6,000 square feet minimum lot area) to the north and east and RPD-10,000-4U (Residential Planned Development-10,000 square feet minimum lot area-4 dwelling units per acres) to the west. Property to the south is located within the City of Los Angeles.

12. The requested zone change to RPD 5,000-6U is necessary to authorize the proposed use of the subject property. Pursuant to Section 22.24.070 of the Los Angeles County Code, the proposed clustered residential development is not allowed in the A-1-1 zone because the zone limits residential uses to large lot single family detached residential uses. The subject development project is authorized in the proposed RPD zoning classification pursuant to Section 22.20.460 of the County Code, which provides that property in a RPD zone may be used for a planned residential development, including attached condominium residences, which will afford the same or lesser density of population or intensity of use than is specified in the zone, provided a conditional use permit is first obtained. The project density of 65 dwelling units is consistent with the proposed RPD 5,000-6U zone, which would allow a maximum of 79 dwelling units on the subject property.

13. The property is depicted within the Non-Urban land use classification on the Countywide General Plan Land Use Policy Map. Concurrent with this approval, however, the Commission is recommending that the Board of Supervisors approve General Plan Amendment No. 00-188-(5). If approved by the Board of Supervisors, the subject property's land use designation will be changed to Low Density Residential. This recommendation is based on consideration of the location of the property adjacent to the 118 Freeway and Topanga Canyon Boulevard and the scale of multi-family and single family residential development in the area. The Low Density Residential land use classification permits residential densities ranging from one to six dwelling units per acre, which would allow a maximum of 79 dwelling units on the site. The project density of 65 dwelling units is consistent with this land use classification.

14. The proposed project is consistent with the goals and policies 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.

15. Conditional Use Permit Case No. 00-188-(5) was heard concurrently with General Plan Amendment Case No. 00-188-(5), Zone Change Case No. 00-188-(5), Oak Tree Permit Case No. 00-118-(5) and Vesting Tentative Tract Map No. 53235. Approval of Conditional Use

Permit No. 00-188-(5) will not become effective unless and until the Board of Supervisors has approved the proposed general plan amendment and adopted an ordinance effecting the change of zone, and such ordinance has become effective.

16. Vesting Tentative Tract Map No. 53235 is a related request to subdivide the subject property into one multi-family residential lot for development with 65 new residential condominiums and one open space lot.

17. Oak Tree Permit Case No. 00-188-(5) is a related request to authorize the removal of one oak tree.

18. The applicant's site plan, labeled Exhibit "A", depicts 65 attached single-family condominiums occupying approximately 6.64 acres of the project site. The two- and three-story buildings are 35 feet in height and range from 1,660 to 2,340 square feet in size with three bedrooms and attached 2-car garages. There is a 6,500-square foot recreation area consisting of a pool, spa, and recreation building. A total of 163 parking spaces are depicted, including 33 guest parking spaces distributed throughout the project site. Landscaping is located in the gated entry, parking and recreation areas and common areas. The northerly approximately 6.6 acres of the site are proposed as a dedicated open space lot. The open space lot encompasses a trail to link proposed trails along the easterly boundary and the Devil canyon area of the property. The townhouses are accessed by a private common driveway with a width of 28 feet.

19. Correspondence was received from surrounding neighbors and interested parties concerned about traffic impacts, loss of natural open space, safety issues, impacts on schools, lack of County services in the area, the need to maintain the existing rural lifestyle of Chatsworth, the need for a connecting trail system, and the concern that the proposed density would be inconsistent with the density of the surrounding community.

20. During the public hearing, the Regional Planning Commission heard staff's presentations, the applicant's presentations, and testimony from concerned neighbors. Much of the public testimony reiterated comments received in written correspondence but stressed the need for reduced density, adequate trails and traffic mitigation.

21. In response to community concerns, the Regional Planning Commission directed the applicant to redesign the project to reduce the proposed density and address the comments raised during the public hearing.

22. The applicant revised the project in order to reduce the number of residential units from 159 units to 65 dwelling units, reduce the quantity of grading, and eliminate the need to export earthen material. The project also provides improved trail linkages to allow trail access to the upland areas of Devils Canyon.

23. The project minimizes grading by locating the development primarily in the previously disturbed portions of the site. Grading is balanced on-site and limited to approximately 43,000

cubic yards. The project eliminates the need to export soil thus reducing the potential impact of construction traffic.

24. The proposed residential development will be required to comply with the development standards and requirements applicable to the RPD zone, as set forth in Section 22.20.460 of the County Code.

25. Pursuant to Section 22.20.460 of the County Code, the proposed project is required to contain open space in an amount not less than 30 percent of the net area. The proposed project has the necessary provision for open space. The open space lot contains approximately 6.6 acres of open space, which represents 50 percent of the project site. Section 22.56.215J of the County Code requires that the proposed project contain open space in an amount not less than 25 percent of the net urban hillside area. The proposed project exceeds this requirement.

26. As required by Section 22.56.215.J.1 of the County Code, provision will be made for landscaping all common or open space areas not to be left in a natural state, all utilities will be placed underground, and exterior elevations drawings indicating building heights and major architectural features shall be submitted to and approved by the Director of Planning prior to the issuance of any building permit.

27. It is the intent of the hillside management conditional use permit process to protect the resources in hillside management areas as specified in the Countywide General Plan from incompatible development which may result in or have potential for environmental degradation and/or destruction of life and property. It is not the purpose of this process to preclude development in these areas but to ensure, to the extent possible, that such development maintains, and where possible enhances, the natural topography, resources, and amenities of the hillside management areas while allowing for the limited controlled development therein.

28. The project's location, size, design and operating characteristics have given consideration to harmony in scale, bulk, coverage and density; the availability of public utilities, services and facilities; the generation of traffic and the capacity and physical character of the surrounding streets; and the suitability of the site for the type and intensity of use or development which is proposed.

29. The proposed project includes common 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.

30. The approval of the proposed dwelling units in an urban hillside area is allowed since the conditions of approval will adequately mitigate problems of public safety, design, and environmental considerations as provided in the General Plan.

31. An Initial Study and an Environmental Impact Report have been prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA

Guidelines and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study concluded that there was substantial evidence that the project may have potentially significant impact on the environment in the following areas: education, biota, noise, fire protection, traffic/access, visual qualities and libraries. The Initial Study determined that an Environmental Impact Report (EIR) would be required.

32. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including education, biota, noise, fire protection, traffic/access, visual qualities, and libraries can be mitigated to less than significant level through implementation of the mitigation measures identified in the EIR. The final Environmental Impact Report (FEIR) consists of the Draft EIR dated August 2002, the Technical Appendices to the Draft EIR dated August 2002 and the Final EIR, including responses to comments, dated January 2004.

33. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured.

34. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated into the conditions of approval of this grant. The conditions of approval require compliance with the applicable mitigation measures in accordance with the Mitigation Monitoring Program.

35. The documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter are located in the Los Angeles County Department of 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, Los Angeles County Department of Regional Planning.

36. Approval of this conditional use permit is conditioned on the applicant's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53235.

37. 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.

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 general plan for the area as amended by General Plan Amendment No. 00-188-(5);

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 Los Angeles 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, 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; and

I. That the approval of the proposed development within a hillside management area, with dwelling units exceeding the number permitted by the midpoint of the permitted density range in urban hillsides, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance and the General Plan;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.215, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project have been reduced to an acceptable level, as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference.

2. The Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation.

3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 00-188-(5) is **APPROVED** subject to the attached conditions and further subject to approval by the Board of Supervisors of General Plan Amendment No. 00-188-(5) and Zone Change No. 00-188-(5).

DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 00-188-(5)

CONDITIONS:

1. This grant authorizes the use of the subject property for 65 new attached condominium units, as depicted on the approved exhibit map marked Exhibit A, subject to all of the following conditions of approval.

2. This grant shall not be effective for any purpose until a duly authorized representative of the permittee, and the owner of the subject property, if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all 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 8. Further, this grant shall not become effective unless and until the Board of Supervisors has approved General Plan Amendment No. 00-188-(5) and Zone Change Case No. 00-188-(5) and an ordinance reflecting such change of zone has become effective.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. If any material 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 a 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. The terms and conditions of the grant shall be recorded in the office of the County Recorder prior to the issuance of any grading or building permit or concurrently with the recordation of the final map, whichever occurs first. In addition, upon transfer or lease of all or any portion 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 five (5) days of the approval date of this grant, the permittee shall remit processing fees in the amount of $875 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 Public Resources Code and Section 711.4 of the 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.

8. The mitigation measures set forth in the Final Environmental Impact Report (EIR) for the project are incorporated by this reference and made conditions of this permit, and the permittee shall comply with the attached Mitigation Monitor Program. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Department of Regional Planning for review and approval by said department. The reports shall describe the status of the permittee's compliance with the required mitigation measures. The reports shall be submitted in the following sequence:

   a. Prior to or concurrent with submittal of a revised Exhibit A to be approved by the Director of Planning prior to issuance of grading permits;
   b. At the time of building permit issuance, including verification of payment of applicable fees. If the project is phased, a report shall be submitted at each successive phase;
   c. Prior to occupancy clearances by the Department of Public Works;
   d. Additional reports shall be submitted as required by the Director of Planning.

9. The subject property shall be graded, 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 in violation of any such law, statue, ordinance or other regulation shall be a violation of these conditions. If any inspection of the subject property discloses that the property is being used in violation of any condition of this grant, the permittee may be required to reimburse the Department of Regional Planning for all the additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment.

10. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **$3,000.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **Twenty (20) biennial inspections**. The inspections shall be unannounced.

11. 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.

12. 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 the Department of 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 on 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.

13. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53235. In the event that Vesting Tentative Tract Map No. 53235 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.

14. This permit shall not become effective unless and until the Board of Supervisors has approved General Plan Amendment Case No. 00-118-(5) and adopted an ordinance effectuating Zone Change Case No. 00-188-(5) and such ordinance has became effective.

15. The subject property shall be graded, developed and maintained in substantial compliance with the approved Tentative Tract Map 53235 (dated November 17, 2003). Amended or revised tentative maps approved for Tentative Tract Map 53235 may, at the discretion of the Director of Planning, constitute a revised Exhibit A.

16. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property, except as specifically modified by this grant, as set forth in these conditions, including the approved Exhibit A.

17. A recreation area consisting of a pool, spa, and recreation building covering approximately 6,500 square feet, shall be constructed on the property as depicted on the approved Exhibit A.

18. A minimum of 163 standard automobile parking spaces, as depicted on the approved Exhibit A, shall be provided and continuously maintained on the subject property, developed to the specifications listed in Section 22.52.1060 of the County Code. There shall be at least two

covered parking spaces designated for each dwelling unit. There shall be at least 33 guest parking spaces distributed throughout the project site as depicted on the approved Exhibit A. 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. The permittee shall submit a parking management plan and provide for continual enforcement of the parking management plan in the Covenants, Conditions, and Restrictions to the satisfaction of the Department of Regional Planning.

19. A maximum of approximately 3.5 acres of the project site shall be paved and/or covered by structures.

20. The development of the subject property shall conform to the conditions approved for Vesting Tentative Tract Map No. 53235 and Oak Tree Permit 00-188-(5).

21. No grading permit shall be issued prior to the recordation of a final map unless the Director of Planning determines that the proposed grading conforms to the conditions of this grant and the conditions of Vesting Tentative Tract Map 53235.

22. 6.6 acres of the project site, depicted on the associated Vesting Tentative Tract Map 53235 as Lot 2, shall be maintained as permanent, undeveloped natural open space.

23. The permittee shall pay the required Quimby in-lieu fee of $55,760 as required by the Department of Parks and Recreation.

24. Prior to the issuance of any grading permit or building permit, site plans 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 resources.

25. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.

26. All utilities shall be placed underground.

27. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

28. During construction the permittee and its contractor shall comply with Sections 12.12.010-12.12.100 of the Los Angeles County Code regarding building construction noise.

29. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

30. On-site grading shall be limited to that which is necessary to construct roadways, community facilities, common area facilities, building pads and other improvements shown on Exhibit A.

31. All grading and construction and appurtenant activities shall be restricted to Monday through Friday, between the hours 7:00 a.m. and 6:00 p.m. and on Saturdays from 8:00 a.m. to 5:00 p.m. No Sunday or holiday operations are permitted.

32. 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.

33. The permittee shall, upon commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

34. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.

35. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.

36. 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 of Los Angeles.

37. 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 said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

38. No structure shall exceed a height of 35 feet above finished grade, except for chimneys and rooftop antennas, as defined by Section 22.08.08 of the Los Angeles County Code (Zoning Ordinance).

39. The permittee shall submit evidence that Lot 2 depicted on the associated Vesting Tentative Tract Map 53235 has been dedicated to a public agency to the satisfaction of the Director of Planning concurrent with the recordation of the final map.

40. The permittee shall submit a copy of the project Conditions, Covenants, and Restrictions to the Director of Planning for review and approval prior to the recordation of the final map for Vesting Tentative Tract Map No. 53235.

41. The permittee shall provide in the Covenants, Conditions, and Restrictions, to the satisfaction of the Department of Regional Planning, full disclosure to prospective purchasers of the condominiums that the development is located adjacent to public open space and public hiking and equestrian trails.

42. The permittee shall provide in the Covenants, Conditions, and Restrictions, to the satisfaction of the Department of Regional Planning, reference to or inclusion of a reserve formula to ensure full disclosure to prospective purchasers of the condominiums of reserve fund requirements for the long-term maintenance, repair, replacement, or improvement of Homeowners Association property and common property.

43. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the periods established by said Department.

44. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with Los Angeles County Building and Plumbing Codes.

45. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project will fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code Section 17921.3 which requires low-flush toilets in all new construction, Title 24 of the California code of Regulations Sections 2-5352 (I) and (J) which require hot water pipes to be insulated and Government code Section 7800 which requires lavatories to have self-closing faucets in public bathrooms.

46. 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.

47. No grading shall be done or natural vegetation removed beyond that which is shown on the approved Hillside Management Conditional Use Permit Exhibit "A," except that which may be required by the Fire Department for brush clearance purposes.

48. All graded slopes (cut and fill) shall be revegetated. Three copies of a landscape plan, which may be incorporated into a revised site plan, shall be submitted and approved by the Director of Planning before issuance of a grading permit. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained

in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary. Drip irrigation systems or other water-conserving devices shall be employed for all plantings except for ground cover and grasses.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning and by the Los Angeles County Fire Department. 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.

The landscaping plan must show that at least 50% of the area covered by landscaping will be locally indigenous species, including not only trees, but shrubs and ground cover as well. However, if the applicant can prove to the satisfaction of staff that a 50% or more locally indigenous species is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting may be required. In those areas where staff approves a reduction to less than 50% locally indigenous vegetation, the amount of such planting required shall be at least 30%. The landscaping shall include trees, shrubs and/or ground cover at a mixture and density determined by staff and the fire department. Fire retardant plants shall be given first consideration.

Permitted Plantings. Trees, shrubs and/or ground cover indigenous to the local region shall be used for the required 50% landscaping. Fire retardant and locally indigenous plants that may also be used for the required 50% such landscaping can be found on the attached list (marked Exhibit "B") compiled by the Los Angeles County Fire Department. Ailanthus, Arundo, Hedera, Cynodon, Datylon and other highly invasive species shall be prohibited. This list may be amended as approved by staff.

Timing of Planting. Prior to the issuance of building permits for any construction the applicant shall submit a landscaping and phasing plan for the landscaping associated with that 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.

The planting shall begin at the time of occupancy of each building. The required planting of new trees, shrubs and/or ground cover shall be completed within six months following occupancy.

The approved phasing plan shall set forth goals for the growth of the new plants in order to achieve established landscaping within eighteen months following completion of the required planting. The applicant shall supply information for staff review of the completed landscaping at such time to confirm completion in accordance with the approved landscaping plan. In the event that some plants have not flourished, at the time of review, staff may require replacement planting as necessary to assure completion in accordance with such plan.

These requirements shall not apply to areas which have been previously landscaped and

irrigated during other phases of development.

Attachments

FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR OAK TREE PERMIT NO. 00-188-(5)

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Oak Tree Permit Case No. 00-188-(5) on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003.

2. The subject property is located north of State Route 118 (Simi Valley Freeway) at the northerly terminus of Topanga Canyon Boulevard in the Chatsworth Zoned District.

3. The site is a rectangular-shaped parcel of 13.28 acres with flat to some hilly topography.

4. Access to the site is provided by Poema Place via Topanga Canyon Boulevard.

5. Oak Tree Permit Case No. 00-188-(5) requests authorization to remove one (1) oak tree in conjunction with the construction of a residential development, pursuant to Section 22.56.2060 of the Los Angeles County Code.

6. The applicant has submitted an Oak Tree Report prepared by a certified arborist that identifies and evaluates a total of one oak tree.

7. The Los Angeles County Forester and Fire Warden, Forestry Division, 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 County Forester has recommended approval of the requested oak tree removal, subject to recommended conditions of approval, including replacement trees to be provided on a 2:1 basis, and the applicant has agreed to mitigation at a ratio of 10:1. Therefore, the total mitigation planting shall include 10 specimen oak trees. In addition, 10 acorns shall be planted, as required by this Commission.

8. Oak Tree Permit Case No. 00-188-(5) was heard concurrently with General Plan Amendment Case No. 00-188-(5), Zone Change Case No. 00-188-(5), Conditional Use Permit Case No. 00-188-(5) and Vesting Tentative Tract Map No. 53235. Approval of this grant will not become effective unless and until the Board of Supervisors has approved the proposed general plan amendment and adopted an ordinance effecting the change of zone, and such ordinance has become effective.

9. General Plan Amendment Case No. 00-188 is a related request to change the Los Angeles County General Plan designation of the subject property from Non-Urban to Low Density Residential.

10. Zone Change Case No. 00-188-(5) is a related request to change the zoning on the subject property from A-1-1 to RPD-5,000-6U.

11. Conditional Use Permit Case No. 00-188-(5) is a related request to authorize a planned residential development in compliance with hillside management design review criteria and

the provisions of the RPD zone pursuant to Sections 22.40.460 and 22.56.215 of the Los Angeles County Code.

12. Vesting Tentative Tract Map No. 53235 is a related request to subdivide the subject property into 1 multi-family residential lot for development with 65 new condominiums and 1 open space lot.

13. The removal of one oak tree is necessary to allow access to a required debris basin to serve the project.

14. The necessary drainage improvements for soil erosion control will be designed in accordance with the standards of the Department of Public Works as a condition of approval of the associated tentative tract map.

15. An Initial Study and an Environmental Impact Report have been prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study concluded that there was substantial evidence that the project may have potentially significant impact on the environment in the following areas: education, biota, noise, fire protection, traffic/access, visual qualities and libraries. The Initial Study determined that an Environmental Impact Report (EIR) would be required.

16. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including education, biota, noise, fire protection, traffic/access, visual qualities, and libraries can be mitigated to less than significant level through implementation of the mitigation measures identified in the EIR. The final Environmental Impact Report (FEIR) consists of the Draft EIR dated August 2002, the Technical Appendices to the Draft EIR dated August 2002 and the Final EIR, including responses to comments, dated January 2004.

17. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured.

18. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated into these conditions of approval. The conditions of approval require compliance with the applicable mitigation measures in accordance with the Mitigation Monitoring Program.

19. The documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter are located in the Los Angeles County Department of 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, Los Angeles County Department of 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 removal of one oak tree is necessary for development reasons as continued existence of the tree at the present location frustrates the planned improvements or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive;

C. That the removal of the oak tree proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and

D. That the removal of the oak tree proposed will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure;

AND, 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).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project have been reduced to an acceptable level as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference;

2. The Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and

3. In view of the findings of fact presented above, Oak Tree Permit 00-188-(5) is **APPROVED** subject to the attached conditions, and further subject to approval by the Board of Supervisors of General Plan Amendment Case No. 00-188-(5) and Zone Change Case No. 00-188-(5).

DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT NO. 00-188-(5)

CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at either 818-890-5719 or 323-881-2481)

1. This grant authorizes the removal of one (1) tree of the Oak Genus identified as Tree Number 1 on the applicant's site plan and Oak Tree Report, 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 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 Department of 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 County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.

5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in such full compliance shall be a violation of these conditions.

7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.

9. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees 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 Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current total fee amount is $ 875.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of $1000.00. Such fee shall be used to compensate the County 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 ten (10) subsequent annual inspections until the conditions of approval have been met. The Director of Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the update document on file at the Department of Regional Planning by Design Solutions, the consulting arborist, dated June 17, 2000.

12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department 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 County 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. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53235.

14. 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. All Individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, and conditions of approval.

15. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two 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 County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.

16. Except as otherwise expressly authorized by this grant, the remaining Oak tree 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 County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

17. As agreed, the permittee shall provide mitigation trees of the Oak genus at a rate of 10:1 for the oak tree removed for a total of 10 mitigation trees.

18. Each mitigation tree shall be at least a fifteen 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.

19. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia grown from a local seed source and be of high-quality.

20. 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.

21. 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 planed on-site in locations approved by the project arborist in consultation with the County Forester. In circumstances where on-site planting is shown to be infeasible, the mitigation trees may be planted off-site at an approved location, 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 County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

22. 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 three- year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

23. 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 County Forester, including any loss of trees.

24. 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.

25. 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 County Forester and the Department of Regional Planning.

26. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

27. 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.

28. 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.

29. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited without an addendum prepared by the Forestry Division of the Los Angeles County Fire Department and approved by the Department of Regional Planning.

30. Should encroachment within the protected zone of any additional trees of the Oak genus on the project site not permitted by this grant result in its injury or death within two years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

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 County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance. The Director and the County 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 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 (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 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 the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed an 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.

39. 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.

40. As a means of ensuring the effectiveness of the mitigation monitoring measures set forth in the attached Mitigation Monitoring Program, the permittee shall submit mitigation monitoring reports to the Director. The reports shall describe the status of compliance with the mitigation measures adopted as conditions of this grant. The reports shall be submitted and approved in the following sequence:

    a. At the time of building permit issuance, include verification and payment of applicable fees;
    b. Additional reports as required by the Director.

41. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53235. In the event that Vesting Tentative Tract Map No. 53235 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.

42. 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 County of Los Angeles Forester and Fire Warden, Forestry Division, and the Department of Regional Planning.

FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR VESTING TENTATIVE TRACT MAP NO. 53235

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Vesting Tentative Tract Map No. 53235 on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003.

2. Vesting Tentative Tract Map No. 53235 is a proposal to subdivide the subject property into one multi-family residential lot for development with 65 new residential condominium units and one open space lot.

3. The subject site is located north of State Route 118 (Simi Valley Freeway) at 11400 Poema Place near the northerly terminus of Topanga Canyon Boulevard in the Chatsworth Zoned District.

4. The subject property is 13.28 acres in size and is rectangular-shaped with level to moderately sloping hilly terrain. The site is currently vacant and was previously graded for a church project that was not completed.

5. Access to the site is provided by Poema Place via Topanga Canyon Boulevard.

6. Property north of the project site is vacant. Two-story multi-family residences are adjacent to the site on the west. The single-family residences of the Twin Lakes community are located to the east. Immediately to the east of the site is a proposed 388-unit single family residential project approved by the Regional Planning Commission on January 14, 2004. To the south, within the City of Los Angeles, are a mobile-home park, single-family residences, open space and highway commercial uses.

7. The project site is currently zoned A-1-1 (Light Agricultural, 1 acre minimum lot area). The zoning was established by Ordinance No. 7505, which became effective on May 15, 1959. Concurrent with this approval, however, the Commission has recommended that the Board of Supervisors approve Zone Change Case No. 00-188-(5), a request to change the zoning of the subject property to RPD-5,00-6U (Residential Planned Development Zone-5,000 square feet minimum lot area-6 dwelling units per acre).

8. Surrounding zoning is A-1-1 (Light Agricultural, 1 acre minimum lot area) and R-1-6,000 (single-family residential, 6,000 square feet minimum lot area) to the north and east and RPD-10,000-4U (Residential Planned Development-10,000 square feet minimum lot area-4 dwelling units per acres) to the west. Property to the south is located within the City of Los Angeles.

9. The proposed subdivision is authorized in the proposed RPD zoning classification pursuant to Section 22.20.460 of the County Code, which provides that property in Zone RPD may be used for a planned residential development, including attached condominium residences, which will afford the same or lesser density of population or intensity of use than is specified

in the zone, provided a conditional use permit is first obtained. The project density of 65 dwelling units is consistent with the proposed RPD 5,000-6U zone, which would allow a maximum of 79 dwelling units on the subject property.

10. The property is depicted within the Non-Urban land use classification on the Countywide General Plan Land Use Policy Map. Concurrent with this approval, however, the Commission is recommending that the Board of Supervisors approve General Plan Amendment No. 00-188-(5). If approved by the Board of Supervisors, the subject property's land use designation will be changed to Low Density Residential. This recommendation is based on consideration of the location of the property adjacent to the 118 Freeway and Topanga Canyon Boulevard and the scale of multi-family and single family residential development in the area. The Low Density Residential land use classification permits residential densities ranging from one to six dwelling units per acre, which would allow a maximum of 79 dwelling units on the site. The project density of 65 dwelling units is consistent with this land use classification.

11. Vesting Tentative Tract Map No. 53235 was heard concurrently with General Plan Amendment Case No. 00-188-(5), Zone Change Case No. 00-188-(5), Conditional Use Permit Case No. 00-188-(5) and Oak Tree Permit Case No. 00-188-(5). Approval of Vesting Tentative Tract Map No. 53235 will not become effective unless and until the Board of Supervisors has approved the proposed general plan amendment and adopted an ordinance effecting the change of zone, and such ordinance has become effective.

12. Conditional Use Permit Case No. 00-188-(5) is a related request to authorize a planned residential development of 65 new residential condominiums on the project site within a hillside management area and in compliance with the requirements of the proposed RPD-5,000-6U Zone, pursuant to Sections 22.20.460 and 22.56.215 of the Los Angeles County Code. A planned residential development is designed to promote well-planned projects with an integrated design and residential amenities beyond those expected under conventional development, to reduce development impacts in hillside areas and to preserve natural scenic areas. A conditional use permit for development in a hillside management area protects the resources in hillside areas from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property, and ensures to the extent possible that development maintains and, where possible, enhances the natural topography, resources and amenities of the hillside management area while allowing for the limited controlled development therein.

13. Oak Tree Permit Case No. 00-188 (5) is a related request to authorize the removal of one oak tree.

14. Correspondence was received from surrounding neighbors and interested parties concerned about traffic impacts, loss of natural open space, safety issues, impacts on schools, lack of County services in the area, the need to maintain the existing rural lifestyle of Chatsworth,

the need for a connecting trail system, and the concern that the proposed density would be inconsistent with the density of the surrounding community.

15. During the public hearing, the Regional Planning Commission heard staff's presentations, the applicant's presentations, and testimony from concerned neighbors. Much of the public testimony reiterated comments received in written correspondence but stressed the need for reduced density, adequate trails and traffic mitigation.

16. In response to community concerns, the Regional Planning Commission directed the applicant to redesign the project to reduce the proposed density and address the comments raised during the public hearing.

17. The applicant revised the project in order to reduce the number of residential units from 159 units to 65 dwelling units, reduce the quantity of grading, and eliminate the need to export earthen material. The project also provides improved trail linkages to allow trail access to the upland areas of Devils Canyon.

18. The project minimizes grading by locating the development primarily in the previously disturbed portions of the site. Grading is balanced on-site and limited to approximately 43,000 cubic yards. The project eliminates the need to export soil thus reducing the potential impact of construction traffic.

19. Construction of the project will include infrastructure improvements to service the project and the surrounding community. The design of the subdivision and the type of improvements proposed will not cause serious public health problems, since sewage disposal, storm water drainage, fire protection, and geologic and soils factors are addressed in the conditions of approval.

20. Access to the subject property will be adequate for the development and for the deployment of fire fighting and other emergency service vehicles.

21. The site is physically suitable for the type of development and density being proposed, since the developed portion of the property is relatively level and has an adequate building site to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by sanitary sewers, will be provided with water supplies and distribution facilities with sufficient capacity to meet anticipated domestic and fire protection needs; and will have flood hazards and geological hazards mitigated in accordance with the requirements of the County Department of Public Works.

22. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The project preserves and enhances sensitive habitat, and includes significant open space and trail and recreational components. The subject property is not located in a Significant

Ecological Area. The developed area of the site will encompass, predominately, the previously graded and disturbed portions of the property.

23. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities therein, since the size of the development pad is sufficient to permit orientation of the majority of structures in an east-west alignment for southern exposure or to take advantage of shade or prevailing breezes.

24. 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 the tentative tract map, since the design and development as set forth in the conditions of the project and on the tentative map, provide adequate protection for any such rights-of-way and easements.

25. The proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir as those terms are used in Article 3.5 of the Subdivision Map Act (California Government Code Section 66410 *et seq.*).

26. 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.

27. 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 as amended by proposed General Plan Amendment No. 00-188-(5).

28. This tract map has been submitted as a "Vesting" Tentative Tract Map. As such, it is subject to the provisions of Sections 21.38 of the Los Angeles County Code (Subdivision Ordinance).

29. An Initial Study and an Environmental Impact Report have been prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study concluded that there was substantial evidence that the project may have potentially significant impact on the environment in the following areas: education, biota, noise, fire protection, traffic/access, visual qualities and libraries. The Initial Study determined that an Environmental Impact Report (EIR) would be required.

30. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including education, biota, noise, fire protection, traffic/access, visual qualities, and libraries can be mitigated to less than significant level through implementation

of the mitigation measures identified in the EIR. The final Environmental Impact Report (FEIR) consists of the Draft EIR dated August 2002, the Technical Appendices to the Draft EIR dated August 2002 and the Final EIR, including responses to comments, dated January 2004.

31. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured.

32. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated into the conditions of Vesting Tentative Tract Map 53235. The conditions of approval require compliance with the applicable mitigation measures in accordance with the Mitigation Monitoring Program.

33. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with CEQA and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission, determines that all significant adverse effects of the project have been reduced to an acceptable level as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference, and adopts the Mitigation Monitoring Program.

34. The documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter are located in the Los Angeles County Department of 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, Los Angeles County Department of Regional Planning.

THEREFORE, in view of the findings of fact and conclusions presented above, Vesting Tentative Tract Map No. 53235 is **APPROVED** subject to the attached conditions established by the Regional Planning Commission, including recommendations of the Los Angeles County Subdivision Committee, and further subject to approval by the Board of Supervisors of General Plan Amendment Case No. 00-188-(5) and Zone Change Case No. 00-188-(5).

DEPARTMENT OF REGIONAL PLANNING
VESTING TENTATIVE TRACT MAP NO. 53235

Map Date: 11-17-03

CONDITIONS:

1. Conform to the applicable requirements of Titles 21 and 22 of the Los Angeles County Code (Subdivision and Zoning Ordinances) including the requirements of the RPD-5,000-6U zone, and the requirements of Conditional Use Permit No. 00-188-(5) and Oak Tree Permit No. 00-188-(5).

2. Recordation of the final map is contingent upon the approval of General Plan Amendment No. 00-188-(5) by the Board of Supervisors and effectuation of an ordinance changing the zoning on the property from A-1-1 to RPD-5,000-6U as recommended under Zone Change No. 00-188-(5).

3. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53235. Comply with all applicable mitigation measures in accordance with the attached Mitigation Monitoring Program. Concurrent with or prior to the recordation of the final map, record a covenant with the County of Los Angeles, and submit a copy to the Department of Regional Planning for approval, agreeing to comply with the required mitigation measures. Submit mitigation monitoring reports to the Department of 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.

4. Submit evidence that the conditions of Conditional Use Permit No. 00-188-(5) and Oak Tree Permit No. 00-188-(5) have been recorded.

5. Show Poema Place and Topanga Canyon Boulevard as dedicated streets on the final map.

6. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning.

7. Dedicate to the County of Los Angeles on the final map the right to restrict vehicular access on Poema Place and Topanga Canyon Boulevard as required by and to the satisfaction of the Department of Regional Planning and Department of Public Works.

8. The driveway access to Poema Place, as shown on the tentative tract map, is approved. The use of the "alternate driveway and street improvements design" as shown is approved, if the subdivider can acquire the necessary offsite right-of-way or easements to construct the required roadway improvements and driveway access to the satisfaction of the Department of Regional Planning and the Department of Public Works. Prior to recordation, the subdivider or his/her successor in interest must make additional effort to acquire the necessary offsite right-of-way or easements to the satisfaction of the Department of Regional Planning and the Department of Public Works.

9. Submit a copy of the project Covenants, Conditions, and Restrictions (CC&Rs) and any road or maintenance agreements for the project to the Department of Regional Planning for review and approval.

10. Construct or bond with the Department of Public Works for the construction of driveway paving in widths as shown on the approved exhibit map marked Exhibit A to the satisfaction of the Department of Regional Planning and the Fire Department.

11. Label all common driveways as "Private Driveway–Fire Lane" on the final map.

12. Post all common driveways with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the CC&Rs or in a maintenance agreement.

13. Provide through a maintenance agreement for the ownership and continued maintenance of the common driveways by the Homeowners Association.

14. Submit a letter to the Department of Regional Planning agreeing to provide an adequate lighting system along all walkways to be constructed within the common areas to the satisfaction of the Department of Regional Planning.

15. Provide in the CC&Rs a method for the continual maintenance of the common areas, including the driveways and the lighting systems along all walkways, to the satisfaction of the Department of Regional Planning.

16. This tract map is approved as one multi-family residential lot consisting of 65 new condominiums, whereby the owners of the units of air space will hold an undivided interest in the common areas in which the necessary access and utility easements for the units will be provided, and one open space. Place a note or notes on the final map to this effect to the satisfaction of the Department of Regional Planning and the Department of Public Works.

17. A gated entry is permitted at the location depicted on the tentative map subject to the stacking, turnaround, width and design requirements of the Fire Department and the Department of Public Works.

18. Dedicate to the County of Los Angeles on the final map the right to prohibit construction of all structures on Lot 2 with the exception of recreational structures as may be approved by the Department of Regional Planning.

19. Construct and dedicate a 12' wide trail easement through Lot 2 to the County of Los Angeles to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of Planning.

20. Construct and dedicate to the County of Los Angeles a trail which connects to the proposed

trail within the easterly adjoining property at the easterly boundary of the project property or to an alternate point along the easterly boundary, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of Planning.

21. Permission is granted to create additional open space lots to the satisfaction of the Department of Regional Planning.

22. Provide for the ownership and maintenance of the open space lot (Lot 2) by the homeowners association or dedicate Lot 2 to an appropriate public agency to the satisfaction of the Department of Regional Planning.

23. 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 the Department of Regional Planning.

24. Construct or bond with the Department of Public Works for the construction of off-site paving of the driveway access to Poema Place, for a minimum width of 28 feet, to the satisfaction of the Department of Regional Planning and the Fire Department.

25. Plant at least one tree of a non-invasive species within the front yard of Lot 1. The location and the species of said tree shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be approved by the Director of Planning and the County Forester and Fire Warden, and a bond shall be posted with the Department of Public Works, or other verification shall be submitted to the satisfaction of the Department of Regional Planning to ensure the planting of the required tree.

26. Provide slope planting and an irrigation system in accordance with the County Grading Ordinance. Include conditions in the CC&Rs which would require continued maintenance of the planted slopes.

27. Three copies of a landscape plan, which may be incorporated into a revised site plan, shall be submitted to and approved by the Planning Director as required by Conditional Use Permit No. 00-188-(5).

28. Within five (5) days of the tentative map approval date, remit processing fees (currently $875.00) 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 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. This subdivision is a major land division and must be filed as a final tract map. No waiver is allowed.

30. 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, or employees to attack, set aside, void or annul this tract map approval, or related discretionary project approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 66499.37 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. If the County fails to promptly notify the subdivider of any claim, action or proceeding, or if the County fails to cooperate fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

31. 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 the Department of Regional Planning an initial deposit of $5,000, 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 subdivider or the subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of 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 the subdivider in accordance with Section 2.170.010 of the Los Angeles County Code.

32. Within thirty (30) days of approval of the tentative map, as provided in the Mitigation Monitoring Program, deposit the sum of $3000.00 with the Department of Regional Planning to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the Mitigation Monitoring Program.

Except as expressly modified herein above, this approval is subject to all those conditions set forth in the attached Mitigation Monitoring Program and the attached reports recommended by the Los Angeles County Subdivision Committee, consisting of the Department of Public Works, Fire Department, Department of Parks & Recreation and Department of Health Services.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - ROAD
TRACT NO. 53235 (Rev.)

TENTATIVE MAP DATED 11-17-2003

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

1. Dedicate right of way or provide easement a minimum of 58 feet from the southerly right of way line of Poema Place to the satisfaction of Public Works.

2. Close any unused driveway with standard curb, gutter, and sidewalk on Poema Place.

3. Repair any broken or damaged curb, gutter, sidewalk, and pavement on Poema Place abutting this subdivision.

4. Locate the entry gate or key pad (if one is provided) a minimum of 50 feet beyond the proposed right of way of Poema Place and construct the gated entrance with a minimum of 32 feet radius for turnaround to the satisfaction of Public Works.

5. Provide intersection sight distance commensurate with a design speed of 40 mph plus grade factor (500 feet) on Poema Place from the proposed private drive and fire lane (westerly 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.

6. All line of sight easements shall be depicted on landscaping and grading plans.

7. Off-site improvements are required. It shall be the sole responsibility of the subdivider to acquire the necessary right of way or easement.

8. Remove the existing parkway improvements on the north side and construct curb, gutter, base, pavement, parkway, and sidewalk for widening on Poema Place and including the off-site portions fronting and to the west of the property to join the existing 40 feet curb to curb roadway width to the satisfaction of Public Works to provide 6 feet of parkway on the south side (adjacent to the freeway right of way), 40 feet curb to curb roadway width, and 5 feet of sidewalk on the north side (including the off-site portion west of the Tract 53235) as shown on the tentative map as the alternate street cross section improvements design. The total parkway width on the north side of Poema Place west of Tract 53235 may be reduced to accommodate the roadway widening to 40 feet curb to curb to the satisfaction of Public Works.

9. Construct off-site and on-site transition improvements (curb, gutter, base, pavement, parkway and sidewalk) on both sides of Poema Place in the vicinity of the easterly property line to the satisfaction of Public Works.

HW

10. If retaining walls are needed along the property frontage on Poema Place, they shall be located a minimum of 58 feet from the southerly right of way line of Poema Place to the satisfaction of Public Works. The walls shall not impede any required line of sight on Poema Place from the entry driveway. If retaining walls are also needed on the driveway, their locations shall also not impede any required line of sight on Poema Place.

11. The use of the following improvement design is approved, if the subdivider cannot acquire the necessary off-site right of way or off-site easements to construct the required roadway improvements and driveway access as call out in Item 8 above. However, if the owner and/or subdivider changes prior to final map approval, additional effort must be made to acquire the necessary offsite right of way or offsite easement to the satisfaction of Public Works.

    a. Remove and reconstruct existing curb, gutter, base, pavement, parkway, and sidewalk on both sides of Poema Place along the property frontage to provide 3 feet of concrete parkway on the south side (adjacent to the freeway right of way), 34 feet curb to curb roadway width, and 5 feet of sidewalk on the north side within the existing 42 feet of road right of way to the satisfaction of Public Works. Street trees are not required on Poema Place.

    b. Construct off-site and on-site transition improvements (curb, gutter, base, pavement, parkway and sidewalk) on both sides of Poema Place in the vicinity of the easterly and westerly property lines to the satisfaction of Public Works.

    c. Construct a slough wall on a location to the satisfaction of Public Works 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.

12. Plant street trees along the property frontage on Poema Place.

13. Construct drainage improvements (and parkway drains, if needed) and offer easements needed for street drainage or slopes to the satisfaction of Public Works.

14. Provide transition improvements on Topanga Canyon Boulevard to the satisfaction of Caltrans and Public Works.

15. Prepare signing and striping plan on Topanga Canyon Boulevard and on Poema Place to the satisfaction of Caltrans and Public Works.

+1W

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53235 (Rev.) TENTATIVE MAP DATED 11-17-2003

The following reports consisting of 14 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.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53235 (Rev.) TENTATIVE MAP DATED 11-17-2003

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. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

10. Quitclaim or relocate easements running through proposed structures.

11. Show open space note and dedicate residential construction rights over the open space lots.

12. Delineate proof of access on the private driveway and fire lane over the existing County of Los Angeles trail easement to Poema Place on the final map to the satisfaction of Public Works.

13. 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.

14. 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.

15. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

16. Provide addressing information in Microsoft Excel format to the satisfaction of Public Works.

HW

Prepared by Henry Wong Phone (626) 458-4915 Date 12-29-2003

MSW/TR53235L

October 30, 2002

TO: Rod Kubomoto
Watershed Management Division

FROM: John T. Walker
Traffic and Lighting Division

TOPANGA CONDOMINIUM PROJECT
ADMINISTRATIVE DRAFT ENVIRONMENTAL IMPACT REPORT (AUGUST 2002)
TRAFFIC IMPACT STUDY (JULY 25, 2002)
TENTATIVE TRACT NO. 53235
CHATSWORTH AREA

As requested, we have reviewed the above-mentioned documents. The above-mentioned documents have been submitted to address our previous comments provided in our memos dated August 2, 2001, and May 21, 2002.

The 13.28-acre site for the proposed Project is located northwest of Topanga Canyon Boulevard at Poema Place near the Chatsworth area in the County of Los Angeles. The proposed Project consists of the development of 159 residential condominiums. The condominium units will be constructed in five separate structures with one recreational building and 358 on-site parking spaces. Poema Place will provide direct vehicular access to the Project site. Based on the trip generation rates for condominium/town homes provided in the County of Los Angeles Traffic Impact Analysis Report Guidelines (copy attached), the Project, at its build out in the Year 2004, is estimated to generate approximately 1,272 vehicle trips per day with 86 and 116 vehicle trips during the a.m. and p.m. peak hours, respectively.

We agree with the study that the traffic generated by the Project alone will significantly impact the following County and County/State of California Department of Transportation (Caltrans) intersections. We require the following mitigation measures be the sole responsibility of the Project. The developer of this Project should work with the developer of the adjacent property (Tentative Tract No. 53138) to complete the improvements. The Project's pro-rata share is 27 percent. The issuance of any building permit for the Project shall be withheld until these mitigation measures are in place.

Topanga Canyon Boulevard at Mayan Drive/Poema Place

East Approach: One left-turn lane and one shared through/left-turn lane (add one left-turn lane).

South Approach: One left-turn lane and one exclusive right-turn lane (convert shared left-/right-turn lane to a left-turn lane and add one exclusive right-turn lane).

West Approach: One shared through/right-turn lane and one exclusive right-turn lane (add exclusive right-turn lane).

Install traffic signals. Traffic signals at this intersection shall be interconnected with the traffic signals at the intersection of Topanga Canyon Road at SR-118 westbound ramps to the satisfaction of Caltrans and Public Works.

Topanga Canyon Boulevard at SR-118 Westbound Ramps

North Approach: Two through lanes and one exclusive right-turn lane (add exclusive right-turn lane).

East Approach: Two left-turn lanes and one shared through/right-turn lane (add second left-turn lane and convert shared left-/through/right-turn lane to shared through/right-turn lane).

Modify traffic signals. Traffic signals at this intersection shall be interconnected with the traffic signals at the intersection of Topanga Canyon Road at Mayan Drive/Poema Plance to the satisfaction of Calrans and Public Works.

Detailed striping plan along with signal installation/modification plans shall be prepared and submitted to Caltrans and Public Works for review and approval.

Based on the Project trip generation and distribution and the current poor level of service at the following intersections, we require the traffic study be expanded to include these intersections in the City of Los Angeles for Project impacts and mitigation measures:

- Topanga Canyon Road at Santa Susana Pass Road
- Topanga Canyon Road at Chatsworth Street
- Topanga Canyon Road at Devonshire Street

The potential traffic impact on SR-118 must be considered. The applicant shall consult with Caltrans to determine the California Environmental Quality Act (CEQA) levels of significance with regard to traffic impacts on Caltrans' freeway facilities. This consultation shall also include a determination of Caltrans requirements for the study of traffic impacts to its facilities and the mitigation of any such impacts. Written comments on the impact of the Project shall be obtained from Caltrans and forwarded to Public Works and the Department of Regional Planning for review.

We require the City of Los Angeles review this document to determine the potential CEQA levels of significant with regard to traffic impacts within its jurisdiction. Documentation of consultation with the City shall be prepared and submitted to Public Works and the Department of Regional Planning.

If you have any questions, please contact Nickolas VanGunst of our Traffic Studies Section at Extension 4768.

NV:cn
T-4/EIR02247

Attach.

cc: T. M. Alexander
Land Development (Witler, Wong)

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

REVISED TENTATIVE MAP DATED 11/17/03

TRACT NO. 53235

DRAINAGE CONDITIONS

[X] 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.

[X] A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study shall be 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.

[X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010 of the Subdivision Ordinance.

[X] Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 08/11/03 to the satisfaction of Public Works.

==========

GRADING CONDITIONS:

[X] 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.

[X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Name TIMOTHY CHEN Date 12/23/03 Phone (626) 458-4921

heet 1 of 1

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

ENTATIVE TRACT 53235
SUBDIVIDER American Church Trust Company
ENGINEER B & E Engineers
GEOLOGIST Mactec (70131-0-0301)
SOILS ENGINEER Mactec (70131-0-0301)

TENTATIVE MAP DATED 11/17/03 (revised)
LOCATION Chatsworth

REPORT DATE 7/16/03, 10/06/02, 1/12/01
REPORT DATE 7/16/03, 10/06/02, 1/12/01

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

[X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the Geology and Soils Sections. 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.

[X] 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 _____

[X] The Soils Engineering review dated 12/1/03 is attached.

[X **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THI 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 2 Subdivision Code.

[X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sew system.

[X] A geology and/or soils engineering report may be required prior to approval of building or grading plans.

[X] Geotechnical Recordation Map verification deposit estimate 6 hours.

[ ] Groundwater is less than 10 feet from the ground surface on lots _____

Prepared by _____ Karin Vazquez

Reviewed by _____

Date December 1, 2

P:\Gmepub\Geology Review\Forms\Form02.doc
1/7/03

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

SOILS ENGINEERING REVIEW SHEET

District Office 9.1
Job No. LX001129
Sheet 1 of 1

Address: 900 S. Fremont Ave.
Alhambra, CA 91803

Telephone: (626) 458-4925
Fax: (626) 458-4913

Tentative Tract Map 53235
Location 11400 Poema Place, Chatsworth
Developer/Owner American Church Trust Company
Engineer/Architect B & E Engineers
Soils Engineer LawGibb Group (P.N. 70131-0-0301)
Geologist Same as above

Review of:

Tentative Tract Map Dated By Regional Planning **11/17/03** (Rev.)
Soils Engineering and Geologic Reports Dated **7/16/03**, 10/6/02, and 1/12/01
Previous review sheet dated 7/22/03

ACTION:

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

REMARKS:

1. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

2. At grading plan review stage, submit an update soils report/letter, which addresses and evaluates current site conditions and the most recent plans. Also provide chemical test results (sulfate, chloride, resistivity, etc.) for the on-site soils to address the presence of chemicals deleterious to concrete and ferrous materials. The tests must be in accordance with California Test Methods, Department of Transportation, or equivalent (aqueous solution tests, such as EPA Tests or similar methods are not acceptable for determination of resistivity).

REGISTERED PROFESSIONAL ENGINEER
GAN N. LEM
NO. 2328
EXP. 6/30/07
GEOTECHNICAL
STATE OF CALIFORNIA

Prepared by Gan Lem Date 12/1/03

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.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 53235 (Rev.)

TENTATIVE MAP DATED 11-17-2003

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 building with a separate house lateral or have approved and bonded sewer plans on file with Public Works.

2. The subdivider shall submit an area study to Public Works to determine if capacity is available in the proposed and existing sewerage system servicing this land division. If the system is found to have insufficient capacity, upgrade of the proposed and existing sewerage system is required to the satisfaction of Public Works.

3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.

4. Easements are required, subject to review by Public Works to determine the final locations and requirements.

5. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Massoud Esfahani Phone (626) 458-4921 Date 12-29-2003
Reviewed by Henry Wong HW
MSW

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 53235 (Rev.)

TENTATIVE MAP DATED 11-17-2003

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 buildings in the land division, must be provided. The system shall include fire hydrants of the type and location 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 building.

3. Off-site improvements are tentatively required.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructure constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. All line of sight easements must be depicted on the landscape and irrigation plans.

7. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Massoud Esfahani Phone (626) 458-4921 Date 12-29-2003
Reviewed by Henry Wong HW
MSW

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNICORPORATED

ubdivision No. 53235 Tentative Map Date November 17, 2003

evised 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 **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.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ 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 3 public fire hydrant(s). Upgrade / Verify existing ____ public 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 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: _____

☒ 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 required fire flow may be reduced during the architectural plan review process with the local fire prevention office.**

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 January 27, 2004

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

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

ubdivision: 53235 Map Date November 17, 2003

:.U.P. 00-188 Vicinity Malibu 266

☐ **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 300 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: **Access as shown on the submitted tentative map is adequate. Provide 5' of walking access around perimeter of proposed structures.**

By Inspector: Janna Masi Date January 27, 2004

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

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # 53235 DRP Map Date: 11/17/2003 SCM Date: 12/29/2003 Report Date: 12/24/2003

Park Planning Area # 34 OAT MOUNTAIN Map Type: REV. (REV RECD)

Total Units 65 = Proposed Units 65 + Exempt Units 0

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:	0.41
IN-LIEU FEES:	$55,760

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $55,760 in-lieu fees.

Trails: See also attached Trail Report. SANTA SUSANA PASS TRAIL

Contact Patrocenia T. Sobrepeña, Acting 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 Tonda Lay, Trail Coordinator at (213) 351-5135.

By:

Supv D 5

December 29, 2003 07:52:

OMB021.FI

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map #	53235	DRP Map Date:11/17/2003	SMC Date:12/29/2003	Report Date: 12/24/2003
Park Planning Area # 34	OAT MOUNTAIN			Map Type:REV. (REV RECD)

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

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x AFMV/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 1990 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.

AFMV/Acre = Average Fair Marked Value per Acre by Park Planning Area.

Total Units **65** = Proposed Units **65** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.68	0.0030	0	0.00
M.F. < 5 Units	2.04	0.0030	0	0.00
M.F. >= 5 Units	2.10	0.0030	65	0.41
Mobile Units	1.86	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	0.41

Park Planning Area = **34 OAT MOUNTAIN**

Goal	Acre Obligation	AFMV / Acre	In-Lieu Base Fee
@(0.0030)	0.41	$136,000	$55,760

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	AFMV / Acre	In-Lieu Fee Due
0.41	0.00	0.00	0.41	$136,000	$55,760

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

December 29, 2003

NOTICE OF TRAIL REQUIREMENT FOR REVISION TRACT MAP

Map #: TR - 53235

Date on Map: November 17, 2003

Provide a 20 foot easement for the Santa Susana Pass 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, all information pertaining to trail requirements must have been shown on the Tentative Tract or Tentative Parcel Map. **all information pertaining to trail requirements must be shown on the Tentative Tract Map**.

X TRAIL OK AS SHOWN.

X CALL-OUTS MUST READ PROPOSED LOS ANGELES COUNTY RIDING AND HIKING TRAIL ON FINAL MAP.

X TRAILS MUST REMAIN OPEN AND CONTIGUOUS THROUGHOUT CONSTRUCTION.

X ALL TRAILS PROPOSED TO CONNECT TO ADJOINING PROPERTIES, IF SAID PROPERTIES REMAIN UNDEVELOPED, MUST BE REALIGNED WITHIN TRACT #53235.

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

Title Page: We hereby dedicate to the County of Los Angeles a **variable width** easement for Riding and Hiking purposes for the Riding and Hiking purposes for the **Santa Susana Pass Trail**.

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

Tonda Lay

Tonda Lay. Trails Coordinator

trailrpt53235-03b.lwp

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

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

Environmental Health
ARTURO AGUIRRE, Director

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

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Fourth District

Michael D. Antonovich
Fifth District

December 3, 2003

Tract Map No. 53235

Vicinity: Chatsworth/Los Angeles

Vesting Tentative Map Date: November 17, 2003 (5th Revision)

The Los Angeles County Department of Health Services' approval for **Vesting Tentative Tract Map 53235** is contingent upon the following conditions:

1. Potable water will be supplied by the **Las Virgenes Municipal Water District**, a public water system, which guarantees water connection and service to all lots.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facility as proposed.

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

Respectfully,

Patrick Nejadian, Chief E.H.S.
Mountain and Rural/Water, Sewage, and Subdivision Program

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT No. 00-188 - (5)
TRACT MAP NO. 53235
GENERAL PLAN AMENDMENT 00-188-(5)
ZONE CHANGE NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
PARKING PERMIT NO. 00-188-(4)

RPC/HO MEETING DATE	CONTINUE TO
March 10, 2004	

AGENDA ITEM

PUBLIC HEARING DATE
November 20, 2002, March 19, 2003, Ju
18, 2003, September 17, 2003

APPLICANT	OWNER	REPRESENTATIVE
Sondermann Ring Partners-Topanga	American Church Trust	B & E Engineers

REQUEST
Tentative Tract Map: To create 1 multi-family lot for 65 condominium units and 1 open space lot on 13.28 acres.
General Plan Amendment: To change the land use designation from Non-Urban to Low Density Residential
Zone Change: To change the zoning of the project site from A-1-1 to RPD-5,000-6U.
Conditional Use Permit: To ensure compliance with the provisions and requirements of the RPD zone and Hillside Management Ordinanc
Oak Tree Permit: To allow the removal of one oak tree on the project site.

LOCATION/ADDRESS
At the northerly terminus of Topanga Canyon Boulevard; and at the no
corner of the intersection of Poema Place (11400 Poema Place) and T
Canyon Boulevard.

ACCESS
A private driveway via Poema Place

ZONED DISTRICT
Chatsworth

COMMUNITY
Chatsworth

EXISTING ZONING
A-1-1 (Light Agriculture-1 Acre Min. Lot Area)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
13.28 Acres	Vacant	Rectangular	Flat to hilly

SURROUNDING LAND USES & ZONING

North: Vacant Properties/A-1-1 & R-1-6,000 (Single-Family Resi
6,000 square feet min. lot area)

East: Vacant properties and single-family residences/A-1-1 & R-1-6,00

South: Highway 118 and a mobile home Park/City of Los Angeles

West: Multi-family developments/RPD-10,000-4U (Residential F
Development-10,000 sq. ft. min. - 4 units per acre) & RPD-6,500-8.63U

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENC
Los Angeles Countywide General Pl	Non-Urban 1	8.2 or 8 dwelling units	Requires approv plan amendme

ENVIRONMENTAL STATUS
A Draft Environmental Impact report (DEIR) has been prepared for this project. The DEIR concluded that the project design and conditions of a would adequately mitigate the potential impacts to a level of insignificance.

DESCRIPTION OF SITE PLAN
The tentative tract map depicts a 1 lot condominium subdivision on the 13.28-acre site. The subdivision is comprised of 1 multi-family lot condominium units and 1 open space lot. A private driveway system via Poema Place will provide access for the project.

KEY ISSUES
- The proposed development will be served by a driveway system via Poema Place.
- The applicant is required by the County to obtain some off-site easement or right-of-way/ along Poema Place to construct the necessar improvement.

(If more space is required, use oppos

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

STAFF CONTACT PERSON		
Ellen Fitzgerald (213)974-6433		
RPC HEARING DATE (S) November 20, 2002, March 19, 2003, June 18, 2003 September 17, 2003	RPC ACTION DATE March 10, 2004	RPC RECOMMENDATION Approval
MEMBERS VOTING AYE Modugno, Rew, Helsley, Bellamy, Valadez	MEMBERS VOTING NO none	MEMBERS ABSTAINING none
STAFF RECOMMENDATION (PRIOR TO HEARING) Approval		
SPEAKERS* (O) 7 (F) 3	PETITIONS (O) 0 (F) 0	LETTERS (O) 6 (F)

*(O) = Opponents (F) = In Favo

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☒ APPROVAL ☐ DENIAL

☐ No improvements ___ 20 Acre Lots ____10 Acre Lots ____2½ Acre Lots ____Sect 191.2

☒ Street improvements _X_ Paving _X_ Curbs and Gutters _X_ Street Lights

_X_ Street Trees ___ Inverted Shoulder _X_ Sidewalks _X_ Off Site Paving ____ft.

☒ Water Mains and Hydrants

☐ Drainage Facilities

☒ Sewer ☐ Septic Tanks ☐ Other_____

☒ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

Parks & Rec.

Health

Planning

ISSUES AND ANALYSIS

Prepared by: Ellen Fitzgerald

– [illegible]
Done 3/19/03
– [illegible]

DATE: 11/20/02.

CASE NO: TT 53235 / CUP, OTP, PK ZC

AGENDA ITEM NO:

NAME	STREET AND NUIMBER	CITY AND ZIP CODE

[redacted]

STIFIERS' SHEET

cont 9/17 3/0
Midnight/Bailey

DATE: 6/19/03
CASE NO: 7.2/CUP/PP/CTP 00-177/VTTM 5327
AGENDA ITEM NO: 7

EASE PRINT YOUR NAME, ADDRESS AND TELEPHONE NUMBER BELOW

IE	STREET AND NUMBER	CITY AND ZIP CODE	TELEPHONE NO.
Eva Pina	11377 W. Olympic	LA 90064	310 312-3772
HARL SONDERMANN	13960 MARQUESAS WAY	MARINA DEL REY	310-877-6714
Beth Brodie	15043 Tuba St Mission Hills	91345	818-892-3862
rreen Stone	11416 CREE TRACL	Chatsworth 91311	818-998-3196
PLUMB	10755 Deboto Ave	" "	818 341 6193
ron Garris	7402 Remmet Ave	CANOGA PARK 91303	818 346 7654
ene Takata	9629 Baden Ave	Chatsworth 91311	818 703-1040

- Moallard/Bellamy
- approved S/O

CASE NO: ZC/CUP/OTP 00-[illegible]-5 / VTTM 53[illegible]
AGENDA ITEM NO: 8 a b c d

PLEASE PRINT YOUR NAME, ADDRESS AND TELEPHONE NUMBER BELOW

NAME	STREET AND NUMBER	CITY AND ZIP CODE	TELEPHONE NO.
[illegible]	11377 W. Olympic	LA	310 312 3772
J. PLUMB	10755 DeSoto Ave	CHATSWORTH CALIF 91311	818 3416193
[illegible]	[illegible]	[illegible]	[illegible]
Michael Sonderman	13960 Marquesas Way	Marina Del Rey, CA 90292	310-827-6744
Warren [illegible]	11416 Creel Drall	Chatsworth CA 91311	818-995-3196

RPC MEETING DATE
11/20/02
AGENDA ITEM NO.
9

REGIONAL PLANNING COMMISSION
TRANSMITTAL CHECKLIST

PROJECT NO: 00-188-(5)
Zone Change No. 00-188-(5)
Tentative Tract Map No. 53235-(5)
Conditional Use Permit No. 00-188-(5)
Parking Permit No. 00-188-(5)

CASE NO. Oak Tree Permit No. 00-188-(5)

CONTACT PERSON: Samuel Dea

- ☒ STAFF REPORT
- ☒ DRAFT CONDITIONS (If Recommended For Approval)
- ☐ DRAFT FINDINGS FOR DENIAL (If Land Division Case Recommended For Denial)
- ☒ BURDEN OF PROOF STATEMENT (Zoning or Plan Amendment Requests)
- ☐ ENVIROMENTAL DOCUMENTATION
- ☒ THOMAS BROTHERS MAP (Identifying Subject Property)
- ☒ LAND USE RADIUS MAP
- ☒ SITE PLAN (or Tentative Map)
- ☐ PHOTOGRAPHS
- ☒ CORRESPONDENCE
- ☒ EXHIBITS
- ☒ VICINITY MAP
- ☐ _____

Reviewed By: _____

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT No. 00-188 - (5)
TRACT MAP NO. 53235
ZONE CHANGE NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
PARKING PERMIT NO. 00-188-(4)
OAK TREE PERMIT NO. 00-188-(5)

RPC/HO MEETING DATE	CONTINUE TO
11-20-2002	
AGENDA ITEM #9	
PUBLIC HEARING DATE November 20, 2002	

APPLICANT	OWNER	REPRESENTATIVE
Sondermann Ring Partners-Topanga	American Church Trust	B & E Engineers

REQUEST

Tentative Tract Map: To create 5 multi-family lots for 159 attached condominium units, 1 recreation lot, 1 driveway lot and 1 open space lot on 13.28 acres.

Zone Change: To change the zoning of the project site from A-1-1 to RPD-5,000-12U.

Conditional Use Permit: To ensure compliance with the provisions and requirements of the RPD zone and Hillside Management Ordinance.

Parking Permit: To allow reciprocal parking for each residential lot throughout the project. and 40% compact parking.

Oak Tree Permit: To allow the removal of one oak tree on the project site.

LOCATION/ADDRESS
At the northerly terminus of Topanga Canyon Boulevard; and at the northwest corner of the intersection of Poema Place (11400 Poema Place) and Topanga Canyon Boulevard.

ACCESS
A private driveway via Poema Place

ZONED DISTRICT
Chatsworth

COMMUNITY

EXISTING ZONING
A-1-1 (Light Agriculture-1 Acre Min. Lot Area)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
13.28 Acres	Vacant	Rectangular	Flat to hilly

SURROUNDING LAND USES & ZONING

North: Vacant Properties/A-1-1 & R-1-6,000 (Single-Family Residential-6,000 square feet min. lot area)

East: Vacant properties and single-family residences/A-1-1 & R-1-6,000

South: Highway 118 and a mobile home Park/City of Los Angeles

West: Multi-family developments/RPD-10,000-4U (Residential Planned Development-10,000 sq. ft. min. - 4 units per acre) & RPD-6,500-8.63U

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Los Angeles Countywide General Plan	Non-Urban 1	8.2 or 8 dwelling units	N/A

ENVIRONMENTAL STATUS
A Draft Environmental Impact report (DEIR) has been prepared for this project. The DEIR concluded that the project design and conditions of approval would adequately mitigate the potential impacts to a level of insignificance except for cumulative impacts on educational facilities.

DESCRIPTION OF SITE PLAN
The tentative tract map depicts an 8-lot condominium subdivision on the 13.28-acre site. The subdivision comprised of 5 multi-family lots for 159 condominium units, a recreation lot, a driveway lot and an 8.89-acre open space lot. The applicant is proposing 318 residential and 43 guest parking spaces for the development. A private driveway system via Poema Place will provide access for the project.

40%

KEY ISSUES

- The proposed development will be served by a driveway system via Poema Place.
- The applicant is required by the County to obtain some off-site right-of-way along Poema Place to construct the necessary street improvement. or easement
- Currently, the applicant is proposing an alternate driveway and street improvements design since the necessary right-of-way has not been obtain from an adjacent property owner.

(If more space is required, use opposite side

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

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING

STAFF RECOMMENDATION (PRIOR TO HEARING)

SPEAKERS*	PETITIONS	LETTERS
(O) (F)	(O) (F)	(O) (F)

*(O) = Opponents (F) = In Fa

CASE No. 00-188-(5)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☒ APPROVAL ☐ DENIAL

☐ No improvements	___ 20 Acre Lots	____10 Acre Lots	____2½ Acre Lots	____Sect 191.2
☒ Street improvements	_X_ Paving	_X_ Curbs and Gutters	_X_ Street Lights	
_X_ Street Trees	___ Inverted Shoulder	_X_ Sidewalks	_X_ Off Site Paving ____ft.	

☒ Water Mains and Hydrants

☐ Drainage Facilities

☒ Sewer ☐ Septic Tanks ☐ Other_____

☒ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

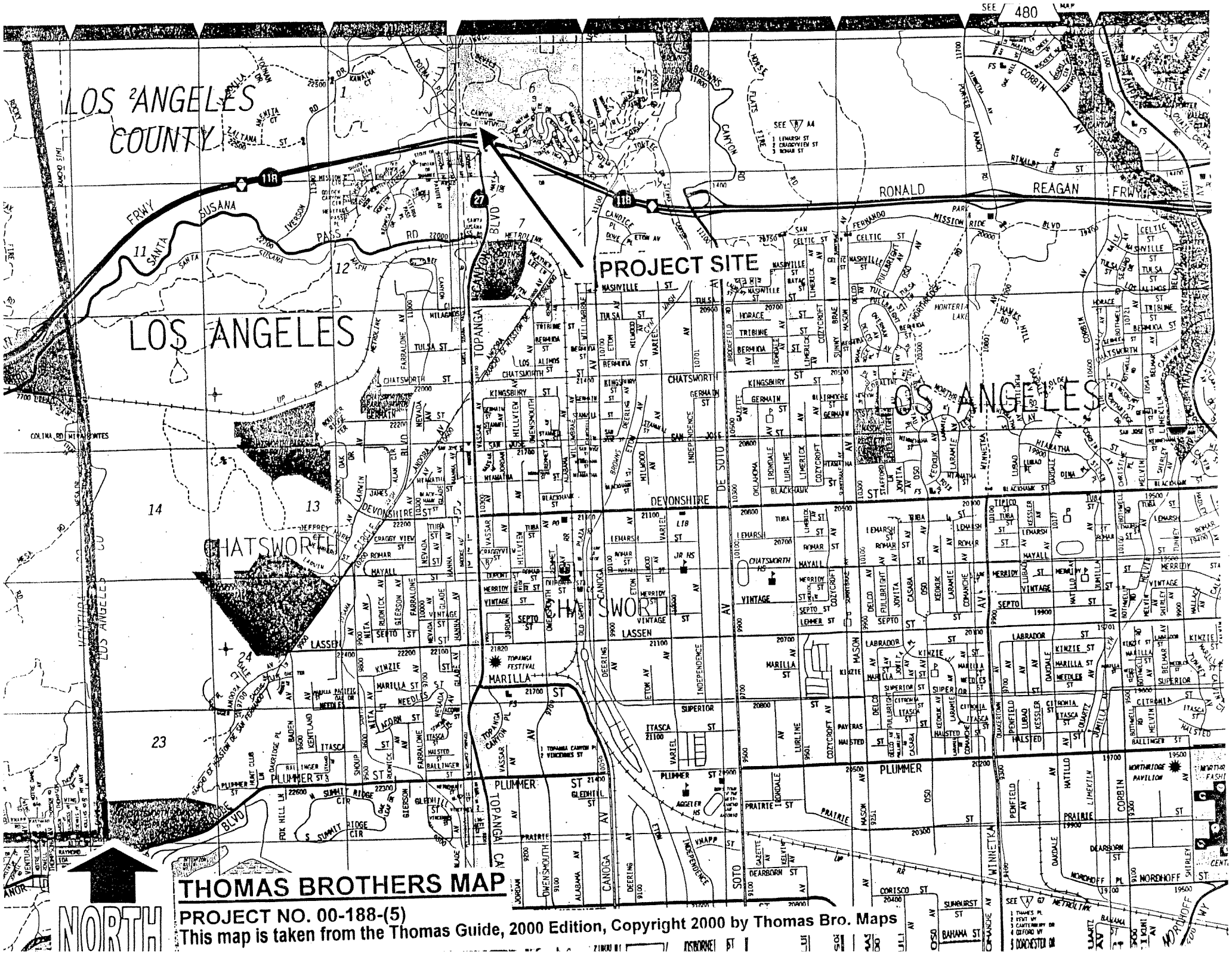
Parks & Rec.

Health

Planning

ISSUES AND ANALYSIS

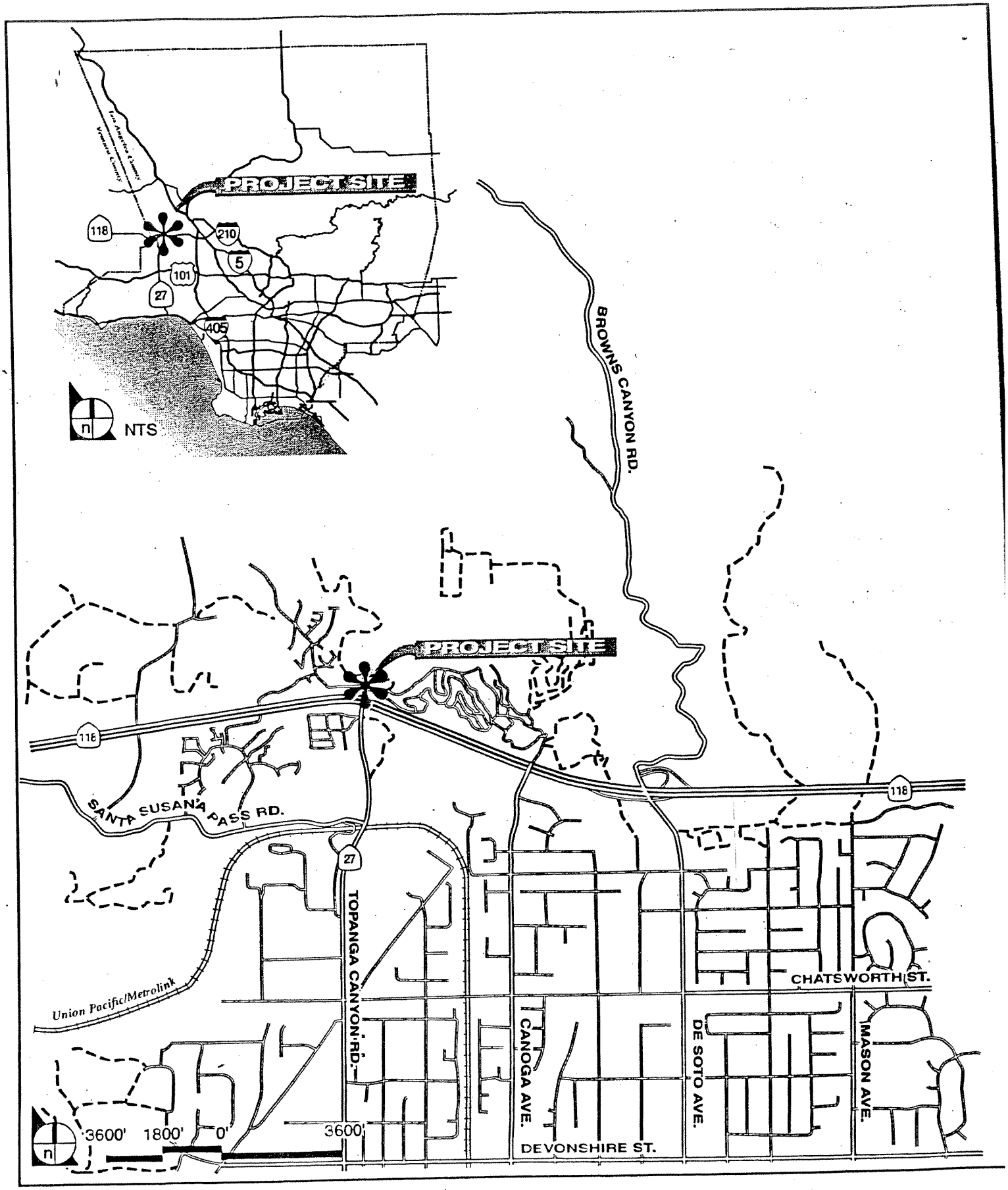
Prepared by: Sam Dea



THOMAS BROTHERS MAP

PROJECT NO. 00-188-(5)

This map is taken from the Thomas Guide, 2000 Edition, Copyright 2000 by Thomas Bro. Maps



VICINITY MAP

PROJECT NO. 01-188-(5)
VESTING TENTATIVE TRACT MAP NO. 53235
ZONE CHANGE NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
OAK TREE PERMIT NO. 00-188-(5)
PARKING PERMIT NO. 00-188-(5)

STAFF ANALYSIS
FOR NOVEMBER 20, 2002 REGINAL PLANNING COMMISSION PUBLIC HEARING

PROJECT OVERVIEW

Sondermann Ring Partners, the applicant, proposes to construct a residential condominium complex on the 13.28-acre site. The development consists of five (5) buildings for 159 attached condominium units and a recreation facility. The applicant is also proposing to create an 8.89-acre open space lot. The subject property is located at the northerly terminus of Topanga Canyon Boulevard and at the northeast corner of the intersection of Poema Place (11400 Poema Place) and Topanga Canyon Boulevard in the Chatsworth Zoned District.

A zone change is requested to change the zoning of the subject property from A-1-1 to RPD-5,000-12U. A conditional use permit is required to ensure compliance with the requirements of the proposed Residential Planned Development zone and the provisions of the hillside management ordinance. An oak tree permit is required to allow the removal of one oak tree on the project site. Also, a parking permit is required to allow reciprocal parking for each residential lot throughout the project site and 40% compact parking spaces (8.5 x 17).

DESCRIPTION OF PROJECT PROPERTY

Location: the subject property is located at the northerly terminus of Topanga Canyon Boulevard; and at the northeast corner of the intersection of Poema Place (11400 Poema Place) and Topanga Canyon Boulevard in the Chatsworth Zoned District.

Physical Features: the rectangular shaped subject property is approximately 13.28 acres in size, with level to hilly topography. The project site consists of scattered areas of disturbed vegetation to the south and undisturbed native vegetation to the north. Approximately 7.4 acres of the southerly portion of the vacant project site has been graded.

Access: the applicant's site plan depicts access to the proposed development being provided from the south via Poema Place. A private driveway extending into Poema Place

will serve the proposed development. Currently, Poema Place is a dedicated street with a right-of-way width of approximately 40 feet.

ENTITLEMENTS REQUESTED

Zone Change: The applicant requests approval of a change of zone from A-1-1 (Light Agriculture-1 Acre Minimum Lot Area) to RPD-5,000-12U (Residential Planned Development-5,000 square feet minimum lot area-12 units per acre).

Tentative Tract Map: The applicant has requested the approval of Vesting Tentative Tract Map No. 53235. The subdivision request is to create five (5) multi-family lots for 159 attached condominium units, one (1) recreation lot, one (1) driveway lot and one open space lot on 13.28 acres.

Conditional Use Permit: The applicant requests approval of a conditional use permit to ensure compliance with the requirements of the proposed Residential Planned Development zone and the provisions of the Hillside Management Ordinance. This is a hillside project since the subject property has natural slopes greater than 25%. The applicant is proposing to construct a residential condominium complex on the 13.28-acre site. The development consists of five (5) buildings for 159 attached condominium units and a recreation facility. The applicant is proposing to create an 8.89-acre open space lot.

Parking Permit: The applicant requests the approval of a parking permit to allow reciprocal parking for the required guest parking throughout the residential and recreation lots. The parking permit would allow the required guest parking for the project to be averaged over the entire project site rather than on each individual lot. Also, the applicant is requesting no more than 40 percent of the required residential parking maintain a street width of 8.5 feet but a stall length of 17 feet, the compact parking space standard. The total number of parking spaces provided complies with the requirements of the Zoning Ordinance.

Oak Tree Permit: The applicant also requests the approval of an oak tree permit to allow the removal of one oak tree on the project site.

EXISTING ZONING

The project site is zoned A-1-1 (Light Agriculture-1 Acre Minimum Lot Area). Surrounding zoning is A-1-1 to the east and RPD-10,000-4U to the west (Residential Planned Development-10,000 square feet minimum lot area-4 dwelling units per acre). The City of Los Angeles is south of the project site. To the north of the project site are properties

zoned A-1-1 and R-1-6,000 (Single-Family Residential-6,000 square feet minimum lot area).

EXISTING LAND USES

The subject site is surrounded by vacant properties to the north and multi-family developments to the west. To the south of the project site, separated by the 118 Freeway, is a mobile home park and vacant properties in the City of Los Angeles. To the east are vacant properties and the single-family residential Community of Twin Lakes.

PREVIOUS CASE/ZONING HISTORY

The current A-1-1 zoning on the subject property became effective on May 15, 1959, following the adoption of Ordinance Number 7505, which established the Chatsworth Zoned District.

The Regional Planning Commission approved Conditional Use Permit No. 86-522-(5) and Oak Tree Permit No. 86-522-(5) on June 26, 1986 to develop and operate a church and encroach within the protected zone of one oak tree on the subject site. That use was never established and the Conditional Use and Oak Tree Permits and Oak Tree have expired.

Surrounding Projects: The multi-family residential development to the west of the subject site was authorized under the approval of Tentative Tract Map No. 41388. The Regional Planning Commission approved the request to develop 570 attached town-homes on approximately 215 acres on February 25, 1982. The townhouse development is concentrated on the southerly portion of the adjacent property along Poema Place. ? (and a bit confusing

Easterly of the subject site is a pending subdivision request to create 424 single-family lots on approximately 230 acres (Deerlake Ranch). The Regional Planning Commission has conducted several public hearings on this project with the most recent held on September 11,2002. On that date, the project was taken off the Commission's calendar to allow the applicant time to redesign the project. The Commission will recall that extensive public testimony was heard on that project's impacts, environmental concerns, and the desire to maintain the rural and equestrian nature of Chatsworth by the opposition.

GENERAL PLAN CONSISTENCY

Currently, the property is depicted within the Non-Urban land use category of the Los Angeles Countywide General Plan Land Use Policy Map ("Plan"). The subject property is surrounded by properties within the Non-Urban land use category to the north and east. To the west are properties within the Low-Medium Density Residential land use category. This is a hillside project since the subject property exhibits natural slopes of 25% or greater. The slope map submitted by the applicant for the property indicates that approximately 6.2 acres have slopes of 0-25%, 3.7 acres have slopes of 25-50% and 3.39 acres have slopes of greater than 50%. The slope analysis submitted by the applicant indicated low-density and high-density thresholds of 1.78 and 8.2 dwelling units, respectively. The project proposes a density of 12 dwelling units per acre.

— the proposal to develope the site w/ 159 unit has a project density of 12 DU

The General Plan defines Non-Urban to include "Lands primarily including mountains, foothill, and high deserted areas of the County, not currently planned for urban use or scheduled to received an urban level of development. The intent of this classification is to maintain the character of dispersed non-urban settlements and communities; provide for agricultural and mineral production; preserve areas of significant natural and scenic resources; and avoid intensive development of areas subject to severe natural hazards or lacking essential services and facilities (III-24)."

The applicant is proposing to change the zoning of the subject property to RPD-5,000-12U to be consistent with the Low-Medium Density Residential land use category of the Countywide General Plan. The Plan describes Low-Medium Density Residential as "areas particularly suitable for small lot single-family residence, twin-homes, duplexes and townhouse developments. The intent of this category is to encourage housing alternatives, at densities ranging from six to twelve units per acre (III-22)."

The proposed project is consistent with the existing development to the west. However, the proposed development is not in keeping with characteristics and land use patterns of properties to the north and east. The applicant's request to change the existing A-1-1 zoning classification of the project site to RPD-5,000-12U is generally not consistent with its Non-Urban land use category but the Countywide General Plan notes, "dues to the scale and generalized nature of the map (Land Use Policy Map), land use patterns of less that fifty acres are generally not shown (III-21)."

The Regional Planning Commission has considerable discretion in interpreting the provisions of the Countywide General Plan regarding the appropriateness of the proposed development. The Commission may determine the proposal to be consistent with the goals and policies of the Plan if the project site is physically suitable for the type of development and the density being proposed. In making its General Plan consistency

findings, the Regional Planning Commission needs to find that the proposed project will not overburden existing public services and faculties; the proposed use will not disrupt or adversely impact local traffic conditions; and the proposed project is compatible with surrounding uses in terms of scale, intensity and design.

Applicable General Plan Provisions

Policy Number 17 of the General Goals and Policies of the General Plan (Page I-21) encourages the type of development proposed by the applicant.

> "Promote the efficient use of land through a more concentrated pattern of urban development, including the focusing of new urban growth into areas of suitable land."

The following excerpt from the Housing Element of the Countywide General Plan discusses the need to maintain an adequate supply of housing (Page IV - 31).

> "An ample supply of housing is necessary to stabilize the rising cost of housing and to ensure that all housing needs are met. The project demand for housing can be met by preserving the existing housing stock and by new construction."

Additional analysis of general plan consistency is provided in the staff evaluation section of this report.

PROJECT DESCRIPTION

Tentative Tract Map and Conditional Use Permit Exhibit "A" depict an eight-lot residential subdivision consisting of five multi-family lots, a recreation lot, a driveway lot and an open space lot on the 13.28-acre subject property. The size of the lots ranges in size from 11,335 square feet to 8.89 acres. The development is comprised of five (5) condominium buildings for 159 dwelling units located on Lot Nos. 1 through 5. The buildings located on Lot Nos. 1, 2 and 4 will have 21 dwelling units each; and the buildings on Lot Nos. 4 and 5 will have 48 dwelling units each. The proposed residential buildings will be three-story structures over one or two levels of parking structures. Also, Lot No. 6 will contain a recreational structure and a pool. Lot No. 8 is an open space lot approximately 8.89 acres in size. The tentative map indicated 318 residential parking spaces and 43 guest parking spaces.

Grading that is necessary to accommodate the proposed development would consist of 115,000 cubic yards of cut and 33,000 cubic yards of fill. Approximately, 82,000 cubic yards of unbalanced grading will require off-site disposal.

The tentative map depicts access to the proposed development being provided from the west by Poema Place via a private driveway. Currently, Poema Place is a partially improved street with 34 feet of paving on approximately 40 to 42 feet of right-of-way. The Department of Public Works is requiring the applicant to improve Poema Place with 40 feet of paving and dedicate 58 feet of right-of-way.

The applicant has been unable to obtain the necessary right-of-way or easement from the adjacent property owner prior to tentative map approval. The adjacent property owner retains ownership of a strip of property fronting Poema Place that is needed to allow construction of the required road improvements on Poema Place. Therefore, the Subdivision Committee is requesting that the Regional Planning Commission consider an alternative driveway and street design which is also shown on the tentative map, which would be required if the applicant cannot obtain the right-of-way or easement prior to final map recordation. The Subdivision Committee finds the alternative driveway and street design to be acceptable. However, the alternative design would not allow for full improvement of Poema Place. The alternative driveway and street design would only ensure 34 feet of street paving on Poema Place.

Reworded the Condition to Not approve the final map until the off site easement or right of way is obtain.

BURDEN OF PROOF

Burden of proof for General Plan Amendment
The applicant must respond to the mandatory Burden of Proof for the required Zone Change, Conditional Use Permit, Parking Permit and Oak Tree Permit.

Burden of Proof per Code for Zone Change
Pursuant to Los Angeles County Code Section 22.16.110, the applicant must meet the burden of proof requirements for a zone change.

Applicant's Burden of Proof Responses: See Attached Exhibit A

Burden of Proof per Code for Conditional Use Permit
Pursuant to Los Angeles County Code Section 22.56.040, the applicant must meet the burden of proof requirements for a conditional use permit.

Applicant's Burden of Proof Responses: See Attached Exhibit B

Burden of Proof per Code for Parking Permit
Pursuant to Los Angeles County Code Section 22.56.1020, the applicant must meet the burden of proof requirements for a parking permit.

Applicant's Burden of Proof Responses: See Attached Exhibit C

Burden of Proof per Code for Oak Tree Permit
Pursuant to Los Angeles County Code Section 22.56.2100, the applicant must meet the burden of proof requirements for a oak tree permit.

Applicant's Burden of Proof Responses: See Attached Exhibit D

ENVIRONMENTAL DOCUMENTATION

A Draft Environmental Impact Report (DEIR), which was transmitted to the Commission on October 24, 2002, has been prepared for the project. The DEIR addresses 7 potential areas of concern which were identified through the Initial Study process. The Initial Study process was conducted by the Department of Regional Planning and determined that the proposed project may pose potentially significant environment impacts in the following area:

EDUCATION
BIOTA
NOISE
FIRE PROTECTION
VISUAL QUALITIES
TRAFFIC/ACCESS
LIBRARIES

The Draft Environmental Impact Report (DEIR) concludes that with the implementation of the proposed mitigation measures, all potentially significant impacts associated with 6 of the 7 above-described areas of concern can be mitigated to levels of insignificance. The DEIR concludes that potential cumulative impacts to Education cannot be reduced to levels of insignificance through the implementation of mitigation measures. The following is a summary of the key factors identified and discussed in the DEIR.

Education

The proposed development would induce impacts to local schools. The DEIR stated that the existing capacity of each school could accommodate the project's impacts. However, the proposed development and other planned projects in the vicinity will result in significant cumulative impacts that are considered unavoidable.

Noise

The Draft EIR identified noise impacts during grading and construction phase of the project; and noise generated by State Route 118. The Draft EIR stated that required

mitigation measures would reduce the impacts to within the threshold established by the Noise Ordinance.

Visual Qualities

The project site is in close proximity to State Route 118, which is a "first priority" scenic highway as part of the General Plan. The DEIR concluded that the project's impacts to scenic resources could be mitigated to less than significant level.

Biota

The DEIR stated that the proposed project would result in the removal of all vegetation within the development envelope and no special-status plant species are on the subject site. With proposed mitigation, the DEIR concludes that potential impacts related to Biota are less than significant.

Traffic/Access

A traffic analysis prepared for the project analyzed 2 intersections and found that potential and cumulative impacts would be reduced to less than significant level with implementation of identified mitigation measures.

Libraries

Potential impacts to library services can be reduced to less than significant through payment of library mitigation fee.

Fire Hazards and Protective Services

Implementation of the proposed project would result in the need for additional LACFD staffing, equipment, and facilities in order to serve the development. The applicant's proportional share of the required facilities and equipment will reduce the impacts to less than significant levels.

CORRESPONDENCE RECEIVED

To date, staff received numerous letters regarding the proposed project and the Draft Environmental Impact Report (See Attached Exhibit Nos. 1 through 9).

The first two letters, dated November 4 and November 13, 2002, are from the Twin Lake Property Owners Association who is opposing the proposed development. The letter

indicates the proposed project density is not compatible with the surrounding uses. The letter also stated that concerns relating to the project's proposed access and its traffic impacts (Exhibit Nos. 1 & 2).

The third letter, dated November 7, 2002, is from the Santa Susana Mountain Task Force of the Sierra Club expressing concerns regarding the project's impact to trail access to Devil Canyon (Exhibit No. 3). The fourth letter, dated November 12, 2002, is from the Santa Monica Conservancy (SMC) stating the DEIR is inadequate because the report failed to address the project's potential impacts. The SMC indicated that the Santa Susana Tarplant, a special status plant, is located on the subject property (Exhibit No. 4). Staff biologists will visit the project site prior to the public hearing to confirm this information and can discuss this at the public hearing.

The letter dated November 10, 2002, is from the Santa Susana Mountain Park Association opposing the proposed development. The letter stated that the DEIR is deficient because the environmental document did not address the project's impacts adequately (Exhibit No. 5).

The Chatsworth Rocky Riders also submitted a letter opposing the project because of the project's impacts and the deficiency of the environmental document (Exhibit No. 6).

Two local residences who are concern with trail access and the project's potential impacts also submitted letters opposing the proposed development (Exhibit Nos. 7 & 8).

The letter dated November 12, 2002 is the Fire Department's comments regarding the Draft EIR (Exhibit No. 9).

STAFF EVALUATION

Due to the general nature and scale of the land use policy map, Countywide General Plan policies can allow small projects under 50 acres in size to be approved for uses that would not normally be permitted in the land use categories covering the site. To approve the project, the Regional Planning Commission must find that the site is appropriate for the proposed density.

In this case, the proposal to develop the site with 159 attached condominium units would be compatible with the Low-Medium Density Residential land use category to the west because that category allows densities ranging from six to twelve units per acre. The adjacent development to the west is a multi-family residential development, approved for 570 units on 215 acres. The applicant's proposal to develop the 13.28-acre subject site

with 159 units is considerably higher in density than the adjacent development to the west, but the proposed project density of 12 units per acres is still within the range of the Low-Medium Density Residential land use category.

The proposal to develop the site for an attached condominium complex with five separate building with below grade parking facilities, though urban in character it is not incompatible with the adjacent development to the west. However, as no revised project design has been submitted for the Deerlake Ranch project to the east of the project site, it is not possible to determine if the propose project for 159 attached condominium units will be consistent with what is ultimately proposed at that location.

STAFF RECOMMENDATION

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

If the Regional Planning Commission determines that the proposed change of zone will allow for development of a project which will provide a benefit to the community and be consistent with the provisions of the 1980 Countywide General Plan, then staff suggests that the Regional Planning Commission recommend approval of approval Zone Change Case No. 00-188-(5) to the Board of Supervisor; and indicate its intent to approve Vesting Tentative Tract Map No. 53235, Conditional Use Permit No. 00-188-(5), Parking Permit No. 00-188-(5) and Oak Tree Permit No. 00-188-(5).

SUGGESTED MOTION: "I move that the Regional Planning Commission instruct staff to prepare the Final Environmental Impact Report and prepare a resolution recommending the approval of Zone Change No. 00-188-(5) to the Board of Supervisors. Also, I direct staff to prepare the necessary findings and conditions for approval of Vesting Tentative Tract Map No. 53235, Conditional Use Permit No. 00-188-(5), Parking Permit No. 00-188-(5) and Oak Tree Permit No. 00-188-(5)."

Attachments:

Factual
CUP Conditions
Parking Permit Conditions
Oak Tree Permit Conditions

Tract Conditions
Burdens of Proof
Exhibits
Thomas Guide Map
Vicinity Map
Zone Change Maps
Land Use Radius Map
Tentative Tract Map No. 53235
Exhibit "A"

CONDITIONAL USE PERMIT NO. 00-188-(5)
CONDITIONS OF APPROVAL

1. This grant authorizes the development of the 13.28-acre project site with 159 attached condominium units in five residential buildings, one recreation lot, one driveway lot and one open space lot.

2. This permit shall not be effective for any purpose until a duly authorized representative of the property involved has filed at the office of the Department of Regional Planning his/her affidavit stating that he/she is aware of and accepts all the conditions of this permit. The affidavit of acceptance shall be recorded with the Los Angeles County Recorder.

3. 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.

4. If any provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

5. It is further declared and made a condition of this permit that if any condition hereof is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.

6. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if he/she 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.

7. 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 to the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

8. If any future inspection discloses that the subject property is being used in violation if any one of the conditions of this grant, the permittee may be required to reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

9. 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

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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 promptly notify the permittee of any claim, action or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim, action or proceeding, of if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

10. 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 the Department of 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:

    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

    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 according to Los Angeles County Code Section 2.170.010.

11. Unless this grant is used within the time specified, the grant will expire. The time limit for the use of this grant shall be concurrent and consistent with that of Tract Map No. 53235.

12. The subject property shall be developed and maintained in substantial compliance with the exhibit map on file marked Exhibit "A". An amended or revised tentative tract map approved for Tentative Tract Map No. 53235 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." Revised plans require the written authorization of the property owner.

13. A maximum of 159 residential units is permitted on the subject property.

14. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property except as specifically set forth in this permit, including the approved Exhibit "A," or as otherwise authorized by a plot plan or revised Exhibit "A" approved by the Director of Planning.

15. The development of the subject property shall conform to the conditions approved for Tentative Tract Map No. 53235.

16. All utilities shall be placed underground.

18. Per Section 21.32.195, the permittee or the current owner shall plant or caused to be planted one tree within the front yard of each lot. The location and the species of said tree may incorporated into a site plan or landscape plan to be approved by the Director of Planning and the County Forester and Fire Warden.

19. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works.

20. Detonation of explosives or any other blasting device or material shall be prohibited unless required permits have been obtained.

21. All grading and construction activities 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. No Saturday, Sunday or holiday operations are permitted.

22. 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.

23. The applicant or his successor shall, upon commencement of any activity allowed by this permit, diligently pursue all grading to completion.

24. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.

25. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

26. 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 of Los Angeles.

27. No structure shall exceed a height of 35 feet above finishing grade, except for chimneys and rooftop antennas, as defined by Section 22.08.08 of the Los Angeles County Code (Zoning Ordinance).

28. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings, or signage.

29. In the event of such extraneous markings occurring, the permittee is to remove or cover said markings, drawings, or signage no later than 72 hours after occurring. The only exception shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

30. The applicant shall utilize water-saving devices and technology in the construction of this project to the extent feasible and consistent with Los Angeles County Building and Plumbing Code.

31. The property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.

32. The applicant shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine facilities that may be necessary to protect the property from fire hazard. Water mains, fire hydrants, and fire flow shall be provided as may be required.

33. Prior to grading permit issuance, the permittee shall submit the grading plan to the Department of Regional Planning for review and approval. The plan must indicate all building pad locations. Record a covenant stating that there shall be no further

disturbance of the areas outside the approved pads and that no holly-lead cherry trees shall be removed from the project site prior to the approval of the grading plan.

35. The permittee shall participate in an appropriate financing mechanism to provide funds for fire protection facilities required by new residential development in an amount proportionate to the demand created by this project.

36. This project may be develop in phases. Prior to the issuance of grading or building permits, submit a phasing plan indicating the sequence of grading and the construction of the infrastructure and buildings to the Department of Regional Planning for review and approval.

37. Prior to the issuance of building permits for a specific phase of this development, a final grading place covering the subject area shall be submitted to the Department of Public Works and a copy sent to the Director of Regional Planning.

38. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Planning Director indicating that the proposed construction and associated grading:

    a. complies with the conditions of this grant and the standards of the zone; and

    b. is compatible with hillside resources.

39. Prior to the issuance of building permits, the permittee shall pay a fee of $643.00 per dwelling unit to the County of Los Angeles Public Library, as this project's contribution to the library fee for mitigating impacts on the library system in the Santa Monica Mountains area.

40. Review of the site plan, within the limits established by geologic and engineering constraints, shall emphasize grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences on site.

41. All graded slopes (cut and fill) shall be revegetated. 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 before issuance of a building permit. The

landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.

42. No grading shall be done or natural vegetation removed beyond that which is shown on the approved Hillside Management Conditional Use Permit Exhibit "A," except that which may be required by the Fire Department for brush clearance purposes.

43. Open space shall comprise not less than 70% of the net area of the project. Pursuant to Section 22.56.215 (J-1a) of the Los Angeles County Code (Zoning Ordinance), such open space may include the portions of private yards outside the building pads as depicted on the Exhibit "A;" landscaped areas adjacent to streets and highways; paseo and open recreational and areas graded for the rounding of slopes to contour appearance.

44. In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning and the Los Angeles County Fire Department. Their review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs and ground covering) that could be expected 18 months after planting in compliance with fire safety requirements. The landscaping plan shall show size, type and location of all plants, trees and watering facilities. The landscaping shall be maintained in compliance with the approved plans.

The landscaping plan must show that at least 50% of the area covered by landscaping will be native vegetation, including not only trees, but shrubs and ground covering as well. However, if the applicant can prove to the satisfaction of staff that a 50% or more native planting is not possible due to County fire safety requirements, then staff may determine that a lower percentage of native planting is required. In those areas where staff approves a reduction to less than 50% native vegetation, the amount of native planting required shall be at least 30%. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by staff and the Fire Department. Fire resistant plants should be given first consideration.

Permitted Plantings. Trees, shrubs and ground coverings native to the region may be used for the required 50% native landscaping. Fire resistant and native plants

that may also be used for the required 50% native landscaping can be found on the attached list (marked Exhibit "B") compiled by the Los Angeles County Fire Department. This list may be amended as approved by staff.

Timing of Planting. Prior to the issuance of building permits for any construction the applicant shall submit a landscaping and phasing plan for the landscaping associated with that 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.

The planting shall begin at the time of occupancy of each building. The required planting of new trees, shrubs and ground coverings shall be completed within six months following occupancy.

The approved phasing plan shall set forth goals for the growth of the new plants in order to achieve established landscaping within eighteen months following completion of the required planting. The applicant shall supply information for staff review of the completed landscaping at such time to confirm completion in accordance with the approved landscaping plan. In the event that some plants have not flourished, at the time of review, staff may require replacement planting as necessary to assure completion in accordance with such plan.

PARKING PERMIT NO. 00-188-(5)
CONDITIONS OF APPROVAL

This grant authorizes the use of reciprocal parking for each lot as depicted on Tentative Tract Map No. 53235 subject to all of the following conditions of approval.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.

2. This permit shall not be effective for any purpose until a duly authorized representative of the property involved has filed at the office of the Department of Regional Planning his/her affidavit stating that he/she is aware of and accepts all the conditions of this permit. The affidavit of acceptance shall be recorded with the Los Angeles County Recorder.

3. 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. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.

4. 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 the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses 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 reach 80 percent of the amount on 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.

   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 according to Los Angeles County Code Section 2.170.010.

5. Unless this grant is used within the time specified, the grant will expire. The time limit for the use of this grant shall be concurrent with that of Tract Map No. 53235.

6. 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.

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7. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statue, 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. The permittee shall deposit with the County of Los Angeles the sum of $1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 10 biennial inspections. Inspections shall be unannounced.

   If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional 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 site plan on file. The amount charged for additional inspections shall be $150.00 per inspection, or the current recovery cost, whichever is greater.

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8. 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 a 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's health or safety or so as to be a nuisance.

9. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

10. The proposed development shall provide 318 residential parking spaces and 43 guest parking spaces. and (+)

11. No more than 40 percent of the 318 residential parking space shall maintain a street width of 8.5 feet but a stall width of 17 feet. submit parking plan for approval prior to issuance of building permit.

12. This permit shall not be effective until the owner of the subject property submits an covenant agreeing to provide the necessary easements to ensure that the parking and access rights described in this permits are protected should the ownership of the proposed lots as shown on Tentative Tract Map No. 53235 change in the future.

13. Prior to issuance of building permit, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.

14. The permittee shall ensure through lease arrangements or covenants, conditions and restrictions that guests of all future residences in the condominium complex, comprised of proposed Lot Nos. 1 through 6 as shown on the Tentative Tract Map No. 53235, will have the non-exclusive right to commonly park motor vehicles in any area designated for guest parking within the development, and to use those areas designated as driveways and parkways within the development for purposes of ingress and egress to and from said parking areas.

15. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.

16. 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 business being operated on the premises or that do not provide pertinent information about said premises.

17. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Inspections shall be made as provided in Condition No. 9 to ensure compliance with this condition, including any additional inspections as may be necessary to ensure such compliance.

18. The permittee shall maintain the property in a neat and orderly fashion.

19. The permittee shall maintain free of litter all areas of the premises under which the permittee has control.

20. ~~If after inspection and/or complaints, the Director determines that a parking problem exists, the use of the restaurant and/or school shall be restricted to the satisfaction of the Director to increase the compatibility of the use with the number of parking spaces provided.~~

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* add a condition for MMP of the EIR

OAK TREE PERMIT NO. 00-188-(5)
CONDITIONS OF APPROVAL

CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at either 818-890-5719 or 323-881-2481)

1. Unless otherwise apparent from the context, the term "permittee' shall include the applicant and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant.

3. The term "Oak Tree Report" refers to the update document on file by Planning and Design Solutions, the consulting arborist, dated July 17, 2000.

4. The time limit for the use of this grant shall be concurrent with and consistent with that of Tentative Tract Map No. 53235. Unless this grant is used within the time specified, the grant will expire. In the event that Tentative Tract Map No. 53235 expires prior to the use of this grant, this grant shall expire.

5. Copies of the oak Tree Report, Oak tree map, and conditions of approval shall be kept on the project site and available for review. All Individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, and conditions of approval.

6. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department 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 County Forester any failure to fully comply 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.

7. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53235.

8. This grant allows removal one tree of the Oak genus identified as Tree Number 1 on the applicant's site plan map and oak Tree Report.

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9. 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.

10. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two 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 County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.

11. 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 County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

13. The permittee shall provide mitigation trees of the Oak genus at a rate of 2:1 for the tree specified above.

14. Any mitigation trees shall be at least a fifteen-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.

15. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source.

16. 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 three- year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

CONDITIONS OF APPROVAL
OAK TREE PERMIT 00-188-(5)

17. 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.

18. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of $300.00. Such fees shall be used to compensate the County Forester $100.00 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the Conditions of Approval.

    The above fees provide for one (1) initial inspection of temporary fencing (required to secure the protected zone of all remaining oak trees) prior to the commencement of construction and two (2) subsequent annual inspections until the Conditions of Approval have been met. The Director of Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

19. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited without an addendum prepared by the Forestry Division of the Los Angeles County Fire Department and approved by the Department of Regional Planning.

20. Should encroachment within the protected zone of any additional trees of the Oak genus on the project site not permitted by this grant result in its injury or death within two years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

21. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.

22. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.

23. 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.

24. Violations of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.

25. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance.

26. The permittee shall defend, indemnify and hold harmless Los Angeles County (the "County), it 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. The County shall cooperate fully in the defense. If the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify or hold harmless the County.

27. 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 the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed an 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 according to Section 2.170.010 of the Los Angeles County Code.

28. It is hereby declared to be the intent that if any provisions of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse, provided that the permittee has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.

DEPARTMENT OF REGIONAL PLANNING
TENTATIVE TRACT MAP NO. 53235

MAP DATE: 9-23-02

CONDITIONS:

1. Conform to the requirements of the Los Angeles County Code (Subdivision and Zoning Ordinances) and the requirements of the RPD-5,000-12U zone. Also, comply with the requirements of Conditional Use Permit No. 00-188, Parking Permit No. 00-188 and Oak Tree Permit No. 00-188.

2. Recordation of the final map is contingent upon the approval of Zone Change Case No. 00-188 by the Board of Supervisors and the effectuation of an ordinance changing the zoning on the property from A-1-1 to RPD-5,000-12U as recommended under Zone Change Case No. 00-188.

3. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning.

4. Adjust the lot lines between Lot Nos. 2, 3 and 8 to exclude the tot lot from the open space lot (Lot No. 8) prior to final map.

5. Show Poema Place and Topanga Canyon Boulevard as dedicated streets on the final map.

6. The use of the "alternate driveway and street improvements design" as shown on the September 23, 2002 tentative is approved, if the subdivider cannot acquire the necessary offsite right-of-way or easements to construct the required roadway improvements and driveway access to the Department of Regional Planning and the Department of Public Works. Also, the new owner or his/her successor in interest must made additional effort to acquire the necessary offsite right-of-way or easements prior to final approval to the satisfaction of the Department of Regional Planning and the Department of Public Works.

7. Construct or bond with the Department of Public Works for driveway paving, a minimum of 32 feet on the main driveway, and 28 feet on all branch driveways to the satisfaction of the Department of Regional Planning and the Fire Department.

8. Show the driveway on the final map as a "Private Driveway and Fire Lane" or on a plat to be recorded concurrently with the final map and label as a "Private Driveway and Fire Lane."

9. Post the driveway with signs stating "No Parking" and provide for continued posting and enforcement of the restriction in the Covenants, Conditions and Restrictions.

DRAFT

Submit a copy of the Covenants, Conditions, and Restrictions or maintenance agreement to the Department of Regional Planning for review prior to final map approval.

10. Submit a letter to the Department of Regional Planning agreeing to provide an adequate lighting system along all walkways to be constructed within the common areas to the satisfaction of the Department of Regional Planning.

11. Provide in the Covenants, Conditions and Restrictions a method for the continuous maintenance of the common areas, including the driveway and the lighting system along all walkways to the satisfaction of the Department of Regional Planning with a copy of the document to be recorded prior to filling of the final map.

12. Dedicate to the County of Los Angeles on the final map the right to prohibit construction of residential structures on Lot Nos. 6 and 7 on the final map.

13. Dedicate complete construction rights on the open space lot (Lot 8) to the satisfaction of the Department of Regional Planning.

14. Permission is granted to create additional open space lot to the satisfaction of the Department of Regional Planning.

15. The open space lot may be dedicated to a public agency to the satisfaction of the Department of Regional Planning.

16. The ownership and maintenance of the open space lot shall be provided by a homeowners association if it is not dedicate to a public agency. Submit a copy of the covenants, conditions and restrictions to the Department of Regional Planning for review prior to final map approval.

17. This tract map is approved as a condominium project for a total of 159 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. Place a note or notes on the final map to this effect to the satisfaction of the Department of Public Works and the Department of Regional Planning.

18. Construct or bond for off-site paving to Poema Place, for a minimum width of 32 feet, to the satisfaction of the Department of Regional Planning and the Fire Department prior to final map approval.

19. A final tract map is required for this land division. A waiver is not allowed.

20. Per Section 21.32.195, the subdivider or the current owner shall plant or caused to be planted one tree within the front yard of the each lot. The location and the species of said tree may be incorporated into a site plan or landscape plan to be approved by the Director of Planning and the County Forester and Fire Warden. A bond may be posted with the Department of Public Works for the required trees prior to final map approval.

21. Pursuant to Chapter 22.72 of the County Code, the subdivider or his successor in interest shall pay a fee to the County of Los Angeles Public Library prior to issuance of building permits in the amount of $643.00 per dwelling unit ($643.00 X 159 dwelling units = $102,237.00), or such other amount as may be required by Chapter 22.72 at the time of payment. The subdivider may contact the County Librarian at (562) 940-8430 regarding payment of fees.

22. 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, 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 promptly notify the permittee of any claim, action or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim, action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County.

23. 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 the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses 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 pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    1. If during the litigation process, actual costs incurred reach 80 percent of the amount on 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.

At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost of the collection and duplication of records and other related documents will be paid by the permittee according to the Los Angeles County Code Section 2.170.010.

22. Except as modified herein by the Regional Planning Commission, this approval is subject to all those conditions set forth in the attached reports recommended by the Los Angeles County Subdivision Committee that consists of the Department of Pubic Works, the Fire Department, the Department of Parks and Recreation and the Department of Health Services.

RP

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SUBDIVISION
TRACT MAP NO. 53235 (Rev.) TENTATIVE MAP DATED 09-23-2002

The following reports consisting of 14 pages are the recommendations of the Department of Public Works.

The subdivision shall conform to the design standards and policies of the Department 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 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.

3. Easements are required, subject to review by the Director of Public Works to determine the final locations and requirements.

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. HW

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. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

10. Quitclaim or relocate easements running through proposed structures.

11. Show open space note and dedicate residential construction rights over the open space lots.

12. Delineate proof of access to a public street on the final map.

13. If unit filing occurs, reserve reciprocal ingress and egress easements in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

14. If the subdivider intends to file multiple final maps, he must so inform the Advisory Agency at the time the tentative map is filed. The boundaries of the unit final maps shall be designed to the satisfaction of the Director of Public Works and the Department of Regional Planning.

15. The first unit of this subdivision shall be filed as Tract No. 53235-01, the second unit, Tract No. 53235-02, ... and the last unit, Tract No. 53235.

16. 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.

17. 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.

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SUBDIVISION
TRACT MAP NO. 53235 (Rev.) TENTATIVE MAP DATED 09-23-2002

18. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

Name Barry S. Witler +lw/for Phone (626) 458-4915 Date Rev. 10-28-2002

wp

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

REVISED TENTATIVE MAP DATED 09/23/2002

TRACT NO. 53235

DRAINAGE CONDITIONS

[X] Comply with the following requirements to the satisfaction of Director of Public Works prior to the filing of the final map:

[X] Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map.

[X] A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study shall be approved prior to submittal of improvement plans.

[X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010 of the Subdivision Ordinance.

[X] Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 10/10/002 to the satisfaction of Public Works.

==========

GRADING CONDITIONS

[X] A grading plan and soils report must be submitted and approved prior to approval of the final map.

[X] Adjust the proposed grading in the vicinity of Poema Place so that toe of slopes are set behind the property line or construct a wall at the property line to prevent sloughing of slope into the public right-of-way to the satisfaction of the Department of Public Works and the Department of Regional Planning. If necessary, acquire approval from the Department of Regional Planning prior to approval of improvement plans.

[X A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

[X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

[X] All nine of site easements must be depicted on the grading and landscaping plans.

Name Asbel MO KAJBAF Date 10/24/02 Phone (626) 458-492

et 1 of 1

EWER CALLING HOURS
.m. & 3-4 p.m. Mon.-Thurs.

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

DISTRIBUTION
1 Geologist
1 Soils Engineer
1 LDMA/Proc. Center
1 Section File
1 Subdivision

NTATIVE TRACT/MINOR LAND SUBDIVISION 53235
BDIVIDER American Church Trust Company
GINEER B & E Engineers
OLOGIST Law Crandall (70131-0-0301.0002)
ILS ENGINEER Same as above

TENTATIVE MAP DATED 9/23/02 (revised)
LOCATION Chatsworth

REPORT DATE 1/12/01, 10/06/02
REPORT DATE 1/12/01, 10/06/02

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

[X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the Geology and Soils Sections. 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 and completion of soils work, corrective grading bonds will be required.

[X] 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.

[X] The Soils Engineering review dated 9/26/02 is attached.

X] **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 2 Subdivision Code.

[X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.

[X] A geology and soils engineering report will be required to address the off-site grading noted beyond the easter boundary of the property line prior to approval of building or grading plans.

[X] Geotechnical Recordation Map verification deposit estimate 6 hours.

[ ] Groundwater is less than 10 feet from the ground surface on lots _____

Prepared by Karin Vazquez Reviewed by Charles Nestle Date September 26, 2002

The "Manual for Preparation of Geotechnical Reports" prepared by County of Los Angeles, Department of Public Works is available on the Internet at the following address:
http://dpw.co.la.ca.us/med/manual.pdf

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

SOILS ENGINEERING REVIEW SHEET

District Office 9.1
Job No. LX001129
Sheet 1 of 1

Address: 900 S. Fremont Ave.
Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913
Calling hours - Monday through Thursday 8-9 a.m. & 3-4 p.m.

Tentative Tract Map 53235
Location 11400 Poema Place, Chatsworth
Developer/Owner American Church Trust Company
Engineer/Architect B & E Engineers
Soils Engineer LawGibb Group (P.N. 70131-0-0301)
Geologist Same as above

Review of:

Tentative Tract Map Dated By Regional Planning 9/23/02 (Rev.)

Previous review sheet dated 8/6/01

ACTION:

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

REMARKS:

1. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

2. At grading plan stage, provide chemical test results (sulfate, chloride, resistivity, etc.) for the on-site soils to address the presence of chemicals deleterious to concrete and ferrous materials. The tests must be in accordance with California Test Methods, Department of Transportation, or equivalent (aqueous solution tests, such as EPA Tests or similar methods are not acceptable for determination of resistivity).

REGISTERED PROFESSIONAL ENGINEER
GAN N. LEM
NO. 2328
EXP 6/30/03
GEOTECHNICAL
STATE OF CALIFORNIA

Prepared by _____ Date 9/26/02
Gan Lem

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.

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - ROAD
TRACT MAP NO. 53235 (Rev.)

TENTATIVE MAP DATED 09-23-2002

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

1. Dedicate right of way or provide easement a minimum of 58 feet from the southerly right of way line of Poema Drive to the satisfaction of Public Works.

2. Offsite improvements are required. It shall be the sole responsibility of the subdivider to acquire the necessary right of way or easement.

3. The use of the "alternate driveway and street improvements design" as shown on the tentative map is approved, if the subdivider cannot acquire the necessary off-site right of way or offsite easements to construct the required roadway improvements and driveway access. Also, if the owner and/or subdivider changes prior to final map approval, additional effort must be made to acquire the necessary offsite right of way or offsite easement to the satisfaction of Public Works.

4. Provide intersection sight distance commensurate with a design speed of 40 mph plus grade factor (500 feet) on Poema Place from the proposed private drive and fire lane (westerly 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.

5. All line of sight easements shall be depicted on landscaping plans and/or grading plans.

6. Construct drainage improvements (and parkway drains, if needed) and offer easements needed for street drainage or slopes.

7. Close any unused driveway with standard curb, gutter, and sidewalk.

8. Repair any broken or damaged curb, gutter, sidewalk, and pavement on streets within or abutting this subdivision.

9. Remove the existing parkway improvements on the northside and construct curb, gutter, base, pavement, and sidewalk for widening on Poema Place on and including the offsite portions fronting and to the west of the property to the satisfaction of Public Works. Provide 40 feet of roadway width between curbs on Poema Place. It shall be the sole responsibility of the subdivider to acquire the necessary right of way or easement.

+1(c)

10. Provide transition improvements on Topanga Canyon Boulevard to the satisfaction of Caltrans and Public Works.

11. Prepare signing and striping plan on Topanga Canyon Boulevard and on Poema Place to the satisfaction of Caltrans and Public Works.

12. Comply with the mitigation measures as indicated in the attached memorandum from our Traffic and Lighting Division dated October 30, 2002 to the satisfaction of Public Works. Also, prior to recordation, the traffic mitigation measures at the intersections of Topanga Canyon Boulevard at Mayan Drive/Poema Place, and Topanga Canyon Road at SR-118 Westbound Ramps must be in place to the satisfaction of Public Works.

13. Locate the entry gate or key pad (if one is provided) a minimum of 50 feet beyond the proposed right of way of Poema Place and construct the gated entrance with a minimum of 32 feet radius for turnaround to the satisfaction of Public Works.

14. Plant street trees on Poema Place.

15. Prior to final map approval, the subdivider shall 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.

16. Underground all existing and new utility lines to the satisfaction of Public Works. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

17. Comply with the following street lighting requirements:

    a. Submit a street lighting plan.

    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 street lights. The Board of Supervisors must approve the annexation and/or 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.

HW

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - ROAD
TRACT MAP NO. 53235 (Rev.)

TENTATIVE MAP DATED 09-23-2002

(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 for any questions at (626) 300-4726.

c. For acceptance of street light transfer billing, all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans and energized for at least one year as of July 1st of the current year.

d. Note that the annexation and assessment balloting process takes approximately five to six 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.

18. All improvements within Topanga Canyon Boulevard will require an encroachment permit from Caltrans.

19. A deposit is required to review documents and plans for final map clearance.

HW/for

Name Barry S. Witler Phone (626) 458-4915 Date 10-07-2002

msw

October 30, 2002

TO: Rod Kubomoto
Watershed Management Division

FROM: John T. Walker
Traffic and Lighting Division

TOPANGA CONDOMINIUM PROJECT
ADMINISTRATIVE DRAFT ENVIRONMENTAL IMPACT REPORT (AUGUST 2002)
TRAFFIC IMPACT STUDY (JULY 25, 2002)
TENTATIVE TRACT NO. 53235
CHATSWORTH AREA

As requested, we have reviewed the above-mentioned documents. The above-mentioned documents have been submitted to address our previous comments provided in our memos dated August 2, 2001, and May 21, 2002.

The 13.28-acre site for the proposed Project is located northwest of Topanga Canyon Boulevard at Poema Place near the Chatsworth area in the County of Los Angeles. The proposed Project consists of the development of 159 residential condominiums. The condominium units will be constructed in five separate structures with one recreational building and 358 on-site parking spaces. Poema Place will provide direct vehicular access to the Project site. Based on the trip generation rates for condominium/town homes provided in the County of Los Angeles Traffic Impact Analysis Report Guidelines (copy attached), the Project, at its build out in the Year 2004, is estimated to generate approximately 1,272 vehicle trips per day with 86 and 116 vehicle trips during the a.m. and p.m. peak hours, respectively.

We agree with the study that the traffic generated by the Project alone will significantly impact the following County and County/State of California Department of Transportation (Caltrans) intersections. We require the following mitigation measures be the sole responsibility of the Project. The developer of this Project should work with the developer of the adjacent property (Tentative Tract No. 53138) to complete the improvements. The Project's pro-rata share is 27 percent. The issuance of any building permit for the Project shall be withheld until these mitigation measures are in place.

Topanga Canyon Boulevard at Mayan Drive/Poema Place

East Approach: One left-turn lane and one shared through/left-turn lane (add one left-turn lane).

South Approach: One left-turn lane and one exclusive right-turn lane (convert shared left-/right-turn lane to a left-turn lane and add one exclusive right-turn lane).

West Approach: One shared through/right-turn lane and one exclusive right-turn lane (add exclusive right-turn lane).

Install traffic signals. Traffic signals at this intersection shall be interconnected with the traffic signals at the intersection of Topanga Canyon Road at SR-118 westbound ramps to the satisfaction of Caltrans and Public Works.

Topanga Canyon Boulevard at SR-118 Westbound Ramps

North Approach: Two through lanes and one exclusive right-turn lane (add exclusive right-turn lane).

East Approach: Two left-turn lanes and one shared through/right-turn lane (add second left-turn lane and convert shared left-/through/right-turn lane to shared through/right-turn lane).

Modify traffic signals. Traffic signals at this intersection shall be interconnected with the traffic signals at the intersection of Topanga Canyon Road at Mayan Drive/Poema Plance to the satisfaction of Calrans and Public Works.

Detailed striping plan along with signal installation/modification plans shall be prepared and submitted to Caltrans and Public Works for review and approval.

Based on the Project trip generation and distribution and the current poor level of service at the following intersections, we require the traffic study be expanded to include these intersections in the City of Los Angeles for Project impacts and mitigation measures:

- Topanga Canyon Road at Santa Susana Pass Road
- Topanga Canyon Road at Chatsworth Street
- Topanga Canyon Road at Devonshire Street

The potential traffic impact on SR-118 must be considered. The applicant shall consult with Caltrans to determine the California Environmental Quality Act (CEQA) levels of significance with regard to traffic impacts on Caltrans' freeway facilities. This consultation shall also include a determination of Caltrans requirements for the study of traffic impacts to its facilities and the mitigation of any such impacts. Written comments on the impact of the Project shall be obtained from Caltrans and forwarded to Public Works and the Department of Regional Planning for review.

We require the City of Los Angeles review this document to determine the potential CEQA levels of significant with regard to traffic impacts within its jurisdiction. Documentation of consultation with the City shall be prepared and submitted to Public Works and the Department of Regional Planning.

If you have any questions, please contact Nickolas VanGunst of our Traffic Studies Section at Extension 4768.

NV:cn
T-4/EIR02247

Attach.

cc: T. M. Alexander
Land Development (Witler, Wong)

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT MAP NO. 53235 (Rev.)

TENTATIVE MAP DATED 09-23-2002

The subdivision shall conform to the design standards and policies of the Department 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 building/lot with a separate house lateral or have approved and bonded sewer plans on file with the Department of Public Works.

2. The subdivider shall submit an area study to the Department of Public Works to determine if capacity is available in the sewerage system to be used as the outlet for the sewers in this land division. If the system is found to have insufficient capacity, upgrade of the existing system is required to the satisfaction of the Department of Public Works.

3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.

4. Easements are required, subject to review by the Department of Public Works to determine the final locations and requirements.

5. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

HW/for

Name Barry S. Witler Phone (626) 458-4915 Date 10-10-2002

msw

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT MAP NO. 53235 (Rev.)

TENTATIVE MAP DATED 09-23-2002

The subdivision shall conform to the design standards and policies of the Department 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 buildings/lots in the land division, must be provided. The system shall include fire hydrants of the type and location 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 the Department of 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 building/lot.

3. Off-site improvements are tentatively required.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructure constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each lot/parcel in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. All line of sight easements must be depicted on the landscape and irrigation plans.

7. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

HCW/for

Name Barry S. Witler Phone (626) 458-4915 Date 10-10-2002

msw

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 53235 Map Date September 23, 2002

C.U.P. 00-188 Vicinity Malibu 266

☒ **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 300 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: **Access as shown on the submitted tentative map is adequate.**

By Inspector: Janna Masi Date October 3, 2002

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNICORPORATED

Subdivision No. 53235 Tentative Map Date September 23, 2002

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 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.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ 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 3 public fire hydrant(s). Upgrade / Verify existing ____ public 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 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: ____

☒ 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: ____

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 regulatio
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 October 3, 2002

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # 53235	DRP Map Date: 09/23/2002	SCM Date: 10/07/2002	Report Date: 10/03/2002
Park Planning Area # 34	OAT MOUNTAIN		Map Type: REV. (REV RECD)

Total Units [159] = Proposed Units [159] + Exempt Units [0]

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:	1.00
IN-LIEU FEES:	$136,000

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $136,000 in-lieu fees.

Trails: See also attached Trail Report. SANTA SUSANA PASS TRAIL

Comments:

Proposed to build 159 multi-family condominium units.

Contact Patrocenia T. Sobrepeña, Acting Park Planner, Department of Parks and Recreation, 433 South Vermont Avenue, Los Angeles, California, 90020 at (213) 738-2972 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Tonda Lay, Trail Coordinator at (213) 738-2118.

By: _____
James Barber, Advanced Planning Section Head

Supv D 5th
October 07, 2002 08:07:53
QMB02F.FRX

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # 53235	DRP Map Date: 09/23/2002	SMC Date: 10/07/2002	Report Date: 10/03/2002
Park Planning Area # 34	OAT MOUNTAIN		Map Type: REV. (REV RECD)

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

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x AFMV/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 1990 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.

AFMV/Acre = Average Fair Marked Value per Acre by Park Planning Area.

Total Units **159** = Proposed Units **159** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.68	0.0030	0	0.00
M.F. < 5 Units	2.04	0.0030	0	0.00
M.F. >= 5 Units	**2.10**	**0.0030**	**159**	**1.00**
Mobile Units	1.86	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**1.00**

Park Planning Area = **34 OAT MOUNTAIN**

Goal	Acre Obligation	AFMV / Acre	In-Lieu Base Fee
@(0.0030)	1.00	$136,000	**$136,000**

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	AFMV / Acre	In-Lieu Fee Due
1.00	0.00	0.00	1.00	$136,000	**$136,000**

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

Tim Gallagher, Director

October 7, 2002

NOTICE OF TRAIL REQUIREMENT FOR REVISION TRACT MAP

Map #: TR - 53235

Date on Map: September 23, 2002

Provide a 20 foot easement for the **Santa Susana Pass 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, all information pertaining to trail requirements must have been shown on the Tentative Tract or Tentative Parcel Map. **all information pertaining to trail requirements must be shown on the Tentative Tract Map**.

__X__ TRAIL OK AS SHOWN.

_____ TRAIL ON HOLD PENDING SITE VISIT.

_____ THE MAP IS APPROVED REGARDING TRAIL REQUIREMENTS.

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

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, all information pertaining to trail requirements must be shown on the Final Tract Map.

__X__ THE MAP IS APPROVED REGARDING TRAIL REQUIREMENTS.

For any questions concerning trail alignment or other trail requirements, please contact
Tonda Lay, Trail Coordinator (213) 738-2118.

Tonda Lay

Tonda Lay, Trail Coordinator

Executive Offices • 433 South Vermont Avenue • Los Angeles, CA 90020-1975 • (213) 738-2961

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

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

Environmental Health
ARTURO AGUIRRE, Director

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

BOARD OF SUPERVISORS
Gloria Molina
First District

Yvonne Brathwaite Burke
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

September 30, 2002

Tract Map No. 53235

Vicinity: Chatsworth/Los Angeles

Vesting Tentative Map Date: September 23, 2002

The Los Angeles County Department of Health Services has no objection to the approval of **Vesting Tentative Tract Map 53235**, with the understanding that the expected potable water needs will be supplied through a public water system which guarantees water connection and service to all lots and wastewater treatment demands will be accommodated by public wastewater treatment facilities as proposed.

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

Respectfully,

PATRICK NEJADIAN

FOR Russell A. Johnson, R.E.H.S., Chief,
Mountain and Rural/Water, Sewerage and Subdivision Program

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

RECEIVED
OCT 21 2002
REGIONAL PLANNING
L.A. COUNTY

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

October 18, 2002

Samuel Dea, Regional Planning Assistant II
Land Divisions
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Dea:

OAK TREE PERMIT #00-188, 11400 PEOMA PLACE IN THE UNINCORPORATED AREA OF CHATSWORTH

We have reviewed the "Request for Oak Tree Permit #00-188." The project is located at 11400 Peoma Place in the unincorporated area of Chatsworth. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak tree on the site. The term "Oak Tree Report" refers to the document on file by Impact Sciences, the consulting arborist, dated July 17, 2000.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

   Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of $200. Such fees shall be used to compensate the County Forester $100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for two (2) annual inspections until the conditions of approval have been met.

   The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the Forestry Division of the County of Los Angeles Fire Department stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.

4. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review.

   All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL:

5. This grant allows the removal of one (1) tree of the Oak genus (*Quercus agrifolia*) identified on the applicant's site plan and Oak Tree Report.

MITIGATION TREES:

6. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for the tree removed for a total of two trees.

7. Each 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.

8. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source.

9. Mitigation trees shall be planted within one year of the permitted Oak tree removal. Mitigation trees shall be planted either on-site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

10. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing

to survive two years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

11. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

12. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.

13. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance.

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

Very truly yours,

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:sc

c: Thomas J. DiGiuseppe, Sondermann Ring Partners

EXHIBIT A

ZONE CHANGE – BURDEN OF PROOF 00 188 SECTION 22.16.110

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Commission the following facts. Answers must be made complete and full:

A. Modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration because:

Modified conditions warrant the revision to the zoning plan. The development of the adjacent property with attached multi-family residential units has set a pattern of development for the area which was not anticipated by the current zoning of the subject property. The change of zone is necessary to provide for an orderly transition in the intensity of development from urban, adjacent to the 118 freeway, to rural and open space areas of the lower foothills of the Santa Susanna mountain range. The subject property fronts on Poema Place immediately adjacent to, and parallel to, the 118 Freeway. The subject property is located at the intersection of Poema Place and Topanga Canyon Boulevard, which provides superior access relative to the adjacent multi-family residential property. It is good zoning practice to provide for a transition of development intensity closer to an area's regional access. This zone change and infill project would constitute a more logical land use and zoning pattern. Therefore, a rezoning of the subject property is warranted by the relationship to the existing pattern of development and the access provided to the site by the 118 Freeway and Topanga Canyon Boulevard.

Onsite conditions have also changed which support the need to revise the zoning plan for the area. The site has been graded in anticipation of a development of the property for a church. These extensive landform modifications (approximately 7.4 acres of the 13 acre site) require remedial earthwork and have degraded natural areas over much of the property. These prior development activities support the need for a permanent development alternative for the property. The RPD zone proposal provides the best opportunity to address the landform impacts from the previous development effort and design a project that transitions from freeway frontage to open space as an appropriate design framework.

B. A need for the proposed zone classification exists within such area or district because:

The need for new housing is best illustrated in a recent (May 2000) report prepared by the State of California Department of Housing and Urban Development entitled "Raising the Roof: California Housing Development Projections and Constraints, 1997-2020. The report stated the following.

"Few issues facing California are as important as the State being able to meet its future housing needs. Between 1997 and 2020, California will likely add more than 12.5 million new residents and should form approximately 5 million new households. Almost all of this growth will occur in metropolitan area. To meet the housing needs of California's growing population, homebuilders and developers will have to build an average of 220,000 housing units each year between now and 2020."

"Among individual counties, Los Angeles County alone is projected to add two million more residents by 2020."

"... California will need an unprecedented amount of new housing construction – more than 220,000 units per year through 2020 – if it is to accommodate projected population and household growth and still be reasonably affordable. California will need more suburban housing, more infill housing, more ownership housing, more rental housing, more affordable housing, more senior housing, and more family housing. California will also need more diverse housing, and more diverse neighborhoods. California's high land and construction costs, coupled with the cumbersome and open-ended nature of the local entitlements process, have served to discourage innovative land planning, site design, and building design."

This report is available in full via **http://www.hcd.ca.gov**. For additional information Chapter 2 of this report describes household and tenure projections for California counties and metropolitan areas for 2010 and 2020.

C. The particular property under consideration is a proper location for said zone classification within such area of district because:

The location of the property is appropriate for the requested Zone Change. The property has both regional and site access from the 118 Freeway, Topanga Canyon Boulevard and Poema Place, a collector street. The proposed RPD zone is compatible with the pattern of development in the area and is an appropriate transition from the intense development in the San Fernando Valley to the open space foothills of the Santa Susanna Mountains. Further, the RPD zone provides the design controls that are appropriate to address the topographic and prior grading impacts on the subject property.

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 practice because:

The placement of the RPD zone on the subject property will be in conformance with good zoning practice because the zone change will provide for a transition in the intensity of land uses and orderly pattern of development. Further, the proposed zone contains the design review procedures that will insure this degraded property will be designed to address the prior landform modifications and be compatible with the character and pattern of development in the area including providing an open space buffer for the upland area.

(NOTE: Use additional sheets as necessary)

EXHIBIT B

00 188

CONDITIONAL USE PERMIT CASE – BURDEN OF PROOF SECTION 22.56.040

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

A. That the requested use at the location proposed will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The requested residential condominium project is similar to and compatible with the character of the adjacent multi-family residential development. Therefore, the proposed condominium project will not adversely affect the health, peace, comfort or enjoyment of persons residing in the area. The project's clustered design preserves significant open areas as well as the most prominent landforms on the site. These characteristics and the design controls of the RPD zone will ensure that the project is compatible with the pattern of development in the area. The residential use and the clustered design concept are compatible with the public's health, safety & general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project site is 13.28 acres in size, adequate to accommodate the proposed 159 unit attached residential condominium design. The residential component of the project will be clustered on approximately 5 acres within the disturbed portion of the site. The site plan (Refer to Exhibit "A") depicts the arrangement of the buildings and access roadways and shows the yards, recreation areas, parking and related facilities. The site plan preserves the majority of the site as open space to minimize landform alteration outside the existing disturbed areas. Further, the design minimizes the affect of development on adjacent uses and preserves the most significant landforms on the site.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and

2. By other public or private service facilities as are required.

The project site has superior access. The property is adjacent to the 118 Freeway and the Topanga Canyon Boulevard on & off ramps. The project has site frontage on Poema Place, a collector street. Direct access to the freeway and Topanga Canyon Boulevard will allow future residents easy access to employment and commercial centers in both the San Fernando & Simi Valleys. The site has direct access to the utility infrastructure necessary to support the residential development. Refer to the Initial Study Questionnaire for additional information on service districts.

HILLSIDE MANAGEMENT – BURDEN OF PROOF

A. Hillside Management Areas (Section 22.56.215 F.1):

1. **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;**

   Although the site has previously received County approval for a grading permit in relation to the development of a church site, remedial earthwork is required to bring the developed area into conformance with County design standards for site stability. This project application will be supported by an onsite geotechnical report approved by the Department of Public Works to ensure that grading required by this project will be free of geotechnical or slope stability hazards.

   The project is within a high fire hazard area, however, the project's cluster design, locating development adjacent to the Poema Place and Topanga Canyon Boulevard, provides for a defensible space to buffer the project from flammable native vegetation. The driveway is looped with two access points on Poema Place to facilitate ingress and egress to the property. This design facilitates the evacuation of the residents in case of an emergency.

2. **That the proposed project is compatible with the natural, biotic, cultural, scenic, and open space resources of the area;**

   Much of the site has been disturbed by previous grading activities. The cluster concept proposed for the project will limit development to the existing disturbed areas. A records search and site survey conducted in 1985 concluded that "no evidence" of cultural resources could be found. By preserving the remaining natural open space areas including the most significant landforms, the cluster design of the project is compatible with the natural, cultural, scenic and open space resources of the site.

3. **That the proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;**

   The project location is adjacent to the 118 Freeway and Topanga Canyon Boulevard. Thus, future project residents will have easy access to commercial facilities in the San Fernando Valley and the regional transportation network. Essential public services and utilities are available to the site.

   The project can be found consistent with the General Plan. The project is located adjacent to a developed Urban 2 area and has the same or better locational, topographic and access characteristics. Given that the General Plan does not depict land use patterns less than 50 acres and that the site is approximately 13 acres, General Plan consistency is determined by land use compatibility and other site suitability factors. The adjacent urban residential uses, improved roadway access, and prior grading of the site make it an appropriate urban infill location.

4. **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.**

   The design of the project takes advantage of the existing landforms and graded areas to minimize the disturbance of natural slopes and cluster development within the disturbed area. This design will retain much of the scenic quality of the site and the more prominent landforms. The scale of the attached residential project is compatible with the character of the adjacent residential development.

EXHIBIT C

PARKING PERMIT - BURDEN OF PROOF SECTION 22.56.1020

A. Not applicable, because the required number of parking spaces is provided.

B. There will be no conflicts arising from special parking arrangements allowing compact spaces because:

The proposed Project's required residential parking will include 40% compact parking spaces, to effectively utilize the available buildable area. The proposed compact parking spaces will be oversized in design (8.5' in width x 17' in length). In addition, a management program will be implemented by the homeowner's association and will include the assignment of parking spaces to the residents. Guests of the residents will park in designated visitor parking spaces, which will be utilized on a first come first serve basis. The parking stalls provided for the residents' guests will be designed as standard sized. The management program implemented by the homeowner's association will assure an efficient distribution and utilization of all residential parking spaces.

The compact parking stalls provided for the residential parking of the Project will be sized in excess of the design standards as required by the Los Angeles County Code. Code requires compact parking stalls to have a minimum width of 8'. The requested compact parking stalls will maintain a width of 8.5', which is equivalent to a standard stall width. The efficient and proper distribution of these "over-sized" compact stalls provides for better utilization of the parking areas, which in turn facilitates ingress and egress, and reduces traffic congestion within the parking areas. The parking areas can thus comfortably accommodate a wide variety of vehicle sizes with increased clearance between cars.

Given the "over-sized" nature of the compact parking stalls and implementation of a property management program, no conflicts will arise as a result of this minor modification.

C. Not applicable, because no offsite facilities are proposed.

D. Not applicable, because the required number of parking spaces is provided on-site.

E. Refer to response "B" in the Conditional Use Permit Burden of Proof.

EXHIBIT D

OAK TREE PERMIT – BURDEN OF PROOF

This Burden of Proof Statement has been prepared in accordance with the County of Los Angeles Oak Tree Ordinance. The following text describes how the project satisfies each of the Ordinance criteria as provided on the "Request for Oak Tree Permit".

A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property:

The proposed residential project will remove and relocate the one oak tree on the subject property. No other oak trees are located on the subject property.

B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated:

The relocation of the one oak tree is required to provide access through the Los Angeles County Flood Control District easement present on the site. The road improvements will be constructed per current grading standards and implement Best Management Practices to reduce soil erosion.

C. That in addition to the above facts, the following findings apply:

The oak tree proposed for relocation interferes with the access road required by the Los Angeles Flood Control District. Road improvements, including widening of the road, are constrained by existing topography.

Los Angeles County
Department of Regional Planning
Director of Planning James E. Hartl, AICP

#7

June 12, 2003

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

FROM: Ellen Fitzgerald
Land Divisions Section

SUBJECT: ZONE CHANGE 00-188-(5)
CONDITIONAL USE PERMIT 00-188-(5)
OAK TREE PERMIT 00-188-(5)
PARKING PERMIT 00-188-(5)
TENTATIVE TRACT MAP 53235

Commissioners will recall that the public hearing on this project has held on March 19, 2003. The applicant presented his proposal for 159 condominium units in 5 buildings, a recreation building, associated parking facilities and approximately 9 acres of open space on the 13.28 acre site. The Commission also heard testimony from community residents who expressed their opposition to the project based on the proposed density, increased traffic, and impacts on existing infrastructure and services, especially those provided by the City of Los Angeles. The Commissioners discussed issues raised in testimony, specifically related to the somewhat "isolated" location of the site in relation to County provided services such as libraries.

The Commission directed the applicant to return with a redesigned project, taking into account the issues raised at the public hearing. Changes to the project to cater to an "empty-nester" market were suggested, which would limit impacts on schools and libraries. The applicant was advised to prepare a conceptual plan for reconsideration by the Commission prior to more formal submittal for analysis by the County's Subdivision Committee.

The applicant has submitted the conceptual redesign which reduces the development to 65 attached condominium units. The project design includes 11 buildings with 5 to 8 units per building. 2 covered parking spaces are provided for each unit and 17 guest parking spaces are provided. The units range in size from approximately 1,600 square

feet to over 2,300 square feet and include 3 bedrooms and a bonus room in some units. The project is extensively landscaped and a recreation building and tennis court are provided.

The applicant has prepared a report comparing the originally proposed project with the conceptual redesign and has provided several exhibits depicting the new design. The applicant has indicated he looks forward to presenting the redesign and addressing any questions the Commission may have.

PROJECT NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
OAK TREE PERMIT NO. 00-188-(5)
VESTING TENTATIVE TRACT MAP NO. 53235-(5)
STAFF ANALYSIS
FOR SEPTEMBER 17, 2003 REGIONAL PLANNING COMMISSION PUBLIC HEARING
(CONTINUED FROM NOVEMBER 20, 2002, MARCH 19, 2003, JUNE 18, 2003

The most recent discussion of the project occurred on June 18, 2003. On that date, the Commission reviewed a conceptual redesign of the project submitted in response to the Commission's direction on March 19, 2003 to return with a reduced density project that would also reduce impacts on the community and neighborhood services. The applicant returned with a reduced density project and stated that the housing product had changed from one of entry-level buyers to one conducive to "empty nesters". In addition, the applicant explained that all grading will be balanced on-site rather than having to export soil. The applicant also indicated that the Department of Parks and Recreation was satisfied with the trail location, which was shown in the northern portion of the site. Testimony in opposition was also heard. Opponents testified that the project should be further reduced to 39 dwelling units, that single family residences should be developed, which would be consistent with the District Supervisors general concerns for the area, that the tennis court was poorly sited, and that data provided by the applicant with respect to surrounding densities was incorrect. Although the reduced density could be considered, some additional concern was expressed.

The Commission opined that the redesign would reduce impacts and requested additional design changes related to provision of guest parking, trail location and maintenance, child amenities, lighting, proposed zoning, access and the elimination of a proposed tennis court and instructed the applicant to submit a revised tentative tract map for review by the Subdivision Committee and then continued the public hearing to September 17, 2003.

Project Design

The original development proposal was for a 5 building multi-family development of 159 condominiums. The redesigned project now proposes a total of 65 condominiums in 11 buildings with 5 to 8 units per building. 2 covered parking spaces are provided for each unit and a total of 33 guest parking spaces are provided, well in excess of the 17 which are required by the zoning ordinance. A recreation building and pool and spa are also provided. The development is accessed from a 28' wide gated driveway system from Poema Place. A proposed riding and hiking trail is shown along the front of the site, adjacent to the street. An open space lot (lot 2) of 7.42 acres is depicted to the north of the developed area on lot 1.

Trail connections

Staff has met with the Department of Parks and Recreation's trail coordinator, the project engineer, representatives of Supervisor Antonovich's office and the adjacent project's representatives to discuss the concerns related to trails. The conceptual plan discussed on June 18, 2003 showed the trail across the rear of the subject propertyt. However, community members indicated that the trail should be maintained within the "existing easement" to ensure access to Devil Canyon. The applicant therefore redesigned the project to accommodate the

community's request and moved the trail location to the front of the project site, within an existing dedicated easement.

Staff eventually discovered that the easement the community was referring to is not the same as the dedicated easement along the front of the property. Instead it is a de-facto trail which the community has been utilizing via the existing paved driveway. The actual dedicated easement is within the right of way of Poema Place and is not within the applicant's ownership. It is an unsuitable location for a trail as topographic conditions would likely necessitate retaining walls on both sides and its close proximity to the street would limit the equestrian and hiking experience. Staff evaluated the possibility of providing a trail in the general location the community has been using but could not establish a design that would meet County standards. Instead, the trail originally shown along the rear of the property is the most feasible location. Staff did not have sufficient time to recirculate a map with the corrected location so the tentative map shows the trail along Poema Place. The map should be conditioned to provide the trail in the appropriate location at the rear of the property. Staff has worked with the engineer and applicant of the adjacent Deerlake Ranch project and is confident the trail connection between the two projects can be coordinated.

General Plan Consistency

The staff report prepared for the March 19, 2003 public hearing explained that due to the scale and generalized nature of the Land Use Policy map of the General Plan, land use patterns of less than 50 acres are generally not shown. Due to the difficulty in precisely determining the land use categories, staff has relied on the criteria established in a 1982 policy memo for determining the need to process an amendment to the Countywide General Plan when a project does not fall clearly within an obvious category. The 50-acre policy includes criteria that a General Plan amendment may not be necessary if a project is compatible with the character of the community, is not regionally significant, would not result in environmental impacts of regional significance, and would not establish a precedent or conflict with basic general plan policies. The "50-acre rule" has been in effect for the past 20 years.

Prior to the initial submittal of this project, staff review of the General Plan land use policy map determined that the subject property was adjacent to non-urban designations to the north and east and Low-Medium Density, up to 12 units per acre, to the west. The exact boundaries of these designations could not be precisely determined and so, utilizing the 50 acre rule, the project was accepted as compatible with the Low-Medium Density designation without an application for an amendment to the General Plan. The proposed density at the time the project was submitted, 159 units on 13.2 acres, appeared consistent with the established density on the property located to the west, the Cadillac Fairview project.

The Cadillac Fairview project, Tract 41388, was approved by the Regional Planning Commission in 1982. The approval was for 570 attached condominiums on 270 acres, a density of approximately 3 units per acre, much lower than the maximum of 12 units permitted by the Low Medium Density designation. When additional research on the history of Tract 41388 was done, most recently in conjunction with determining the appropriate location for proposed trails associated with the adjacent Deerlake Ranch project, it was discovered that the aforementioned

Low Medium Density designation was granted **only** for property that encompassed the Cadillac Fairview project. That project had originally been proposed for higher density with an affordable housing component and at the time the project was proposed a County initiated update to the General Plan was simultaneously pending. Information in the file indicates that the site was changed to the urban Low-Medium density designation by the County to accommodate the project and the change was included in the update; no applicant initiated plan amendment associated with the project was involved. Only the developed area of the project was given the Low-Medium density designation. The remaining area remained non-urban, designated open space.

With this information relating to the exact boundaries of the Low-Medium density designation, staff can no longer conclude that the boundaries of the categories on the land use policy map are uncertain. As the boundary is certain, reliance on the 50 acre rule is no longer appropriate. Therefore, staff believes that an amendment to the Countywide General Plan is appropriate and necessary.

Since the General Plan Development section is presently reviewing the land use designations of all property within the unincorporated area, staff has discussed the appropriate procedure for initiation of this amendment. General Plan section staff indicates that a low-density designation for the subject property is appropriate based on the surrounding residential development, the close proximity of the 118 freeway, and the fact that the area may be considered urbanized, or urbanizing. The density of the surrounding development, including Twin Lakes, Indian Falls and Indian Springs, Cadillac Fairview (Somerset Condos) and proposed Deerlake Ranch are all consistent with a low-density residential category, rather than a non-urban designation. Staff also believes that amending the land use category to a designation consistent with the surrounding community would prevent the application for a more intense use at this location if the pending project does not get built. The General Plan section has indicated that redesignation of the subject property to Low Density residential would be their recommendation in association with the County's pending General Plan update.

Therefore, staff recommends that the Regional Planning Commission initiate an amendment to the Countywide General Plan to change the land use designation of the subject property from Non-Urban to Low Density Residential.

Environmental Impact Report

The draft EIR analyzed the impacts associated with a 159 unit condominium development. Since the proposed density has been significantly reduced, associated impacts have also been reduced. There is no need for recirculation of the draft EIR based on the project redesign.

Corresondence

Staff received correspondence related to trails from Equestrian Trails, Inc. and Teena Takata, a neighbor who has testified on this project. Both express concerns that existing trails be maintained, that there be assurances that proposed trails will interconnect and that the proposed density is not consistent with the equestrian nature of the area.

Staff recommendation

The redesigned project has reduced the proposed density by 59 percent and the resulting density in the low residential density range can be found consistent with that of the surrounding area. The project site is located adjacent to the Simi Valley Freeway, and Poema Place provides convenient access to Topanga Canyon Boulevard. Project impacts identified in the Draft EIR can be mitigated to less than significant levels with the exception of cumulative impacts to educational resources. Staff suggests the applicant submit a revision to the current tentative map indicating the riding and hiking trail at the rear of the property, in a location determined to connect with the future trail on the adjacent Deerlake Ranch project site, to the satisfaction of the Department of Parks and Recreation and incorporated any other changes the Regional Planning Commission might recommend. Staff recommends that the Commission initiate an amendment to the Countywide General Plan to bring the subject property into conformance with the urbanizing nature of the area and to revise the requested zone change application from RPD-5,000-12U to RPD-5,000-6U to reflect the project's reduced density,

Suggested motion

I move that the Regional Planning Commission close the public hearing and indicate its intent to recommend approval of Plan Amendment 00-188 and Zone Change 00-188 and intent its intent to approve Conditional Use Permit 00-188 and Tentative Tract Map 53235 and direct staff to return with the necessary resolution and findings and conditions for approval.

Attachments

March 4, 2004

TO: REGIONAL PLANNING COMMISSION

FROM: Ellen Fitzgerald
Land Divisions Section

SUBJECT: PROJECT NO. 00-188-(5)
GENERAL PLAN AMENDMENT CASE NO. 00-188-(5)
ZONE CHANGE CASE NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
OAK TREE PERMIT NO. 00-188-(5)
VESTING TENTATIVE TRACT MAP NO. 53235-(5)

On September 17, 2003 the Regional Planning Commission initiated an amendment to the General Plan, heard testimony on a revised project design, closed the public hearing and indicated its intent to approve the project and directed staff to prepare the FEIR and findings and conditions of approval.

However, the Commission also requested staff investigate further two outstanding issues. First, the possibility that a minor redesign to the project might be considered to potentially save the one oak tree on-site which was shown to be removed and secondly to ensure connectivity between the trails on the project site and those on the adjacent project. The property to the east of the project has been approved for development of a residential development known as the Deerlake Ranch project and much testimony was heard on the need for a interconnected trail system.

Oak Tree

The project design requires the removal of one oak tree. The oak tree is located along the access road to a required debris basin.

The project applicant discussed the possibility of relocating the debris basin to prevent the need to remove the tree with Department of Public Works staff. Unfortunately, it was determined that the debris basin could not be relocated so the tree will not be able to be saved.

However, the applicant has agreed to plant additional oak trees, beyond that recommended by the Los Angeles County Forester. to mitigate for the lost tree. Rather than the standard 2:1 mitigation recommended, the applicant will instead mitigate at a 10:1 ratio. Also, in addition to the 10 trees, 10 acorns will also be planted.

Trails

Staff feels confident that the trail depicted on the tentative map can be coordinated with the trail shown on the tentative map for the proposed Deerlake Ranch project to the east.

The project applicant has been conditioned to submit evidence to the Director of Planning that the trial is constructed and dedicated to the satisfaction of the Department of Parks and Recreation prior to recordation of the final map.

Additionally, staff will explain issues concerning the height of proposed retaining walls which were discovered subsequent to the close of the public hearing. The wall height is dependent upon the ultimate wall location and is related to the use of the alternative driveway depicted on the tentative tract map.

The Final Environmental Impact Report and Findings of Fact and the Mitigation Monitoring Program are attached.

Staff will be available to respond to any questions Commissioners may have.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

CERTIFIED-RECEIPT REQUESTED

March 11, 2004

Sonderman-Ring Partners-Topanga
13960 Marquesas Way
Marina del Rey, California 90292

Gentlemen:

SUBJECT: VestingTENTATIVE TRACT MAP CASE NO. 53235
GENERAL PLAN AMENDMENT CASE NO. 00-188-(5)
ZONE CHANGE CASE NO. 00-188
CONDITIONAL USE PERMIT CASE NO. 00-188-(5)
OAK TREE PERMIT CASE NO. 00-188-(5)

A public hearing on Vesting Tentative Tract Map No. 53235, General Plan Amendment Case No. 00-188-(5) Zone Change Case No. 00-188, Conditional Use Permit Case No. 00-188-(5) and Oak Tree Permit 00-188-(5) was held before the Regional Planning Commission of Los Angeles County on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003.

After considering the evidence presented, the Regional Planning Commission, in its action on **March 10, 2004**, recommended that the Board of Supervisors approve the requested general plan amendment and zone change and approved the tentative tract map, conditional use permit and oak tree permit in accordance with the Subdivision Map Act, Titles 21 (Subdivision Ordinance) and 22 (Zoning Ordinance) of the Los Angeles County Code, and the recommendations and conditions of the Subdivision Committee. A copy of the approved findings and conditions is attached.

The general plan amendment and change of zone are currently pending. The conditional use permit and the vesting tentative tract map are not effective until the general plan amendment and change of zone are adopted by the Board of Supervisors. Pursuant to subsection C of Section 21.56.010 and subsection B.2 of Section 22.60.230 of the County Code, the conditional use permit and vesting tentative tract map are deemed to be called for review/appealed by the Board of Supervisors and shall be considered concurrently with the recommended general plan amendment and zone change at the public hearing.

The action on the tentative tract map, conditional use permit and oak tree permit authorize:

1. The subdivision of the 13.28 acre site into 1 multi-family lot for development with 65 condominium units and 1 open space lot.

2. The development of the property in compliance with hillside management and density-controlled development design review criteria.

3. The removal of 1 oak tree.

Your attention is called to the following:

1. Condition No. 2 of the Conditional Use Permit provides that the permits shall not become effective for any purpose until the applicant and the owner of the property involved, or their duly authorized representative, have filed at the office of the Department of Regional Planning the affidavit stating that they are aware of and accept all of the conditions of the permits.

2. The decision of the Regional Planning Commission regarding the vesting tentative tract map shall become effective on the date of the decision, provided no appeal of the action taken has been filed with the Office of the Clerk of the Board of Supervisors.

3. During the fifteen-day period following your receipt of this letter, the Regional Planning Commission's action may be appealed to the Board of Supervisors. If you wish to appeal this decision to the Board, you must do so in writing. Your appeal should be filed with the Office of the Clerk of the Board, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Clerk of the Board of Supervisors at (213) 974-1432 for the current appeal fee.

The tentative tract map approval shall expire two years from the date of action by the Board of Supervisors on the call for review/appeal. If the subject tentative tract map does not record prior to the expiration date, a request in writing for an extension of the approval must be received prior to the expiration date. Pursuant to Section 22.56.140 (4) and Section 22.56.2250 of the Los Angeles County Code (Zoning Ordinance), the conditional use permit and oak tree permit shall be null and void unless utilized prior to the expiration of the tentative tract map. Recordation of the tentative tract map shall constitute use of this permit.

Time extensions granted for the tract map shall also apply to the conditional use permit and oak tree permit.

If you have any questions regarding this matter, please contact Ellen Fitzgerald of the Land Divisions Section of the Department of Regional Planning at (213) 974-6433 between the hours of 7 a.m. and 6 p.m., Monday through Thursday. Our offices are closed Fridays.

TENTATIVE TRACT MAP 53235
GENERAL PLAN AMENDMENT CASE NO. 00-188-(5)
ZONE CHANGE CASE NO. 00-188-(5)
CONDITIONAL USE PERMIT CASE NO. 00-188-(5)
OAK TREE PERMIT CASE NO. 00-188-(5)

Very Truly Yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Frank Meneses, Acting Administrator
Current Planning Division

FM:EMF:ef

Enclosures: Findings and Conditions

c: Board of Supervisors
Subdivision Committee
Save Chatsworth
B & E Engineers

A RESOLUTION OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES RELATING TO GENERAL PLAN AMENDMENT AND ZONE CHANGE CASE NO. 00-188-(5)

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted a public hearing in the matter of General Plan Amendment Case No. 00-188-(5) on September 17, 2003 and in the matter of Zone Change Case No. 00-188-(5) on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The subject property is a 13.28 acre rectangular shaped property with level to moderately sloping hilly terrain located at 11400 Poema Place in the Chatsworth Zoned District. The site is currently vacant and was previously graded for a church project that was not completed.

2. Access to the site is provided from Poema Place via Topanga Canyon Boulevard.

3. General Plan Amendment Case No. 00-188-(5) is a request to amend the Los Angeles County General Plan land use designation from Non-Urban to Low Density Residential.

4. Zone Change Case No. 00-188-(5) is a request to authorize a change of zone from A-1-1 (Light Agricultural) to RPD-5,000-6U (Residential Planned Development Zone) on the subject property. The Planned Development 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 is first obtained.

5. Zone Change Case No. 00-188-(5) was heard concurrently with Vesting Tentative Tract Map No. 53235, and Conditional Use Permit Case No. 00-188-(5), and Oak Tree Permit Case No. 00-188-(5) at the November 20, 2002, March 19, 2003, and June 18, 2003 public hearing, and concurrently with these permits and General Plan Amendment Case No. 00-188-(5), initiated by the Regional Planning Commission, at the September 17, 2003 public hearing.

6. Vesting Tentative Tract Map No. 53235 is a related request to subdivide 13.28 acres into one residential lot for development with 65 new residential condominiums and one open space lot.

7. Conditional Use Permit Case No. 00-188-(5) is a related request to authorize a planned residential development in compliance with the requirements of the hillside management provisions and the proposed RPD Zone.

8. Oak Tree Permit Case No. 00-188-(5) is a related request to authorize the removal of one oak tree.

9. Approval of the tentative tract map, conditional use permit and oak tree permit will not become effective unless and until the Board of Supervisors has approved the proposed general plan amendment and adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.

10. The site plan for the tentative tract map and conditional use permit, labeled Exhibit A, depicts 65 townhouse condominiums with two-car attached garages, an approximately 6,500 square feet recreation area, and 33 guest parking spaces distributed throughout the project site on lot 1. Lot 2 is a 6.6 acre open space lot.

11. The property is currently depicted within the Non-Urban land use classification of the Countywide General Plan Land Use Policy Map. This land use classification allows a maximum of one dwelling unit per acre and is further subject to the density limitations of the General Plan's non-urban hillside management provisions. The Regional Planning Commission is recommending that the Board of Supervisors amend the general plan to designate the subject property as Low Density Residential. This recommendation is based on consideration of the location of the property adjacent to the 118 freeway and Topanga Canyon Boulevard, both regional circulation routes and the scale of apartment and single family residential development existing in the area. The requested general plan amendment is necessary to authorize the proposed use of the subject property, as the project density of 65 residential units is inconsistent with the Non-Urban land use classification.

12. The recommended Low Density Residential designation is consistent with the goals and policies of the General Plan in that nearby existing and proposed development consists of single-family and multiple-family residences developed at densities ranging from 1-6 units per acre.

13. The project site is currently zoned A-1-1 (Light Agricultural, 1 acre minimum lot area). The current A-1-1 zoning on the subject property became effective on May 15, 1959, following the adoption of Ordinance Number 7505.

14. Surrounding zoning is A-1-1 (Light Agricultural, 1 acre minimum lot area) and R-1-6,000 (single-family residential, 6,000 square feet minimum lot area) to the north and east and RPD-10,000-4U (Residential Planned Development-10,000 square feet

minimum lot area-4 dwelling units per acres) to the west. The City of Los Angeles is located to the south.

15. Property north of the project site is vacant. Two-story multi-family residences are adjacent to the site on the west. The single-family residences of the Twin Lakes community are located to the east. Immediately to the east of the site is a proposed 388-unit single family residential project approved by the Regional Planning Commission on January 14, 2004. To the south, within the City of Los Angeles, are a mobile-home park, single-family residences, open space and highway commercial uses.

16. The proposed zone change from A-1-1 to RPD 5,000-6U is consistent with the goals and policies of the General Plan in that it will increase the supply and diversity of housing and promote the efficient use of land through a more concentrated pattern of urban development.

17. The requested zone change to RPD 5,000-6U is necessary to authorize the proposed use of the subject property. Pursuant to Section 22.24.070 of the Los Angeles County Code, the proposed clustered residential development is not allowed in the A-1-1 zone because the zone limits residential uses to large lot single family detached residential uses. The subject development project is authorized in the proposed RPD zoning classification pursuant to Section 22.20.460 of the County Code, which provides that property in an RPD zone may be used for a planned residential development, including attached condominium residences, which will afford the same or lesser density of population or intensity of use than is specified in the zone, provided a conditional use permit is first obtained. The proposed density of 65 dwelling units is consistent with the proposed RPD 5,000-6U zone, which would allow a maximum of 79 dwelling units on the 13.28 acre subject property.

18. Modified conditions warrant a revision in the zoning of the subject property. Since the A-1-1 zoning was established, the area has changed from predominantly vacant land to a primarily residential community traversed by a freeway. Major commercial/industrial employment areas are proximate to the area. The proposed zone change is consistent with the emerging development pattern in the area.

19. A need for the proposed zone classification exists within the community because the property is not necessary for agricultural use and the proposed zone is compatible with adjacent residential uses. The General Plan recognizes the limited supply of prime land available for housing.

20. The subject property is a proper location for the proposed RPD zoning classification and 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,

because the site has access to all necessary services and facilities and is of sufficient size and shape to accommodate residential development at RPD–5,000-6U densities. The proposed RPD zoning is compatible with existing adjacent residential uses and the surrounding residential zoning. Moreover, the proposed zoning classification will be consistent with the Countywide General Plan as amended.

21. Compatibility with surrounding land uses will be further ensured through the conditions of approval of the related conditional use permit and planned development design contained therein.

22. An Initial Study and an Environmental Impact Report were prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the County's environmental document reporting procedures and guidelines. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: education, biota, noise, fire protection, traffic/access, visual qualities and libraries. The Initial Study determined that an Environmental Impact Report (EIR) would be required.

23. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including education, biota, noise, fire protection, traffic/access, visual qualities, and libraries can be mitigated to less than significant level through implementation of the mitigation measures identified in the EIR. The Final Environmental Impact Report (FEIR) consists of the Draft EIR dated August 2002, the Technical Appendices to the Draft EIR dated August 2002, and the Final EIR, including responses to comments, dated January 2004.

24. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured.

25. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated into the conditions of Vesting Tentative Tract Map 53235. The conditions of approval require compliance with the applicable mitigation measures in accordance with the Mitigation Monitoring Program.

26. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related

thereto and that the document reflects the independent judgment and analysis of the Commission, and determines that all significant adverse effects of the project have been reduced to an acceptable level as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference.

27. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based is the Los Angeles County Department of 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, Los Angeles County Department of Regional Planning.

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

1. Hold a public hearing to consider General Plan Amendment Case No. 00-188-(5), a proposed change of land use designation in the Countywide General Plan from Non-Urban to Low Density Residential, and Zone Change Case No. 00-188-(5), a proposed change of zone from A-1-1 (Light Agricultural, 1 acre minimum) to RPD-5,000-6U (Residential Planned Development Zone-5,000 square foot minimum lot area-6 dwelling units per acre) on 13.28 acres;

2. Certify that the Final Environmental Impact Report 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;

3. Find that the Board has reviewed and considered the information contained in the Final Environmental Impact Report prior to approving the proposed general plan amendment and zone change;

4. Determine that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have been reduced to acceptable levels as stated in the attached Findings of Fact for the project, which findings are incorporated herein by reference;

5. Approve and adopt the Mitigation Monitoring Program for the 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;

6. Find that the recommended General Plan Amendment is consistent with the goals, policies and programs of the Los Angeles County General Plan;

7. Adopt General Plan Amendment Case No. 00-188-(5), amending the Land Use Policy Map of the Los Angeles County General Plan as depicted on the Exhibit attached hereto and described hereinabove;

8. Find that the recommended change of zone is consistent with the goals, policies and programs of the Los Angeles County General Plan, with the adoption of General Plan Amendment Case No. 00-188-(5) by the Board;

9. Find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and.

10. Adopt recommended Zone Change Case No. 00-188-(5), changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on **March , 2004.**

_____

Rosie Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR CONDITIONAL USE PERMIT NO. 00-188-(5)

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Conditional Use Permit Case No. 00-188-(5) on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003.

2. The applicant is proposing to construct a residential development on the subject property consisting of one multi-family lot with 65 new townhouse condominiums and one open space lot of 6.6 acres with project-associated infrastructure to be developed in compliance with hillside management and planned residential development design review criteria.

3. A conditional use permit is required to ensure compliance with the requirements of the proposed Residential Planned Development (RPD) zone and hillside management provisions pursuant to Sections 22.20.460 and 22.56.215, respectively, of the Los Angeles County Code.

4. A conditional use permit for a planned residential development promotes well-planned projects with innovative design and residential amenities beyond those expected under conventional development, to reduce development impacts in hillside areas and to preserve natural scenic areas.

5. A conditional use permit for development in a hillside management area protects the resources in hillside areas from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property, and ensures to the extent possible that development maintains and, where possible, enhances the natural topography, resources and amenities of the hillside management area while allowing for the limited controlled development therein.

6. The subject property is located north of State route 118 (Simi Valley Freeway) at 11400 Poema Place in the Chatsworth Zoned District.

7. Access to the site is provided by Poema Place via Topanga Canyon Boulevard.

8. The subject property is 13.28 acres in size and is rectangular-shaped with level to moderately sloping hilly terrain. The site is currently vacant and was previously graded for a church project that was not completed.

9. Property north of the project site is vacant. Two-story multi-family residences are adjacent to the site on the west. The single-family residences of the Twin Lakes community are located to the east. Immediately to the east of the site is a proposed 388-unit single family residential project approved by the Regional Planning Commission on January 14, 2004. To the south, within the City of Los Angeles, are a mobile-home park, single-family residences, open space and highway commercial uses.

10. The project site is currently zoned A-1-1 (Light Agricultural, 1 acre minimum lot area). The zoning was established by Ordinance No. 7505, which became effective on May 15, 1959. Concurrent with this approval, however, the Commission has recommended that the Board of Supervisors approve Zone Change Case No. 00-188-(5), a request to change the zoning of the subject property to RPD-5,000-6U (Residential Planned Development Zone-5,000 square feet minimum lot area-6 dwelling units per acre). The Planned Development designation will ensure that development occurring after the property has been rezoned will conform to plans submitted by the applicant through the conditional use permit approval process.

11. Surrounding zoning is A-1-1 (Light Agricultural, 1 acre minimum lot area) and R-1-6,000 (single-family residential, 6,000 square feet minimum lot area) to the north and east and RPD-10,000-4U (Residential Planned Development-10,000 square feet minimum lot area-4 dwelling units per acres) to the west. Property to the south is located within the City of Los Angeles.

12. The requested zone change to RPD 5,000-6U is necessary to authorize the proposed use of the subject property. Pursuant to Section 22.24.070 of the Los Angeles County Code, the proposed clustered residential development is not allowed in the A-1-1 zone because the zone limits residential uses to large lot single family detached residential uses. The subject development project is authorized in the proposed RPD zoning classification pursuant to Section 22.20.460 of the County Code, which provides that property in a RPD zone may be used for a planned residential development, including attached condominium residences, which will afford the same or lesser density of population or intensity of use than is specified in the zone, provided a conditional use permit is first obtained. The project density of 65 dwelling units is consistent with the proposed RPD 5,000-6U zone, which would allow a maximum of 79 dwelling units on the subject property.

13. The property is depicted within the Non-Urban land use classification on the Countywide General Plan Land Use Policy Map. Concurrent with this approval, however, the Commission is recommending that the Board of Supervisors approve General Plan Amendment No. 00-188-(5). If approved by the Board of Supervisors, the subject property's land use designation will be changed to Low Density Residential. This recommendation is based on consideration of the location of the property adjacent to the 118 Freeway and Topanga Canyon Boulevard and the scale of multi-family and single family residential development in the area. The Low Density Residential land use classification permits residential densities ranging from one to six dwelling units per acre, which would allow a maximum of 79 dwelling units on the site. The project density of 65 dwelling units is consistent with this land use classification.

14. The proposed project is consistent with the goals and policies 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.

15. Conditional Use Permit Case No. 00-188-(5) was heard concurrently with General Plan Amendment Case No. 00-188-(5), Zone Change Case No. 00-188-(5), Oak Tree Permit Case No. 00-118-(5) and Vesting Tentative Tract Map No. 53235. Approval of Conditional Use

Permit No. 00-188-(5) will not become effective unless and until the Board of Supervisors has approved the proposed general plan amendment and adopted an ordinance effecting the change of zone, and such ordinance has become effective.

16. Vesting Tentative Tract Map No. 53235 is a related request to subdivide the subject property into one multi-family residential lot for development with 65 new residential condominiums and one open space lot.

17. Oak Tree Permit Case No. 00-188-(5) is a related request to authorize the removal of one oak tree.

18. The applicant's site plan, labeled Exhibit "A", depicts 65 attached single-family condominiums occupying approximately 6.64 acres of the project site. The two- and three-story buildings are 35 feet in height and range from 1,660 to 2,340 square feet in size with three bedrooms and attached 2-car garages. There is a 6,500-square foot recreation area consisting of a pool, spa, and recreation building. A total of 163 parking spaces are depicted, including 33 guest parking spaces distributed throughout the project site. Landscaping is located in the gated entry, parking and recreation areas and common areas. The northerly approximately 6.6 acres of the site are proposed as a dedicated open space lot. The open space lot encompasses a trail to link proposed trails along the easterly boundary and the Devil canyon area of the property. The townhouses are accessed by a private common driveway with a width of 28 feet.

19. Correspondence was received from surrounding neighbors and interested parties concerned about traffic impacts, loss of natural open space, safety issues, impacts on schools, lack of County services in the area, the need to maintain the existing rural lifestyle of Chatsworth, the need for a connecting trail system, and the concern that the proposed density would be inconsistent with the density of the surrounding community.

20. During the public hearing, the Regional Planning Commission heard staff's presentations, the applicant's presentations, and testimony from concerned neighbors. Much of the public testimony reiterated comments received in written correspondence but stressed the need for reduced density, adequate trails and traffic mitigation.

21. In response to community concerns, the Regional Planning Commission directed the applicant to redesign the project to reduce the proposed density and address the comments raised during the public hearing.

22. The applicant revised the project in order to reduce the number of residential units from 159 units to 65 dwelling units, reduce the quantity of grading, and eliminate the need to export earthen material. The project also provides improved trail linkages to allow trail access to the upland areas of Devils Canyon.

23. The project minimizes grading by locating the development primarily in the previously disturbed portions of the site. Grading is balanced on-site and limited to approximately 43,000

cubic yards. The project eliminates the need to export soil thus reducing the potential impact of construction traffic.

24. The proposed residential development will be required to comply with the development standards and requirements applicable to the RPD zone, as set forth in Section 22.20.460 of the County Code.

25. Pursuant to Section 22.20.460 of the County Code, the proposed project is required to contain open space in an amount not less than 30 percent of the net area. The proposed project has the necessary provision for open space. The open space lot contains approximately 6.6 acres of open space, which represents 50 percent of the project site. Section 22.56.215J of the County Code requires that the proposed project contain open space in an amount not less than 25 percent of the net urban hillside area. The proposed project exceeds this requirement.

26. As required by Section 22.56.215.J.1 of the County Code, provision will be made for landscaping all common or open space areas not to be left in a natural state, all utilities will be placed underground, and exterior elevations drawings indicating building heights and major architectural features shall be submitted to and approved by the Director of Planning prior to the issuance of any building permit.

27. It is the intent of the hillside management conditional use permit process to protect the resources in hillside management areas as specified in the Countywide General Plan from incompatible development which may result in or have potential for environmental degradation and/or destruction of life and property. It is not the purpose of this process to preclude development in these areas but to ensure, to the extent possible, that such development maintains, and where possible enhances, the natural topography, resources, and amenities of the hillside management areas while allowing for the limited controlled development therein.

28. The project's location, size, design and operating characteristics have given consideration to harmony in scale, bulk, coverage and density; the availability of public utilities, services and facilities; the generation of traffic and the capacity and physical character of the surrounding streets; and the suitability of the site for the type and intensity of use or development which is proposed.

29. The proposed project includes common 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.

30. The approval of the proposed dwelling units in an urban hillside area is allowed since the conditions of approval will adequately mitigate problems of public safety, design, and environmental considerations as provided in the General Plan.

31. An Initial Study and an Environmental Impact Report have been prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA

Guidelines and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study concluded that there was substantial evidence that the project may have potentially significant impact on the environment in the following areas: education, biota, noise, fire protection, traffic/access, visual qualities and libraries. The Initial Study determined that an Environmental Impact Report (EIR) would be required.

32. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including education, biota, noise, fire protection, traffic/access, visual qualities, and libraries can be mitigated to less than significant level through implementation of the mitigation measures identified in the EIR. The final Environmental Impact Report (FEIR) consists of the Draft EIR dated August 2002, the Technical Appendices to the Draft EIR dated August 2002 and the Final EIR, including responses to comments, dated January 2004.

33. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured.

34. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated into the conditions of approval of this grant. The conditions of approval require compliance with the applicable mitigation measures in accordance with the Mitigation Monitoring Program.

35. The documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter are located in the Los Angeles County Department of 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, Los Angeles County Department of Regional Planning.

36. Approval of this conditional use permit is conditioned on the applicant's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53235.

37. 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.

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 general plan for the area as amended by General Plan Amendment No. 00-188-(5);

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 Los Angeles 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, 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; and

I. That the approval of the proposed development within a hillside management area, with dwelling units exceeding the number permitted by the midpoint of the permitted density range in urban hillsides, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance and the General Plan;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.215, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project have been reduced to an acceptable level, as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference.

2. The Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation.

3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 00-188-(5) is **APPROVED** subject to the attached conditions and further subject to approval by the Board of Supervisors of General Plan Amendment No. 00-188-(5) and Zone Change No. 00-188-(5).

DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 00-188-(5)

CONDITIONS:

1. This grant authorizes the use of the subject property for 65 new attached condominium units, as depicted on the approved exhibit map marked Exhibit A, subject to all of the following conditions of approval.

2. This grant shall not be effective for any purpose until a duly authorized representative of the permittee, and the owner of the subject property, if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all 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 8. Further, this grant shall not become effective unless and until the Board of Supervisors has approved General Plan Amendment No. 00-188-(5) and Zone Change Case No. 00-188-(5) and an ordinance reflecting such change of zone has become effective.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. If any material 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 a 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. The terms and conditions of the grant shall be recorded in the office of the County Recorder prior to the issuance of any grading or building permit or concurrently with the recordation of the final map, whichever occurs first. In addition, upon transfer or lease of all or any portion 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 five (5) days of the approval date of this grant, the permittee shall remit processing fees in the amount of $875 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 Public Resources Code and Section 711.4 of the 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.

8. The mitigation measures set forth in the Final Environmental Impact Report (EIR) for the project are incorporated by this reference and made conditions of this permit, and the permittee shall comply with the attached Mitigation Monitor Program. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Department of Regional Planning for review and approval by said department. The reports shall describe the status of the permittee's compliance with the required mitigation measures. The reports shall be submitted in the following sequence:

   a. Prior to or concurrent with submittal of a revised Exhibit A to be approved by the Director of Planning prior to issuance of grading permits;
   b. At the time of building permit issuance, including verification of payment of applicable fees. If the project is phased, a report shall be submitted at each successive phase;
   c. Prior to occupancy clearances by the Department of Public Works;
   d. Additional reports shall be submitted as required by the Director of Planning.

9. The subject property shall be graded, 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 in violation of any such law, statue, ordinance or other regulation shall be a violation of these conditions. If any inspection of the subject property discloses that the property is being used in violation of any condition of this grant, the permittee may be required to reimburse the Department of Regional Planning for all the additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment.

10. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **$3,000.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **Twenty (20) biennial inspections**. The inspections shall be unannounced.

11. 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.

12. 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 the Department of 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 on 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.

13. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53235. In the event that Vesting Tentative Tract Map No. 53235 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.

14. This permit shall not become effective unless and until the Board of Supervisors has approved General Plan Amendment Case No. 00-118-(5) and adopted an ordinance effectuating Zone Change Case No. 00-188-(5) and such ordinance has became effective.

15. The subject property shall be graded, developed and maintained in substantial compliance with the approved Tentative Tract Map 53235 (dated November 17, 2003). Amended or revised tentative maps approved for Tentative Tract Map 53235 may, at the discretion of the Director of Planning, constitute a revised Exhibit A.

16. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property, except as specifically modified by this grant, as set forth in these conditions, including the approved Exhibit A.

17. A recreation area consisting of a pool, spa, and recreation building covering approximately 6,500 square feet, shall be constructed on the property as depicted on the approved Exhibit A.

18. A minimum of 163 standard automobile parking spaces, as depicted on the approved Exhibit A, shall be provided and continuously maintained on the subject property, developed to the specifications listed in Section 22.52.1060 of the County Code. There shall be at least two

covered parking spaces designated for each dwelling unit. There shall be at least 33 guest parking spaces distributed throughout the project site as depicted on the approved Exhibit A. 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. The permittee shall submit a parking management plan and provide for continual enforcement of the parking management plan in the Covenants, Conditions, and Restrictions to the satisfaction of the Department of Regional Planning.

19. A maximum of approximately 3.5 acres of the project site shall be paved and/or covered by structures.

20. The development of the subject property shall conform to the conditions approved for Vesting Tentative Tract Map No. 53235 and Oak Tree Permit 00-188-(5).

21. No grading permit shall be issued prior to the recordation of a final map unless the Director of Planning determines that the proposed grading conforms to the conditions of this grant and the conditions of Vesting Tentative Tract Map 53235.

22. 6.6 acres of the project site, depicted on the associated Vesting Tentative Tract Map 53235 as Lot 2, shall be maintained as permanent, undeveloped natural open space.

23. The permittee shall pay the required Quimby in-lieu fee of $55,760 as required by the Department of Parks and Recreation.

24. Prior to the issuance of any grading permit or building permit, site plans 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 resources.

25. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.

26. All utilities shall be placed underground.

27. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

28. During construction the permittee and its contractor shall comply with Sections 12.12.010-12.12.100 of the Los Angeles County Code regarding building construction noise.

29. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

30. On-site grading shall be limited to that which is necessary to construct roadways, community facilities, common area facilities, building pads and other improvements shown on Exhibit A.

31. All grading and construction and appurtenant activities shall be restricted to Monday through Friday, between the hours 7:00 a.m. and 6:00 p.m. and on Saturdays from 8:00 a.m. to 5:00 p.m. No Sunday or holiday operations are permitted.

32. 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.

33. The permittee shall, upon commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

34. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.

35. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.

36. 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 of Los Angeles.

37. 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 said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

38. No structure shall exceed a height of 35 feet above finished grade, except for chimneys and rooftop antennas, as defined by Section 22.08.08 of the Los Angeles County Code (Zoning Ordinance).

39. The permittee shall submit evidence that Lot 2 depicted on the associated Vesting Tentative Tract Map 53235 has been dedicated to a public agency to the satisfaction of the Director of Planning concurrent with the recordation of the final map.

40. The permittee shall submit a copy of the project Conditions, Covenants, and Restrictions to the Director of Planning for review and approval prior to the recordation of the final map for Vesting Tentative Tract Map No. 53235.

41. The permittee shall provide in the Covenants, Conditions, and Restrictions, to the satisfaction of the Department of Regional Planning, full disclosure to prospective purchasers of the condominiums that the development is located adjacent to public open space and public hiking and equestrian trails.

42. The permittee shall provide in the Covenants, Conditions, and Restrictions, to the satisfaction of the Department of Regional Planning, reference to or inclusion of a reserve formula to ensure full disclosure to prospective purchasers of the condominiums of reserve fund requirements for the long-term maintenance, repair, replacement, or improvement of Homeowners Association property and common property.

43. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the periods established by said Department.

44. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with Los Angeles County Building and Plumbing Codes.

45. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project will fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code Section 17921.3 which requires low-flush toilets in all new construction, Title 24 of the California code of Regulations Sections 2-5352 (I) and (J) which require hot water pipes to be insulated and Government code Section 7800 which requires lavatories to have self-closing faucets in public bathrooms.

46. 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.

47. No grading shall be done or natural vegetation removed beyond that which is shown on the approved Hillside Management Conditional Use Permit Exhibit "A," except that which may be required by the Fire Department for brush clearance purposes.

48. All graded slopes (cut and fill) shall be revegetated. Three copies of a landscape plan, which may be incorporated into a revised site plan, shall be submitted and approved by the Director of Planning before issuance of a grading permit. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained

in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary. Drip irrigation systems or other water-conserving devices shall be employed for all plantings except for ground cover and grasses.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning and by the Los Angeles County Fire Department. 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.

The landscaping plan must show that at least 50% of the area covered by landscaping will be locally indigenous species, including not only trees, but shrubs and ground cover as well. However, if the applicant can prove to the satisfaction of staff that a 50% or more locally indigenous species is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting may be required. In those areas where staff approves a reduction to less than 50% locally indigenous vegetation, the amount of such planting required shall be at least 30%. The landscaping shall include trees, shrubs and/or ground cover at a mixture and density determined by staff and the fire department. Fire retardant plants shall be given first consideration.

Permitted Plantings. Trees, shrubs and/or ground cover indigenous to the local region shall be used for the required 50% landscaping. Fire retardant and locally indigenous plants that may also be used for the required 50% such landscaping can be found on the attached list (marked Exhibit "B") compiled by the Los Angeles County Fire Department. Ailanthus, Arundo, Hedera, Cynodon, Datylon and other highly invasive species shall be prohibited. This list may be amended as approved by staff.

Timing of Planting. Prior to the issuance of building permits for any construction the applicant shall submit a landscaping and phasing plan for the landscaping associated with that 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.

The planting shall begin at the time of occupancy of each building. The required planting of new trees, shrubs and/or ground cover shall be completed within six months following occupancy.

The approved phasing plan shall set forth goals for the growth of the new plants in order to achieve established landscaping within eighteen months following completion of the required planting. The applicant shall supply information for staff review of the completed landscaping at such time to confirm completion in accordance with the approved landscaping plan. In the event that some plants have not flourished, at the time of review, staff may require replacement planting as necessary to assure completion in accordance with such plan.

These requirements shall not apply to areas which have been previously landscaped and

irrigated during other phases of development.

Attachments

FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR OAK TREE PERMIT NO. 00-188-(5)

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Oak Tree Permit Case No. 00-188-(5) on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003.

2. The subject property is located north of State Route 118 (Simi Valley Freeway) at the northerly terminus of Topanga Canyon Boulevard in the Chatsworth Zoned District.

3. The site is a rectangular-shaped parcel of 13.28 acres with flat to some hilly topography.

4. Access to the site is provided by Poema Place via Topanga Canyon Boulevard.

5. Oak Tree Permit Case No. 00-188-(5) requests authorization to remove one (1) oak tree in conjunction with the construction of a residential development, pursuant to Section 22.56.2060 of the Los Angeles County Code.

6. The applicant has submitted an Oak Tree Report prepared by a certified arborist that identifies and evaluates a total of one oak tree.

7. The Los Angeles County Forester and Fire Warden, Forestry Division, 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 County Forester has recommended approval of the requested oak tree removal, subject to recommended conditions of approval, including replacement trees to be provided on a 2:1 basis, and the applicant has agreed to mitigation at a ratio of 10:1. Therefore, the total mitigation planting shall include 10 specimen oak trees. In addition, 10 acorns shall be planted, as required by this Commission.

8. Oak Tree Permit Case No. 00-188-(5) was heard concurrently with General Plan Amendment Case No. 00-188-(5), Zone Change Case No. 00-188-(5), Conditional Use Permit Case No. 00-188-(5) and Vesting Tentative Tract Map No. 53235. Approval of this grant will not become effective unless and until the Board of Supervisors has approved the proposed general plan amendment and adopted an ordinance effecting the change of zone, and such ordinance has become effective.

9. General Plan Amendment Case No. 00-188 is a related request to change the Los Angeles County General Plan designation of the subject property from Non-Urban to Low Density Residential.

10. Zone Change Case No. 00-188-(5) is a related request to change the zoning on the subject property from A-1-1 to RPD-5,000-6U.

11. Conditional Use Permit Case No. 00-188-(5) is a related request to authorize a planned residential development in compliance with hillside management design review criteria and

the provisions of the RPD zone pursuant to Sections 22.40.460 and 22.56.215 of the Los Angeles County Code.

12. Vesting Tentative Tract Map No. 53235 is a related request to subdivide the subject property into 1 multi-family residential lot for development with 65 new condominiums and 1 open space lot.

13. The removal of one oak tree is necessary to allow access to a required debris basin to serve the project.

14. The necessary drainage improvements for soil erosion control will be designed in accordance with the standards of the Department of Public Works as a condition of approval of the associated tentative tract map.

15. An Initial Study and an Environmental Impact Report have been prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study concluded that there was substantial evidence that the project may have potentially significant impact on the environment in the following areas: education, biota, noise, fire protection, traffic/access, visual qualities and libraries. The Initial Study determined that an Environmental Impact Report (EIR) would be required.

16. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including education, biota, noise, fire protection, traffic/access, visual qualities, and libraries can be mitigated to less than significant level through implementation of the mitigation measures identified in the EIR. The final Environmental Impact Report (FEIR) consists of the Draft EIR dated August 2002, the Technical Appendices to the Draft EIR dated August 2002 and the Final EIR, including responses to comments, dated January 2004.

17. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured.

18. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated into these conditions of approval. The conditions of approval require compliance with the applicable mitigation measures in accordance with the Mitigation Monitoring Program.

19. The documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter are located in the Los Angeles County Department of 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, Los Angeles County Department of 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 removal of one oak tree is necessary for development reasons as continued existence of the tree at the present location frustrates the planned improvements or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive;

C. That the removal of the oak tree proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and

D. That the removal of the oak tree proposed will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure;

AND, 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).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project have been reduced to an acceptable level as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference;

2. The Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and

3. In view of the findings of fact presented above, Oak Tree Permit 00-188-(5) is **APPROVED** subject to the attached conditions, and further subject to approval by the Board of Supervisors of General Plan Amendment Case No. 00-188-(5) and Zone Change Case No. 00-188-(5).

DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT NO. 00-188-(5)

CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at either 818-890-5719 or 323-881-2481)

1. This grant authorizes the removal of one (1) tree of the Oak Genus identified as Tree Number 1 on the applicant's site plan and Oak Tree Report, 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 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 Department of 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 County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.

5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in such full compliance shall be a violation of these conditions.

7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.

9. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees 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 Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current total fee amount is $ 875.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of $1000.00. Such fee shall be used to compensate the County 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 ten (10) subsequent annual inspections until the conditions of approval have been met. The Director of Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the update document on file at the Department of Regional Planning by Design Solutions, the consulting arborist, dated June 17, 2000.

12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department 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 County 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. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53235.

14. 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. All Individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, and conditions of approval.

15. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two 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 County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.

16. Except as otherwise expressly authorized by this grant, the remaining Oak tree 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 County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

17. As agreed, the permittee shall provide mitigation trees of the Oak genus at a rate of 10:1 for the oak tree removed for a total of 10 mitigation trees.

18. Each mitigation tree shall be at least a fifteen 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.

19. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia grown from a local seed source and be of high-quality.

20. 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.

21. 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 planed on-site in locations approved by the project arborist in consultation with the County Forester. In circumstances where on-site planting is shown to be infeasible, the mitigation trees may be planted off-site at an approved location, 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 County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

22. 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 three- year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

23. 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 County Forester, including any loss of trees.

24. 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.

25. 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 County Forester and the Department of Regional Planning.

26. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

27. 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.

28. 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.

29. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited without an addendum prepared by the Forestry Division of the Los Angeles County Fire Department and approved by the Department of Regional Planning.

30. Should encroachment within the protected zone of any additional trees of the Oak genus on the project site not permitted by this grant result in its injury or death within two years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

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 County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance. The Director and the County 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 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 (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 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 the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed an 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.

39. 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.

40. As a means of ensuring the effectiveness of the mitigation monitoring measures set forth in the attached Mitigation Monitoring Program, the permittee shall submit mitigation monitoring reports to the Director. The reports shall describe the status of compliance with the mitigation measures adopted as conditions of this grant. The reports shall be submitted and approved in the following sequence:

    a. At the time of building permit issuance, include verification and payment of applicable fees;
    b. Additional reports as required by the Director.

41. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53235. In the event that Vesting Tentative Tract Map No. 53235 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.

42. 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 County of Los Angeles Forester and Fire Warden, Forestry Division, and the Department of Regional Planning.

FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR VESTING TENTATIVE TRACT MAP NO. 53235

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Vesting Tentative Tract Map No. 53235 on November 20, 2002, March 19, 2003, June 18, 2003 and September 17, 2003.

2. Vesting Tentative Tract Map No. 53235 is a proposal to subdivide the subject property into one multi-family residential lot for development with 65 new residential condominium units and one open space lot.

3. The subject site is located north of State Route 118 (Simi Valley Freeway) at 11400 Poema Place near the northerly terminus of Topanga Canyon Boulevard in the Chatsworth Zoned District.

4. The subject property is 13.28 acres in size and is rectangular-shaped with level to moderately sloping hilly terrain. The site is currently vacant and was previously graded for a church project that was not completed.

5. Access to the site is provided by Poema Place via Topanga Canyon Boulevard.

6. Property north of the project site is vacant. Two-story multi-family residences are adjacent to the site on the west. The single-family residences of the Twin Lakes community are located to the east. Immediately to the east of the site is a proposed 388-unit single family residential project approved by the Regional Planning Commission on January 14, 2004. To the south, within the City of Los Angeles, are a mobile-home park, single-family residences, open space and highway commercial uses.

7. The project site is currently zoned A-1-1 (Light Agricultural, 1 acre minimum lot area). The zoning was established by Ordinance No. 7505, which became effective on May 15, 1959. Concurrent with this approval, however, the Commission has recommended that the Board of Supervisors approve Zone Change Case No. 00-188-(5), a request to change the zoning of the subject property to RPD-5,00-6U (Residential Planned Development Zone-5,000 square feet minimum lot area-6 dwelling units per acre).

8. Surrounding zoning is A-1-1 (Light Agricultural, 1 acre minimum lot area) and R-1-6,000 (single-family residential, 6,000 square feet minimum lot area) to the north and east and RPD-10,000-4U (Residential Planned Development-10,000 square feet minimum lot area-4 dwelling units per acres) to the west. Property to the south is located within the City of Los Angeles.

9. The proposed subdivision is authorized in the proposed RPD zoning classification pursuant to Section 22.20.460 of the County Code, which provides that property in Zone RPD may be used for a planned residential development, including attached condominium residences, which will afford the same or lesser density of population or intensity of use than is specified

in the zone, provided a conditional use permit is first obtained. The project density of 65 dwelling units is consistent with the proposed RPD 5,000-6U zone, which would allow a maximum of 79 dwelling units on the subject property.

10. The property is depicted within the Non-Urban land use classification on the Countywide General Plan Land Use Policy Map. Concurrent with this approval, however, the Commission is recommending that the Board of Supervisors approve General Plan Amendment No. 00-188-(5). If approved by the Board of Supervisors, the subject property's land use designation will be changed to Low Density Residential. This recommendation is based on consideration of the location of the property adjacent to the 118 Freeway and Topanga Canyon Boulevard and the scale of multi-family and single family residential development in the area. The Low Density Residential land use classification permits residential densities ranging from one to six dwelling units per acre, which would allow a maximum of 79 dwelling units on the site. The project density of 65 dwelling units is consistent with this land use classification.

11. Vesting Tentative Tract Map No. 53235 was heard concurrently with General Plan Amendment Case No. 00-188-(5), Zone Change Case No. 00-188-(5), Conditional Use Permit Case No. 00-188-(5) and Oak Tree Permit Case No. 00-188-(5). Approval of Vesting Tentative Tract Map No. 53235 will not become effective unless and until the Board of Supervisors has approved the proposed general plan amendment and adopted an ordinance effecting the change of zone, and such ordinance has become effective.

12. Conditional Use Permit Case No. 00-188-(5) is a related request to authorize a planned residential development of 65 new residential condominiums on the project site within a hillside management area and in compliance with the requirements of the proposed RPD-5,000-6U Zone, pursuant to Sections 22.20.460 and 22.56.215 of the Los Angeles County Code. A planned residential development is designed to promote well-planned projects with an integrated design and residential amenities beyond those expected under conventional development, to reduce development impacts in hillside areas and to preserve natural scenic areas. A conditional use permit for development in a hillside management area protects the resources in hillside areas from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property, and ensures to the extent possible that development maintains and, where possible, enhances the natural topography, resources and amenities of the hillside management area while allowing for the limited controlled development therein.

13. Oak Tree Permit Case No. 00-188 (5) is a related request to authorize the removal of one oak tree.

14. Correspondence was received from surrounding neighbors and interested parties concerned about traffic impacts, loss of natural open space, safety issues, impacts on schools, lack of County services in the area, the need to maintain the existing rural lifestyle of Chatsworth,

the need for a connecting trail system, and the concern that the proposed density would be inconsistent with the density of the surrounding community.

15. During the public hearing, the Regional Planning Commission heard staff's presentations, the applicant's presentations, and testimony from concerned neighbors. Much of the public testimony reiterated comments received in written correspondence but stressed the need for reduced density, adequate trails and traffic mitigation.

16. In response to community concerns, the Regional Planning Commission directed the applicant to redesign the project to reduce the proposed density and address the comments raised during the public hearing.

17. The applicant revised the project in order to reduce the number of residential units from 159 units to 65 dwelling units, reduce the quantity of grading, and eliminate the need to export earthen material. The project also provides improved trail linkages to allow trail access to the upland areas of Devils Canyon.

18. The project minimizes grading by locating the development primarily in the previously disturbed portions of the site. Grading is balanced on-site and limited to approximately 43,000 cubic yards. The project eliminates the need to export soil thus reducing the potential impact of construction traffic.

19. Construction of the project will include infrastructure improvements to service the project and the surrounding community. The design of the subdivision and the type of improvements proposed will not cause serious public health problems, since sewage disposal, storm water drainage, fire protection, and geologic and soils factors are addressed in the conditions of approval.

20. Access to the subject property will be adequate for the development and for the deployment of fire fighting and other emergency service vehicles.

21. The site is physically suitable for the type of development and density being proposed, since the developed portion of the property is relatively level and has an adequate building site to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by sanitary sewers, will be provided with water supplies and distribution facilities with sufficient capacity to meet anticipated domestic and fire protection needs; and will have flood hazards and geological hazards mitigated in accordance with the requirements of the County Department of Public Works.

22. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The project preserves and enhances sensitive habitat, and includes significant open space and trail and recreational components. The subject property is not located in a Significant

Ecological Area. The developed area of the site will encompass, predominately, the previously graded and disturbed portions of the property.

23. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities therein, since the size of the development pad is sufficient to permit orientation of the majority of structures in an east-west alignment for southern exposure or to take advantage of shade or prevailing breezes.

24. 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 the tentative tract map, since the design and development as set forth in the conditions of the project and on the tentative map, provide adequate protection for any such rights-of-way and easements.

25. The proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir as those terms are used in Article 3.5 of the Subdivision Map Act (California Government Code Section 66410 *et seq.*).

26. 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.

27. 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 as amended by proposed General Plan Amendment No. 00-188-(5).

28. This tract map has been submitted as a "Vesting" Tentative Tract Map. As such, it is subject to the provisions of Sections 21.38 of the Los Angeles County Code (Subdivision Ordinance).

29. An Initial Study and an Environmental Impact Report have been prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study concluded that there was substantial evidence that the project may have potentially significant impact on the environment in the following areas: education, biota, noise, fire protection, traffic/access, visual qualities and libraries. The Initial Study determined that an Environmental Impact Report (EIR) would be required.

30. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including education, biota, noise, fire protection, traffic/access, visual qualities, and libraries can be mitigated to less than significant level through implementation

of the mitigation measures identified in the EIR. The final Environmental Impact Report (FEIR) consists of the Draft EIR dated August 2002, the Technical Appendices to the Draft EIR dated August 2002 and the Final EIR, including responses to comments, dated January 2004.

31. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured.

32. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated into the conditions of Vesting Tentative Tract Map 53235. The conditions of approval require compliance with the applicable mitigation measures in accordance with the Mitigation Monitoring Program.

33. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with CEQA and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission, determines that all significant adverse effects of the project have been reduced to an acceptable level as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference, and adopts the Mitigation Monitoring Program.

34. The documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter are located in the Los Angeles County Department of 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, Los Angeles County Department of Regional Planning.

THEREFORE, in view of the findings of fact and conclusions presented above, Vesting Tentative Tract Map No. 53235 is **APPROVED** subject to the attached conditions established by the Regional Planning Commission, including recommendations of the Los Angeles County Subdivision Committee, and further subject to approval by the Board of Supervisors of General Plan Amendment Case No. 00-188-(5) and Zone Change Case No. 00-188-(5).

DEPARTMENT OF REGIONAL PLANNING
VESTING TENTATIVE TRACT MAP NO. 53235

Map Date: 11-17-03

CONDITIONS:

1. Conform to the applicable requirements of Titles 21 and 22 of the Los Angeles County Code (Subdivision and Zoning Ordinances) including the requirements of the RPD-5,000-6U zone, and the requirements of Conditional Use Permit No. 00-188-(5) and Oak Tree Permit No. 00-188-(5).

2. Recordation of the final map is contingent upon the approval of General Plan Amendment No. 00-188-(5) by the Board of Supervisors and effectuation of an ordinance changing the zoning on the property from A-1-1 to RPD-5,000-6U as recommended under Zone Change No. 00-188-(5).

3. The mitigation measures set forth in the Final Environmental Impact Report for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53235. Comply with all applicable mitigation measures in accordance with the attached Mitigation Monitoring Program. Concurrent with or prior to the recordation of the final map, record a covenant with the County of Los Angeles, and submit a copy to the Department of Regional Planning for approval, agreeing to comply with the required mitigation measures. Submit mitigation monitoring reports to the Department of 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.

4. Submit evidence that the conditions of Conditional Use Permit No. 00-188-(5) and Oak Tree Permit No. 00-188-(5) have been recorded.

5. Show Poema Place and Topanga Canyon Boulevard as dedicated streets on the final map.

6. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning.

7. Dedicate to the County of Los Angeles on the final map the right to restrict vehicular access on Poema Place and Topanga Canyon Boulevard as required by and to the satisfaction of the Department of Regional Planning and Department of Public Works.

8. The driveway access to Poema Place, as shown on the tentative tract map, is approved. The use of the "alternate driveway and street improvements design" as shown is approved, if the subdivider can acquire the necessary offsite right-of-way or easements to construct the required roadway improvements and driveway access to the satisfaction of the Department of Regional Planning and the Department of Public Works. Prior to recordation, the subdivider or his/her successor in interest must make additional effort to acquire the necessary offsite right-of-way or easements to the satisfaction of the Department of Regional Planning and the Department of Public Works.

9. Submit a copy of the project Covenants, Conditions, and Restrictions (CC&Rs) and any road or maintenance agreements for the project to the Department of Regional Planning for review and approval.

10. Construct or bond with the Department of Public Works for the construction of driveway paving in widths as shown on the approved exhibit map marked Exhibit A to the satisfaction of the Department of Regional Planning and the Fire Department.

11. Label all common driveways as "Private Driveway–Fire Lane" on the final map.

12. Post all common driveways with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the CC&Rs or in a maintenance agreement.

13. Provide through a maintenance agreement for the ownership and continued maintenance of the common driveways by the Homeowners Association.

14. Submit a letter to the Department of Regional Planning agreeing to provide an adequate lighting system along all walkways to be constructed within the common areas to the satisfaction of the Department of Regional Planning.

15. Provide in the CC&Rs a method for the continual maintenance of the common areas, including the driveways and the lighting systems along all walkways, to the satisfaction of the Department of Regional Planning.

16. This tract map is approved as one multi-family residential lot consisting of 65 new condominiums, whereby the owners of the units of air space will hold an undivided interest in the common areas in which the necessary access and utility easements for the units will be provided, and one open space. Place a note or notes on the final map to this effect to the satisfaction of the Department of Regional Planning and the Department of Public Works.

17. A gated entry is permitted at the location depicted on the tentative map subject to the stacking, turnaround, width and design requirements of the Fire Department and the Department of Public Works.

18. Dedicate to the County of Los Angeles on the final map the right to prohibit construction of all structures on Lot 2 with the exception of recreational structures as may be approved by the Department of Regional Planning.

19. Construct and dedicate a 12' wide trail easement through Lot 2 to the County of Los Angeles to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of Planning.

20. Construct and dedicate to the County of Los Angeles a trail which connects to the proposed

trail within the easterly adjoining property at the easterly boundary of the project property or to an alternate point along the easterly boundary, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of Planning.

21. Permission is granted to create additional open space lots to the satisfaction of the Department of Regional Planning.

22. Provide for the ownership and maintenance of the open space lot (Lot 2) by the homeowners association or dedicate Lot 2 to an appropriate public agency to the satisfaction of the Department of Regional Planning.

23. 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 the Department of Regional Planning.

24. Construct or bond with the Department of Public Works for the construction of off-site paving of the driveway access to Poema Place, for a minimum width of 28 feet, to the satisfaction of the Department of Regional Planning and the Fire Department.

25. Plant at least one tree of a non-invasive species within the front yard of Lot 1. The location and the species of said tree shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be approved by the Director of Planning and the County Forester and Fire Warden, and a bond shall be posted with the Department of Public Works, or other verification shall be submitted to the satisfaction of the Department of Regional Planning to ensure the planting of the required tree.

26. Provide slope planting and an irrigation system in accordance with the County Grading Ordinance. Include conditions in the CC&Rs which would require continued maintenance of the planted slopes.

27. Three copies of a landscape plan, which may be incorporated into a revised site plan, shall be submitted to and approved by the Planning Director as required by Conditional Use Permit No. 00-188-(5).

28. Within five (5) days of the tentative map approval date, remit processing fees (currently $875.00) 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 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. This subdivision is a major land division and must be filed as a final tract map. No waiver is allowed.

30. 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, or employees to attack, set aside, void or annul this tract map approval, or related discretionary project approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 66499.37 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. If the County fails to promptly notify the subdivider of any claim, action or proceeding, or if the County fails to cooperate fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

31. 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 the Department of Regional Planning an initial deposit of $5,000, 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 subdivider or the subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of 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 the subdivider in accordance with Section 2.170.010 of the Los Angeles County Code.

32. Within thirty (30) days of approval of the tentative map, as provided in the Mitigation Monitoring Program, deposit the sum of $3000.00 with the Department of Regional Planning to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the Mitigation Monitoring Program.

Except as expressly modified herein above, this approval is subject to all those conditions set forth in the attached Mitigation Monitoring Program and the attached reports recommended by the Los Angeles County Subdivision Committee, consisting of the Department of Public Works, Fire Department, Department of Parks & Recreation and Department of Health Services.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - ROAD
TRACT NO. 53235 (Rev.)

TENTATIVE MAP DATED 11-17-2003

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

1. Dedicate right of way or provide easement a minimum of 58 feet from the southerly right of way line of Poema Place to the satisfaction of Public Works.

2. Close any unused driveway with standard curb, gutter, and sidewalk on Poema Place.

3. Repair any broken or damaged curb, gutter, sidewalk, and pavement on Poema Place abutting this subdivision.

4. Locate the entry gate or key pad (if one is provided) a minimum of 50 feet beyond the proposed right of way of Poema Place and construct the gated entrance with a minimum of 32 feet radius for turnaround to the satisfaction of Public Works.

5. Provide intersection sight distance commensurate with a design speed of 40 mph plus grade factor (500 feet) on Poema Place from the proposed private drive and fire lane (westerly 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.

6. All line of sight easements shall be depicted on landscaping and grading plans.

7. Off-site improvements are required. It shall be the sole responsibility of the subdivider to acquire the necessary right of way or easement.

8. Remove the existing parkway improvements on the north side and construct curb, gutter, base, pavement, parkway, and sidewalk for widening on Poema Place and including the off-site portions fronting and to the west of the property to join the existing 40 feet curb to curb roadway width to the satisfaction of Public Works to provide 6 feet of parkway on the south side (adjacent to the freeway right of way), 40 feet curb to curb roadway width, and 5 feet of sidewalk on the north side (including the off-site portion west of the Tract 53235) as shown on the tentative map as the alternate street cross section improvements design. The total parkway width on the north side of Poema Place west of Tract 53235 may be reduced to accommodate the roadway widening to 40 feet curb to curb to the satisfaction of Public Works.

9. Construct off-site and on-site transition improvements (curb, gutter, base, pavement, parkway and sidewalk) on both sides of Poema Place in the vicinity of the easterly property line to the satisfaction of Public Works.

HW

10. If retaining walls are needed along the property frontage on Poema Place, they shall be located a minimum of 58 feet from the southerly right of way line of Poema Place to the satisfaction of Public Works. The walls shall not impede any required line of sight on Poema Place from the entry driveway. If retaining walls are also needed on the driveway, their locations shall also not impede any required line of sight on Poema Place.

11. The use of the following improvement design is approved, if the subdivider cannot acquire the necessary off-site right of way or off-site easements to construct the required roadway improvements and driveway access as call out in Item 8 above. However, if the owner and/or subdivider changes prior to final map approval, additional effort must be made to acquire the necessary offsite right of way or offsite easement to the satisfaction of Public Works.

    a. Remove and reconstruct existing curb, gutter, base, pavement, parkway, and sidewalk on both sides of Poema Place along the property frontage to provide 3 feet of concrete parkway on the south side (adjacent to the freeway right of way), 34 feet curb to curb roadway width, and 5 feet of sidewalk on the north side within the existing 42 feet of road right of way to the satisfaction of Public Works. Street trees are not required on Poema Place.

    b. Construct off-site and on-site transition improvements (curb, gutter, base, pavement, parkway and sidewalk) on both sides of Poema Place in the vicinity of the easterly and westerly property lines to the satisfaction of Public Works.

    c. Construct a slough wall on a location to the satisfaction of Public Works 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.

12. Plant street trees along the property frontage on Poema Place.

13. Construct drainage improvements (and parkway drains, if needed) and offer easements needed for street drainage or slopes to the satisfaction of Public Works.

14. Provide transition improvements on Topanga Canyon Boulevard to the satisfaction of Caltrans and Public Works.

15. Prepare signing and striping plan on Topanga Canyon Boulevard and on Poema Place to the satisfaction of Caltrans and Public Works.

+1W

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53235 (Rev.) TENTATIVE MAP DATED 11-17-2003

The following reports consisting of 14 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.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53235 (Rev.) TENTATIVE MAP DATED 11-17-2003

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. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

10. Quitclaim or relocate easements running through proposed structures.

11. Show open space note and dedicate residential construction rights over the open space lots.

12. Delineate proof of access on the private driveway and fire lane over the existing County of Los Angeles trail easement to Poema Place on the final map to the satisfaction of Public Works.

13. 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.

14. 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.

15. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

16. Provide addressing information in Microsoft Excel format to the satisfaction of Public Works.

HW

Prepared by Henry Wong Phone (626) 458-4915 Date 12-29-2003

MSW/TR53235L

October 30, 2002

TO: Rod Kubomoto
Watershed Management Division

FROM: John T. Walker
Traffic and Lighting Division

TOPANGA CONDOMINIUM PROJECT
ADMINISTRATIVE DRAFT ENVIRONMENTAL IMPACT REPORT (AUGUST 2002)
TRAFFIC IMPACT STUDY (JULY 25, 2002)
TENTATIVE TRACT NO. 53235
CHATSWORTH AREA

As requested, we have reviewed the above-mentioned documents. The above-mentioned documents have been submitted to address our previous comments provided in our memos dated August 2, 2001, and May 21, 2002.

The 13.28-acre site for the proposed Project is located northwest of Topanga Canyon Boulevard at Poema Place near the Chatsworth area in the County of Los Angeles. The proposed Project consists of the development of 159 residential condominiums. The condominium units will be constructed in five separate structures with one recreational building and 358 on-site parking spaces. Poema Place will provide direct vehicular access to the Project site. Based on the trip generation rates for condominium/town homes provided in the County of Los Angeles Traffic Impact Analysis Report Guidelines (copy attached), the Project, at its build out in the Year 2004, is estimated to generate approximately 1,272 vehicle trips per day with 86 and 116 vehicle trips during the a.m. and p.m. peak hours, respectively.

We agree with the study that the traffic generated by the Project alone will significantly impact the following County and County/State of California Department of Transportation (Caltrans) intersections. We require the following mitigation measures be the sole responsibility of the Project. The developer of this Project should work with the developer of the adjacent property (Tentative Tract No. 53138) to complete the improvements. The Project's pro-rata share is 27 percent. The issuance of any building permit for the Project shall be withheld until these mitigation measures are in place.

Topanga Canyon Boulevard at Mayan Drive/Poema Place

East Approach: One left-turn lane and one shared through/left-turn lane (add one left-turn lane).

South Approach: One left-turn lane and one exclusive right-turn lane (convert shared left-/right-turn lane to a left-turn lane and add one exclusive right-turn lane).

West Approach: One shared through/right-turn lane and one exclusive right-turn lane (add exclusive right-turn lane).

Install traffic signals. Traffic signals at this intersection shall be interconnected with the traffic signals at the intersection of Topanga Canyon Road at SR-118 westbound ramps to the satisfaction of Caltrans and Public Works.

Topanga Canyon Boulevard at SR-118 Westbound Ramps

North Approach: Two through lanes and one exclusive right-turn lane (add exclusive right-turn lane).

East Approach: Two left-turn lanes and one shared through/right-turn lane (add second left-turn lane and convert shared left-/through/right-turn lane to shared through/right-turn lane).

Modify traffic signals. Traffic signals at this intersection shall be interconnected with the traffic signals at the intersection of Topanga Canyon Road at Mayan Drive/Poema Plance to the satisfaction of Calrans and Public Works.

Detailed striping plan along with signal installation/modification plans shall be prepared and submitted to Caltrans and Public Works for review and approval.

Based on the Project trip generation and distribution and the current poor level of service at the following intersections, we require the traffic study be expanded to include these intersections in the City of Los Angeles for Project impacts and mitigation measures:

- Topanga Canyon Road at Santa Susana Pass Road
- Topanga Canyon Road at Chatsworth Street
- Topanga Canyon Road at Devonshire Street

The potential traffic impact on SR-118 must be considered. The applicant shall consult with Caltrans to determine the California Environmental Quality Act (CEQA) levels of significance with regard to traffic impacts on Caltrans' freeway facilities. This consultation shall also include a determination of Caltrans requirements for the study of traffic impacts to its facilities and the mitigation of any such impacts. Written comments on the impact of the Project shall be obtained from Caltrans and forwarded to Public Works and the Department of Regional Planning for review.

We require the City of Los Angeles review this document to determine the potential CEQA levels of significant with regard to traffic impacts within its jurisdiction. Documentation of consultation with the City shall be prepared and submitted to Public Works and the Department of Regional Planning.

If you have any questions, please contact Nickolas VanGunst of our Traffic Studies Section at Extension 4768.

NV:cn
T-4/EIR02247

Attach.

cc: T. M. Alexander
Land Development (Witler, Wong)

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

REVISED TENTATIVE MAP DATED 11/17/03

TRACT NO. 53235

DRAINAGE CONDITIONS

[X] 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.

[X] A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study shall be 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.

[X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010 of the Subdivision Ordinance.

[X] Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 08/11/03 to the satisfaction of Public Works.

==========

GRADING CONDITIONS:

[X] 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.

[X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Name TIMOTHY CHEN Date 12/23/03 Phone (626) 458-4921

heet 1 of 1

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

ENTATIVE TRACT 53235
SUBDIVIDER American Church Trust Company
ENGINEER B & E Engineers
GEOLOGIST Mactec (70131-0-0301)
SOILS ENGINEER Mactec (70131-0-0301)

TENTATIVE MAP DATED 11/17/03 (revised)
LOCATION Chatsworth

REPORT DATE 7/16/03, 10/06/02, 1/12/01
REPORT DATE 7/16/03, 10/06/02, 1/12/01

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

[X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the Geology and Soils Sections. 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.

[X] 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 _____

[X] The Soils Engineering review dated 12/1/03 is attached.

[X **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THI 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 2 Subdivision Code.

[X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sew system.

[X] A geology and/or soils engineering report may be required prior to approval of building or grading plans.

[X] Geotechnical Recordation Map verification deposit estimate 6 hours.

[ ] Groundwater is less than 10 feet from the ground surface on lots _____

Prepared by _____ Karin Vazquez

Reviewed by _____

Date December 1, 2

P:\Gmepub\Geology Review\Forms\Form02.doc
1/7/03

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

SOILS ENGINEERING REVIEW SHEET

District Office 9.1
Job No. LX001129
Sheet 1 of 1

Address: 900 S. Fremont Ave.
Alhambra, CA 91803

Telephone: (626) 458-4925
Fax: (626) 458-4913

Tentative Tract Map 53235
Location 11400 Poema Place, Chatsworth
Developer/Owner American Church Trust Company
Engineer/Architect B & E Engineers
Soils Engineer LawGibb Group (P.N. 70131-0-0301)
Geologist Same as above

Review of:

Tentative Tract Map Dated By Regional Planning **11/17/03** (Rev.)
Soils Engineering and Geologic Reports Dated **7/16/03**, 10/6/02, and 1/12/01
Previous review sheet dated 7/22/03

ACTION:

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

REMARKS:

1. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

2. At grading plan review stage, submit an update soils report/letter, which addresses and evaluates current site conditions and the most recent plans. Also provide chemical test results (sulfate, chloride, resistivity, etc.) for the on-site soils to address the presence of chemicals deleterious to concrete and ferrous materials. The tests must be in accordance with California Test Methods, Department of Transportation, or equivalent (aqueous solution tests, such as EPA Tests or similar methods are not acceptable for determination of resistivity).

REGISTERED PROFESSIONAL ENGINEER
GAN N. LEM
NO. 2328
EXP. 6/30/07
GEOTECHNICAL
STATE OF CALIFORNIA

Prepared by Gan Lem Date 12/1/03

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.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 53235 (Rev.)

TENTATIVE MAP DATED 11-17-2003

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 building with a separate house lateral or have approved and bonded sewer plans on file with Public Works.

2. The subdivider shall submit an area study to Public Works to determine if capacity is available in the proposed and existing sewerage system servicing this land division. If the system is found to have insufficient capacity, upgrade of the proposed and existing sewerage system is required to the satisfaction of Public Works.

3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.

4. Easements are required, subject to review by Public Works to determine the final locations and requirements.

5. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Massoud Esfahani Phone (626) 458-4921 Date 12-29-2003
Reviewed by Henry Wong HW
MSW

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 53235 (Rev.)

TENTATIVE MAP DATED 11-17-2003

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 buildings in the land division, must be provided. The system shall include fire hydrants of the type and location 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 building.

3. Off-site improvements are tentatively required.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructure constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. All line of sight easements must be depicted on the landscape and irrigation plans.

7. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Massoud Esfahani Phone (626) 458-4921 Date 12-29-2003
Reviewed by Henry Wong HW
MSW

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNICORPORATED

ubdivision No. 53235 Tentative Map Date November 17, 2003

evised 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 **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.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ 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 3 public fire hydrant(s). Upgrade / Verify existing ____ public 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 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: _____

☒ 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 required fire flow may be reduced during the architectural plan review process with the local fire prevention office.**

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 January 27, 2004

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

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

ubdivision: 53235 Map Date November 17, 2003

:.U.P. 00-188 Vicinity Malibu 266

☐ **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 300 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: **Access as shown on the submitted tentative map is adequate. Provide 5' of walking access around perimeter of proposed structures.**

By Inspector: Janna Masi Date January 27, 2004

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

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # 53235 DRP Map Date: 11/17/2003 SCM Date: 12/29/2003 Report Date: 12/24/2003

Park Planning Area # 34 OAT MOUNTAIN Map Type: REV. (REV RECD)

Total Units 65 = Proposed Units 65 + Exempt Units 0

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:	0.41
IN-LIEU FEES:	$55,760

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $55,760 in-lieu fees.

Trails: See also attached Trail Report. SANTA SUSANA PASS TRAIL

Contact Patrocenia T. Sobrepeña, Acting 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 Tonda Lay, Trail Coordinator at (213) 351-5135.

By:

Supv D 5

December 29, 2003 07:52:

OMB021.FI

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map #	53235	DRP Map Date:11/17/2003	SMC Date:12/29/2003	Report Date: 12/24/2003
Park Planning Area # 34	OAT MOUNTAIN			Map Type:REV. (REV RECD)

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

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x AFMV/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 1990 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.

AFMV/Acre = Average Fair Marked Value per Acre by Park Planning Area.

Total Units **65** = Proposed Units **65** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.68	0.0030	0	0.00
M.F. < 5 Units	2.04	0.0030	0	0.00
M.F. >= 5 Units	2.10	0.0030	65	0.41
Mobile Units	1.86	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	0.41

Park Planning Area = **34 OAT MOUNTAIN**

Goal	Acre Obligation	AFMV / Acre	In-Lieu Base Fee
@(0.0030)	0.41	$136,000	$55,760

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	AFMV / Acre	In-Lieu Fee Due
0.41	0.00	0.00	0.41	$136,000	$55,760

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

December 29, 2003

NOTICE OF TRAIL REQUIREMENT FOR REVISION TRACT MAP

Map #: TR - 53235

Date on Map: November 17, 2003

Provide a 20 foot easement for the Santa Susana Pass 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, all information pertaining to trail requirements must have been shown on the Tentative Tract or Tentative Parcel Map. **all information pertaining to trail requirements must be shown on the Tentative Tract Map**.

X TRAIL OK AS SHOWN.

X CALL-OUTS MUST READ PROPOSED LOS ANGELES COUNTY RIDING AND HIKING TRAIL ON FINAL MAP.

X TRAILS MUST REMAIN OPEN AND CONTIGUOUS THROUGHOUT CONSTRUCTION.

X ALL TRAILS PROPOSED TO CONNECT TO ADJOINING PROPERTIES, IF SAID PROPERTIES REMAIN UNDEVELOPED, MUST BE REALIGNED WITHIN TRACT #53235.

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

Title Page: We hereby dedicate to the County of Los Angeles a **variable width** easement for Riding and Hiking purposes for the Riding and Hiking purposes for the **Santa Susana Pass Trail**.

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

Tonda Lay

Tonda Lay. Trails Coordinator

trailrpt53235-03b.lwp

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

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

Environmental Health
ARTURO AGUIRRE, Director

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

BOARD OF SUPERVISORS
Gloria Molina
First District

Yvonne Brathwaite Burke
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

December 3, 2003

Tract Map No. 53235

Vicinity: Chatsworth/Los Angeles

Vesting Tentative Map Date: November 17, 2003 (5th Revision)

The Los Angeles County Department of Health Services' approval for **Vesting Tentative Tract Map 53235** is contingent upon the following conditions:

1. Potable water will be supplied by the **Las Virgenes Municipal Water District**, a public water system, which guarantees water connection and service to all lots.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facility as proposed.

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

Respectfully,

Patrick Nejadian, Chief E.H.S.
Mountain and Rural/Water, Sewage, and Subdivision Program

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT No. 00-188 - (5)
TRACT MAP NO. 53235
GENERAL PLAN AMENDMENT 00-188-(5)
ZONE CHANGE NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
PARKING PERMIT NO. 00-188-(4)

RPC/HO MEETING DATE	CONTINUE TO
March 10, 2004	

AGENDA ITEM

PUBLIC HEARING DATE
November 20, 2002, March 19, 2003, Ju
18, 2003, September 17, 2003

APPLICANT	OWNER	REPRESENTATIVE
Sondermann Ring Partners-Topanga	American Church Trust	B & E Engineers

REQUEST
Tentative Tract Map: To create 1 multi-family lot for 65 condominium units and 1 open space lot on 13.28 acres.
General Plan Amendment: To change the land use designation from Non-Urban to Low Density Residential
Zone Change: To change the zoning of the project site from A-1-1 to RPD-5,000-6U.
Conditional Use Permit: To ensure compliance with the provisions and requirements of the RPD zone and Hillside Management Ordinanc
Oak Tree Permit: To allow the removal of one oak tree on the project site.

LOCATION/ADDRESS
At the northerly terminus of Topanga Canyon Boulevard; and at the no
corner of the intersection of Poema Place (11400 Poema Place) and T
Canyon Boulevard.

ACCESS
A private driveway via Poema Place

ZONED DISTRICT
Chatsworth

COMMUNITY
Chatsworth

EXISTING ZONING
A-1-1 (Light Agriculture-1 Acre Min. Lot Area)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
13.28 Acres	Vacant	Rectangular	Flat to hilly

SURROUNDING LAND USES & ZONING

North: Vacant Properties/A-1-1 & R-1-6,000 (Single-Family Resi
6,000 square feet min. lot area)

East: Vacant properties and single-family residences/A-1-1 & R-1-6,00

South: Highway 118 and a mobile home Park/City of Los Angeles

West: Multi-family developments/RPD-10,000-4U (Residential F
Development-10,000 sq. ft. min. - 4 units per acre) & RPD-6,500-8.63U

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENC
Los Angeles Countywide General Pl	Non-Urban 1	8.2 or 8 dwelling units	Requires approv plan amendme

ENVIRONMENTAL STATUS
A Draft Environmental Impact report (DEIR) has been prepared for this project. The DEIR concluded that the project design and conditions of a would adequately mitigate the potential impacts to a level of insignificance.

DESCRIPTION OF SITE PLAN
The tentative tract map depicts a 1 lot condominium subdivision on the 13.28-acre site. The subdivision is comprised of 1 multi-family lot condominium units and 1 open space lot. A private driveway system via Poema Place will provide access for the project.

KEY ISSUES
- The proposed development will be served by a driveway system via Poema Place.
- The applicant is required by the County to obtain some off-site easement or right-of-way/ along Poema Place to construct the necessar improvement.

(If more space is required, use oppos

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

STAFF CONTACT PERSON		
Ellen Fitzgerald (213)974-6433		
RPC HEARING DATE (S) November 20, 2002, March 19, 2003, June 18, 2003 September 17, 2003	RPC ACTION DATE March 10, 2004	RPC RECOMMENDATION Approval
MEMBERS VOTING AYE Modugno, Rew, Helsley, Bellamy, Valadez	MEMBERS VOTING NO none	MEMBERS ABSTAINING none
STAFF RECOMMENDATION (PRIOR TO HEARING) Approval		
SPEAKERS* (O) 7 (F) 3	PETITIONS (O) 0 (F) 0	LETTERS (O) 6 (F)

*(O) = Opponents (F) = In Favo

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☒ APPROVAL ☐ DENIAL

☐ No improvements ___ 20 Acre Lots ____10 Acre Lots ____2½ Acre Lots ____Sect 191.2

☒ Street improvements _X_ Paving _X_ Curbs and Gutters _X_ Street Lights

_X_ Street Trees ___ Inverted Shoulder _X_ Sidewalks _X_ Off Site Paving ____ft.

☒ Water Mains and Hydrants

☐ Drainage Facilities

☒ Sewer ☐ Septic Tanks ☐ Other_____

☒ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

Parks & Rec.

Health

Planning

ISSUES AND ANALYSIS

Prepared by: Ellen Fitzgerald

DATE: 11/20/02.
CASE NO: TT 53235 / CUP, OTP, PK ZC
AGENDA ITEM NO:

NAME	STREET AND NUIMBER	CITY AND ZIP CODE

[redacted]

STIFIERS' SHEET

cont 9/17 3/0
Midnight/Bailey

DATE: 6/19/03
CASE NO: 72/CUP/PP/CTP 00-177 / VTTM 5327
AGENDA ITEM NO: 7

EASE PRINT YOUR NAME, ADDRESS AND TELEPHONE NUMBER BELOW

IE	STREET AND NUMBER	CITY AND ZIP CODE	TELEPHONE NO.
Eva Pina	11377 W. Olympic	LA 90064	310 312-3772
HARL SONDERMANN	13960 MARQUESAS WAY	MARINA DEL REY	310-877-6714
Beth Brodie	15043 Tuba St Mission Hills	91345	818-892-3862
rreen Stone	11416 CREE TRACL	Chatsworth 91311	818-998-3196
PLUMB	10755 Deboto Ave	" "	818 341 6193
ron Garris	7402 Remmet Ave	CANOGA PARK 91303	818 346 7654
ene Takata	9629 Baden Ave	Chatsworth 91311	818 703-1040

- Moallard/Bellamy
- approved S/O

CASE NO: ZC/CUP/OTP 00-[illegible]-5 / VTTM 53[illegible]
AGENDA ITEM NO: 8 a b c d

PLEASE PRINT YOUR NAME, ADDRESS AND TELEPHONE NUMBER BELOW

NAME	STREET AND NUMBER	CITY AND ZIP CODE	TELEPHONE NO.
[illegible]	11377 W. Olympic	LA	310 312 3772
J. PLUMB	10755 DeSoto Ave	CHATSWORTH CALIF 91311	818 3416193
[illegible]	[illegible]	[illegible]	[illegible]
Michael Sonderman	13960 Marquesas Way	Marina Del Rey, CA 90292	310-827-6744
Warren [illegible]	11416 Creel Drall	Chatsworth CA 91311	818-995-3196

RPC MEETING DATE
11/20/02
AGENDA ITEM NO.
9

REGIONAL PLANNING COMMISSION
TRANSMITTAL CHECKLIST

PROJECT NO: 00-188-(5)
Zone Change No. 00-188-(5)
Tentative Tract Map No. 53235-(5)
Conditional Use Permit No. 00-188-(5)
Parking Permit No. 00-188-(5)

CASE NO. Oak Tree Permit No. 00-188-(5)

CONTACT PERSON: Samuel Dea

- ☒ STAFF REPORT
- ☒ DRAFT CONDITIONS (If Recommended For Approval)
- ☐ DRAFT FINDINGS FOR DENIAL (If Land Division Case Recommended For Denial)
- ☒ BURDEN OF PROOF STATEMENT (Zoning or Plan Amendment Requests)
- ☐ ENVIROMENTAL DOCUMENTATION
- ☒ THOMAS BROTHERS MAP (Identifying Subject Property)
- ☒ LAND USE RADIUS MAP
- ☒ SITE PLAN (or Tentative Map)
- ☐ PHOTOGRAPHS
- ☒ CORRESPONDENCE
- ☒ EXHIBITS
- ☒ VICINITY MAP
- ☐ _____

Reviewed By: _____

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT No. 00-188 - (5)
TRACT MAP NO. 53235
ZONE CHANGE NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
PARKING PERMIT NO. 00-188-(4)
OAK TREE PERMIT NO. 00-188-(5)

RPC/HO MEETING DATE	CONTINUE TO
11-20-2002	
AGENDA ITEM #9	
PUBLIC HEARING DATE November 20, 2002	

APPLICANT	OWNER	REPRESENTATIVE
Sondermann Ring Partners-Topanga	American Church Trust	B & E Engineers

REQUEST

Tentative Tract Map: To create 5 multi-family lots for 159 attached condominium units, 1 recreation lot, 1 driveway lot and 1 open space lot on 13.28 acres.

Zone Change: To change the zoning of the project site from A-1-1 to RPD-5,000-12U.

Conditional Use Permit: To ensure compliance with the provisions and requirements of the RPD zone and Hillside Management Ordinance.

Parking Permit: To allow reciprocal parking for each residential lot throughout the project. and 40% compact parking.

Oak Tree Permit: To allow the removal of one oak tree on the project site.

LOCATION/ADDRESS
At the northerly terminus of Topanga Canyon Boulevard; and at the northwest corner of the intersection of Poema Place (11400 Poema Place) and Topanga Canyon Boulevard.

ACCESS
A private driveway via Poema Place

ZONED DISTRICT
Chatsworth

COMMUNITY

EXISTING ZONING
A-1-1 (Light Agriculture-1 Acre Min. Lot Area)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
13.28 Acres	Vacant	Rectangular	Flat to hilly

SURROUNDING LAND USES & ZONING

North: Vacant Properties/A-1-1 & R-1-6,000 (Single-Family Residential-6,000 square feet min. lot area)

East: Vacant properties and single-family residences/A-1-1 & R-1-6,000

South: Highway 118 and a mobile home Park/City of Los Angeles

West: Multi-family developments/RPD-10,000-4U (Residential Planned Development-10,000 sq. ft. min. - 4 units per acre) & RPD-6,500-8.63U

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Los Angeles Countywide General Plan	Non-Urban 1	8.2 or 8 dwelling units	N/A

ENVIRONMENTAL STATUS
A Draft Environmental Impact report (DEIR) has been prepared for this project. The DEIR concluded that the project design and conditions of approval would adequately mitigate the potential impacts to a level of insignificance except for cumulative impacts on educational facilities.

DESCRIPTION OF SITE PLAN
The tentative tract map depicts an 8-lot condominium subdivision on the 13.28-acre site. The subdivision comprised of 5 multi-family lots for 159 condominium units, a recreation lot, a driveway lot and an 8.89-acre open space lot. The applicant is proposing 318 residential and 43 guest parking spaces for the development. A private driveway system via Poema Place will provide access for the project.

40%

KEY ISSUES

- The proposed development will be served by a driveway system via Poema Place.
- The applicant is required by the County to obtain some off-site right-of-way along Poema Place to construct the necessary street improvement. or easement
- Currently, the applicant is proposing an alternate driveway and street improvements design since the necessary right-of-way has not been obtain from an adjacent property owner.

(If more space is required, use opposite side

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

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING

STAFF RECOMMENDATION (PRIOR TO HEARING)

SPEAKERS*	PETITIONS	LETTERS
(O) (F)	(O) (F)	(O) (F)

*(O) = Opponents (F) = In Fa

CASE No. 00-188-(5)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☒ APPROVAL ☐ DENIAL

☐ No improvements	___ 20 Acre Lots	____10 Acre Lots	____2½ Acre Lots	____Sect 191.2
☒ Street improvements	_X_ Paving	_X_ Curbs and Gutters	_X_ Street Lights	
_X_ Street Trees	___ Inverted Shoulder	_X_ Sidewalks	_X_ Off Site Paving ____ft.	

☒ Water Mains and Hydrants

☐ Drainage Facilities

☒ Sewer ☐ Septic Tanks ☐ Other_____

☒ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

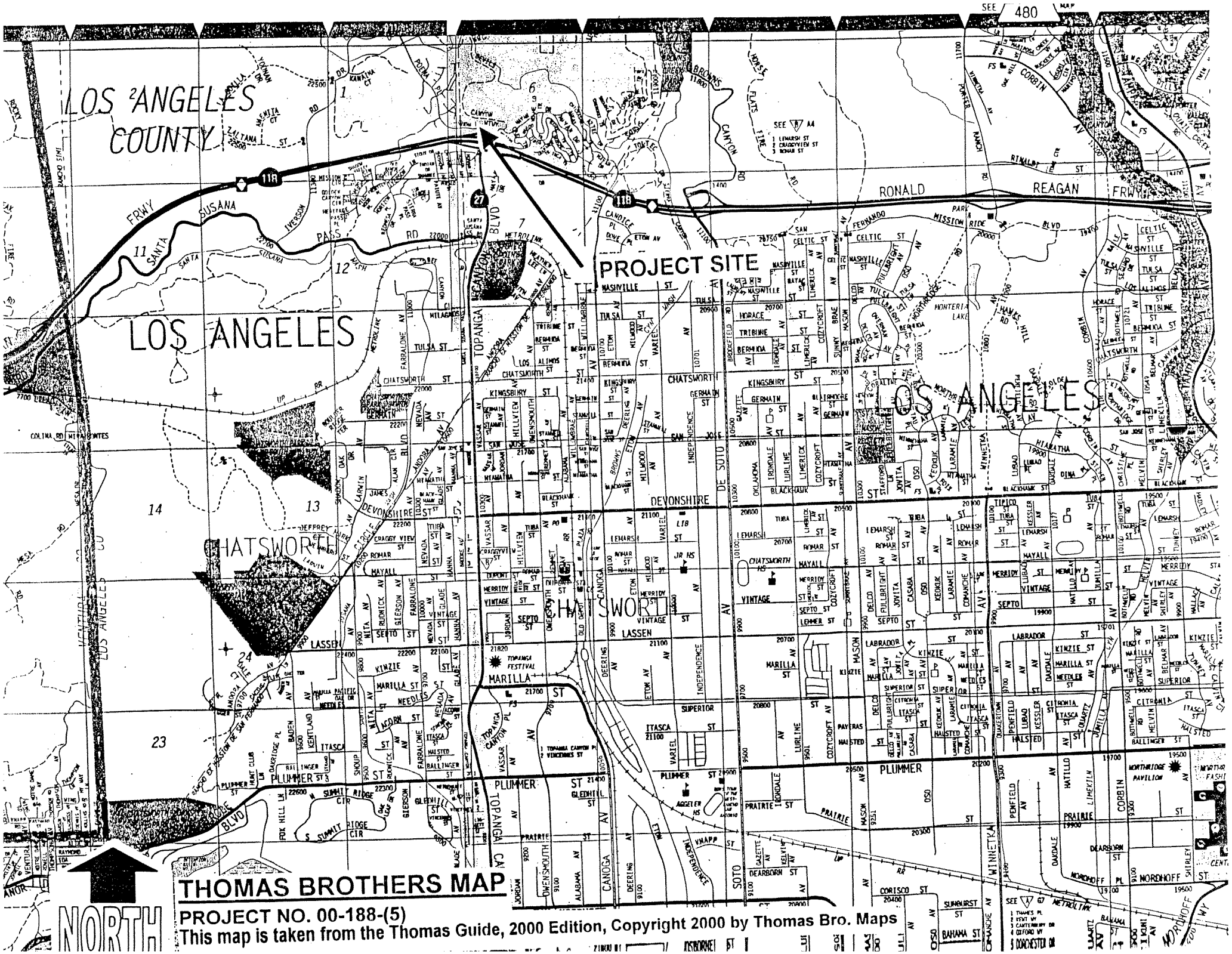
Parks & Rec.

Health

Planning

ISSUES AND ANALYSIS

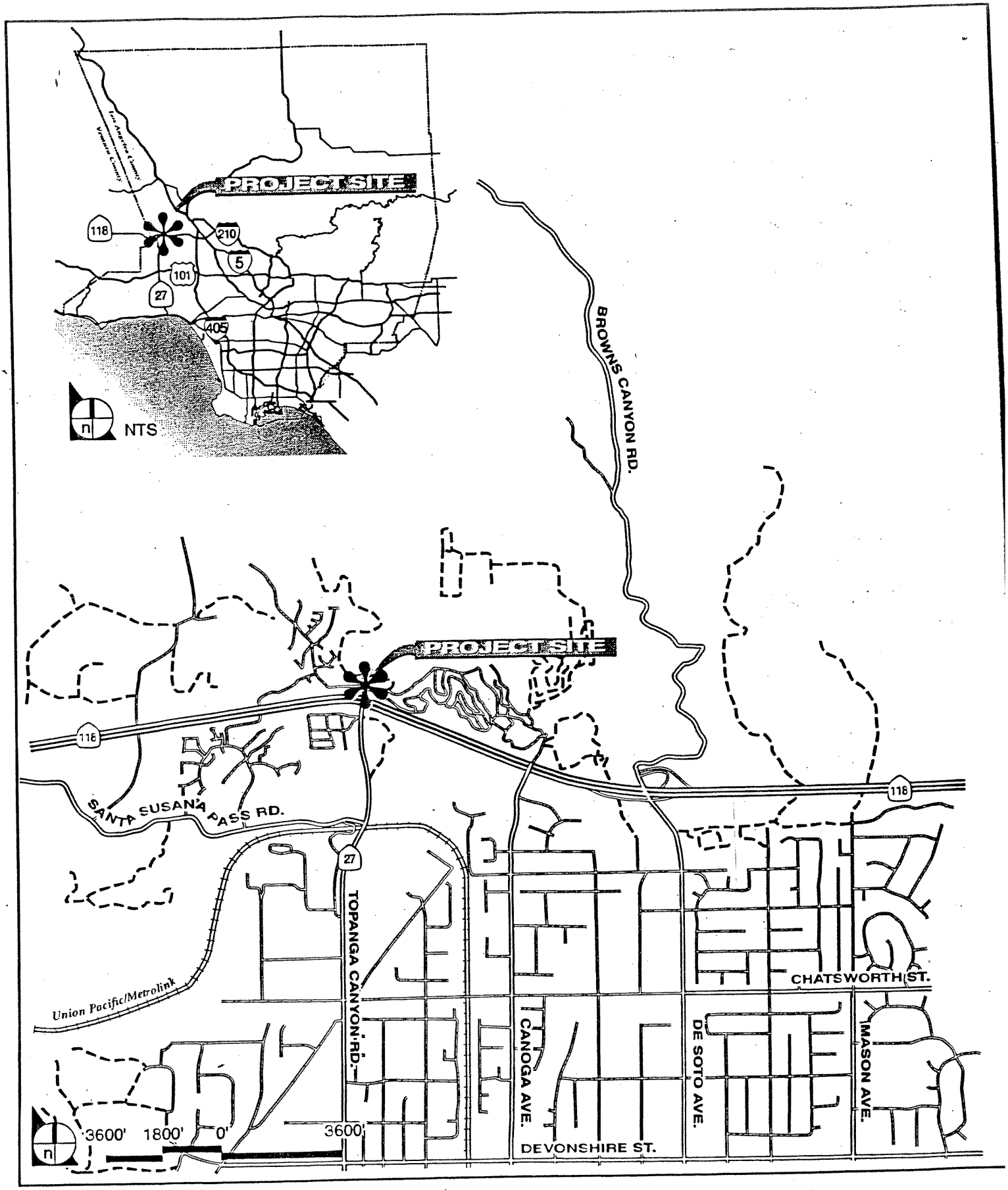
Prepared by: Sam Dea



THOMAS BROTHERS MAP

PROJECT NO. 00-188-(5)

This map is taken from the Thomas Guide, 2000 Edition, Copyright 2000 by Thomas Bro. Maps



VICINITY MAP

PROJECT NO. 01-188-(5)
VESTING TENTATIVE TRACT MAP NO. 53235
ZONE CHANGE NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
OAK TREE PERMIT NO. 00-188-(5)
PARKING PERMIT NO. 00-188-(5)

STAFF ANALYSIS
FOR NOVEMBER 20, 2002 REGINAL PLANNING COMMISSION PUBLIC HEARING

PROJECT OVERVIEW

Sondermann Ring Partners, the applicant, proposes to construct a residential condominium complex on the 13.28-acre site. The development consists of five (5) buildings for 159 attached condominium units and a recreation facility. The applicant is also proposing to create an 8.89-acre open space lot. The subject property is located at the northerly terminus of Topanga Canyon Boulevard and at the northeast corner of the intersection of Poema Place (11400 Poema Place) and Topanga Canyon Boulevard in the Chatsworth Zoned District.

A zone change is requested to change the zoning of the subject property from A-1-1 to RPD-5,000-12U. A conditional use permit is required to ensure compliance with the requirements of the proposed Residential Planned Development zone and the provisions of the hillside management ordinance. An oak tree permit is required to allow the removal of one oak tree on the project site. Also, a parking permit is required to allow reciprocal parking for each residential lot throughout the project site and 40% compact parking spaces (8.5 x 17).

DESCRIPTION OF PROJECT PROPERTY

Location: the subject property is located at the northerly terminus of Topanga Canyon Boulevard; and at the northeast corner of the intersection of Poema Place (11400 Poema Place) and Topanga Canyon Boulevard in the Chatsworth Zoned District.

Physical Features: the rectangular shaped subject property is approximately 13.28 acres in size, with level to hilly topography. The project site consists of scattered areas of disturbed vegetation to the south and undisturbed native vegetation to the north. Approximately 7.4 acres of the southerly portion of the vacant project site has been graded.

Access: the applicant's site plan depicts access to the proposed development being provided from the south via Poema Place. A private driveway extending into Poema Place

will serve the proposed development. Currently, Poema Place is a dedicated street with a right-of-way width of approximately 40 feet.

ENTITLEMENTS REQUESTED

Zone Change: The applicant requests approval of a change of zone from A-1-1 (Light Agriculture-1 Acre Minimum Lot Area) to RPD-5,000-12U (Residential Planned Development-5,000 square feet minimum lot area-12 units per acre).

Tentative Tract Map: The applicant has requested the approval of Vesting Tentative Tract Map No. 53235. The subdivision request is to create five (5) multi-family lots for 159 attached condominium units, one (1) recreation lot, one (1) driveway lot and one open space lot on 13.28 acres.

Conditional Use Permit: The applicant requests approval of a conditional use permit to ensure compliance with the requirements of the proposed Residential Planned Development zone and the provisions of the Hillside Management Ordinance. This is a hillside project since the subject property has natural slopes greater than 25%. The applicant is proposing to construct a residential condominium complex on the 13.28-acre site. The development consists of five (5) buildings for 159 attached condominium units and a recreation facility. The applicant is proposing to create an 8.89-acre open space lot.

Parking Permit: The applicant requests the approval of a parking permit to allow reciprocal parking for the required guest parking throughout the residential and recreation lots. The parking permit would allow the required guest parking for the project to be averaged over the entire project site rather than on each individual lot. Also, the applicant is requesting no more than 40 percent of the required residential parking maintain a street width of 8.5 feet but a stall length of 17 feet, the compact parking space standard. The total number of parking spaces provided complies with the requirements of the Zoning Ordinance.

Oak Tree Permit: The applicant also requests the approval of an oak tree permit to allow the removal of one oak tree on the project site.

EXISTING ZONING

The project site is zoned A-1-1 (Light Agriculture-1 Acre Minimum Lot Area). Surrounding zoning is A-1-1 to the east and RPD-10,000-4U to the west (Residential Planned Development-10,000 square feet minimum lot area-4 dwelling units per acre). The City of Los Angeles is south of the project site. To the north of the project site are properties

zoned A-1-1 and R-1-6,000 (Single-Family Residential-6,000 square feet minimum lot area).

EXISTING LAND USES

The subject site is surrounded by vacant properties to the north and multi-family developments to the west. To the south of the project site, separated by the 118 Freeway, is a mobile home park and vacant properties in the City of Los Angeles. To the east are vacant properties and the single-family residential Community of Twin Lakes.

PREVIOUS CASE/ZONING HISTORY

The current A-1-1 zoning on the subject property became effective on May 15, 1959, following the adoption of Ordinance Number 7505, which established the Chatsworth Zoned District.

The Regional Planning Commission approved Conditional Use Permit No. 86-522-(5) and Oak Tree Permit No. 86-522-(5) on June 26, 1986 to develop and operate a church and encroach within the protected zone of one oak tree on the subject site. That use was never established and the Conditional Use and Oak Tree Permits and Oak Tree have expired.

Surrounding Projects: The multi-family residential development to the west of the subject site was authorized under the approval of Tentative Tract Map No. 41388. The Regional Planning Commission approved the request to develop 570 attached town-homes on approximately 215 acres on February 25, 1982. The townhouse development is concentrated on the southerly portion of the adjacent property along Poema Place. ? (and a bit confusing

Easterly of the subject site is a pending subdivision request to create 424 single-family lots on approximately 230 acres (Deerlake Ranch). The Regional Planning Commission has conducted several public hearings on this project with the most recent held on September 11,2002. On that date, the project was taken off the Commission's calendar to allow the applicant time to redesign the project. The Commission will recall that extensive public testimony was heard on that project's impacts, environmental concerns, and the desire to maintain the rural and equestrian nature of Chatsworth by the opposition.

GENERAL PLAN CONSISTENCY

Currently, the property is depicted within the Non-Urban land use category of the Los Angeles Countywide General Plan Land Use Policy Map ("Plan"). The subject property is surrounded by properties within the Non-Urban land use category to the north and east. To the west are properties within the Low-Medium Density Residential land use category. This is a hillside project since the subject property exhibits natural slopes of 25% or greater. The slope map submitted by the applicant for the property indicates that approximately 6.2 acres have slopes of 0-25%, 3.7 acres have slopes of 25-50% and 3.39 acres have slopes of greater than 50%. The slope analysis submitted by the applicant indicated low-density and high-density thresholds of 1.78 and 8.2 dwelling units, respectively. The project proposes a density of 12 dwelling units per acre.

— the proposal to develope the site w/ 159 unit has a project density of 12 DU

The General Plan defines Non-Urban to include "Lands primarily including mountains, foothill, and high deserted areas of the County, not currently planned for urban use or scheduled to received an urban level of development. The intent of this classification is to maintain the character of dispersed non-urban settlements and communities; provide for agricultural and mineral production; preserve areas of significant natural and scenic resources; and avoid intensive development of areas subject to severe natural hazards or lacking essential services and facilities (III-24)."

The applicant is proposing to change the zoning of the subject property to RPD-5,000-12U to be consistent with the Low-Medium Density Residential land use category of the Countywide General Plan. The Plan describes Low-Medium Density Residential as "areas particularly suitable for small lot single-family residence, twin-homes, duplexes and townhouse developments. The intent of this category is to encourage housing alternatives, at densities ranging from six to twelve units per acre (III-22)."

The proposed project is consistent with the existing development to the west. However, the proposed development is not in keeping with characteristics and land use patterns of properties to the north and east. The applicant's request to change the existing A-1-1 zoning classification of the project site to RPD-5,000-12U is generally not consistent with its Non-Urban land use category but the Countywide General Plan notes, "dues to the scale and generalized nature of the map (Land Use Policy Map), land use patterns of less that fifty acres are generally not shown (III-21)."

The Regional Planning Commission has considerable discretion in interpreting the provisions of the Countywide General Plan regarding the appropriateness of the proposed development. The Commission may determine the proposal to be consistent with the goals and policies of the Plan if the project site is physically suitable for the type of development and the density being proposed. In making its General Plan consistency

findings, the Regional Planning Commission needs to find that the proposed project will not overburden existing public services and faculties; the proposed use will not disrupt or adversely impact local traffic conditions; and the proposed project is compatible with surrounding uses in terms of scale, intensity and design.

Applicable General Plan Provisions

Policy Number 17 of the General Goals and Policies of the General Plan (Page I-21) encourages the type of development proposed by the applicant.

> "Promote the efficient use of land through a more concentrated pattern of urban development, including the focusing of new urban growth into areas of suitable land."

The following excerpt from the Housing Element of the Countywide General Plan discusses the need to maintain an adequate supply of housing (Page IV - 31).

> "An ample supply of housing is necessary to stabilize the rising cost of housing and to ensure that all housing needs are met. The project demand for housing can be met by preserving the existing housing stock and by new construction."

Additional analysis of general plan consistency is provided in the staff evaluation section of this report.

PROJECT DESCRIPTION

Tentative Tract Map and Conditional Use Permit Exhibit "A" depict an eight-lot residential subdivision consisting of five multi-family lots, a recreation lot, a driveway lot and an open space lot on the 13.28-acre subject property. The size of the lots ranges in size from 11,335 square feet to 8.89 acres. The development is comprised of five (5) condominium buildings for 159 dwelling units located on Lot Nos. 1 through 5. The buildings located on Lot Nos. 1, 2 and 4 will have 21 dwelling units each; and the buildings on Lot Nos. 4 and 5 will have 48 dwelling units each. The proposed residential buildings will be three-story structures over one or two levels of parking structures. Also, Lot No. 6 will contain a recreational structure and a pool. Lot No. 8 is an open space lot approximately 8.89 acres in size. The tentative map indicated 318 residential parking spaces and 43 guest parking spaces.

Grading that is necessary to accommodate the proposed development would consist of 115,000 cubic yards of cut and 33,000 cubic yards of fill. Approximately, 82,000 cubic yards of unbalanced grading will require off-site disposal.

The tentative map depicts access to the proposed development being provided from the west by Poema Place via a private driveway. Currently, Poema Place is a partially improved street with 34 feet of paving on approximately 40 to 42 feet of right-of-way. The Department of Public Works is requiring the applicant to improve Poema Place with 40 feet of paving and dedicate 58 feet of right-of-way.

The applicant has been unable to obtain the necessary right-of-way or easement from the adjacent property owner prior to tentative map approval. The adjacent property owner retains ownership of a strip of property fronting Poema Place that is needed to allow construction of the required road improvements on Poema Place. Therefore, the Subdivision Committee is requesting that the Regional Planning Commission consider an alternative driveway and street design which is also shown on the tentative map, which would be required if the applicant cannot obtain the right-of-way or easement prior to final map recordation. The Subdivision Committee finds the alternative driveway and street design to be acceptable. However, the alternative design would not allow for full improvement of Poema Place. The alternative driveway and street design would only ensure 34 feet of street paving on Poema Place.

Reworded the Condition to Not approve the final map until the off site easement or right of way is obtain.

BURDEN OF PROOF

Burden of proof for General Plan Amendment
The applicant must respond to the mandatory Burden of Proof for the required Zone Change, Conditional Use Permit, Parking Permit and Oak Tree Permit.

Burden of Proof per Code for Zone Change
Pursuant to Los Angeles County Code Section 22.16.110, the applicant must meet the burden of proof requirements for a zone change.

Applicant's Burden of Proof Responses: See Attached Exhibit A

Burden of Proof per Code for Conditional Use Permit
Pursuant to Los Angeles County Code Section 22.56.040, the applicant must meet the burden of proof requirements for a conditional use permit.

Applicant's Burden of Proof Responses: See Attached Exhibit B

Burden of Proof per Code for Parking Permit
Pursuant to Los Angeles County Code Section 22.56.1020, the applicant must meet the burden of proof requirements for a parking permit.

Applicant's Burden of Proof Responses: See Attached Exhibit C

Burden of Proof per Code for Oak Tree Permit
Pursuant to Los Angeles County Code Section 22.56.2100, the applicant must meet the burden of proof requirements for a oak tree permit.

Applicant's Burden of Proof Responses: See Attached Exhibit D

ENVIRONMENTAL DOCUMENTATION

A Draft Environmental Impact Report (DEIR), which was transmitted to the Commission on October 24, 2002, has been prepared for the project. The DEIR addresses 7 potential areas of concern which were identified through the Initial Study process. The Initial Study process was conducted by the Department of Regional Planning and determined that the proposed project may pose potentially significant environment impacts in the following area:

EDUCATION
BIOTA
NOISE
FIRE PROTECTION
VISUAL QUALITIES
TRAFFIC/ACCESS
LIBRARIES

The Draft Environmental Impact Report (DEIR) concludes that with the implementation of the proposed mitigation measures, all potentially significant impacts associated with 6 of the 7 above-described areas of concern can be mitigated to levels of insignificance. The DEIR concludes that potential cumulative impacts to Education cannot be reduced to levels of insignificance through the implementation of mitigation measures. The following is a summary of the key factors identified and discussed in the DEIR.

Education

The proposed development would induce impacts to local schools. The DEIR stated that the existing capacity of each school could accommodate the project's impacts. However, the proposed development and other planned projects in the vicinity will result in significant cumulative impacts that are considered unavoidable.

Noise

The Draft EIR identified noise impacts during grading and construction phase of the project; and noise generated by State Route 118. The Draft EIR stated that required

mitigation measures would reduce the impacts to within the threshold established by the Noise Ordinance.

Visual Qualities

The project site is in close proximity to State Route 118, which is a "first priority" scenic highway as part of the General Plan. The DEIR concluded that the project's impacts to scenic resources could be mitigated to less than significant level.

Biota

The DEIR stated that the proposed project would result in the removal of all vegetation within the development envelope and no special-status plant species are on the subject site. With proposed mitigation, the DEIR concludes that potential impacts related to Biota are less than significant.

Traffic/Access

A traffic analysis prepared for the project analyzed 2 intersections and found that potential and cumulative impacts would be reduced to less than significant level with implementation of identified mitigation measures.

Libraries

Potential impacts to library services can be reduced to less than significant through payment of library mitigation fee.

Fire Hazards and Protective Services

Implementation of the proposed project would result in the need for additional LACFD staffing, equipment, and facilities in order to serve the development. The applicant's proportional share of the required facilities and equipment will reduce the impacts to less than significant levels.

CORRESPONDENCE RECEIVED

To date, staff received numerous letters regarding the proposed project and the Draft Environmental Impact Report (See Attached Exhibit Nos. 1 through 9).

The first two letters, dated November 4 and November 13, 2002, are from the Twin Lake Property Owners Association who is opposing the proposed development. The letter

indicates the proposed project density is not compatible with the surrounding uses. The letter also stated that concerns relating to the project's proposed access and its traffic impacts (Exhibit Nos. 1 & 2).

The third letter, dated November 7, 2002, is from the Santa Susana Mountain Task Force of the Sierra Club expressing concerns regarding the project's impact to trail access to Devil Canyon (Exhibit No. 3). The fourth letter, dated November 12, 2002, is from the Santa Monica Conservancy (SMC) stating the DEIR is inadequate because the report failed to address the project's potential impacts. The SMC indicated that the Santa Susana Tarplant, a special status plant, is located on the subject property (Exhibit No. 4). Staff biologists will visit the project site prior to the public hearing to confirm this information and can discuss this at the public hearing.

The letter dated November 10, 2002, is from the Santa Susana Mountain Park Association opposing the proposed development. The letter stated that the DEIR is deficient because the environmental document did not address the project's impacts adequately (Exhibit No. 5).

The Chatsworth Rocky Riders also submitted a letter opposing the project because of the project's impacts and the deficiency of the environmental document (Exhibit No. 6).

Two local residences who are concern with trail access and the project's potential impacts also submitted letters opposing the proposed development (Exhibit Nos. 7 & 8).

The letter dated November 12, 2002 is the Fire Department's comments regarding the Draft EIR (Exhibit No. 9).

STAFF EVALUATION

Due to the general nature and scale of the land use policy map, Countywide General Plan policies can allow small projects under 50 acres in size to be approved for uses that would not normally be permitted in the land use categories covering the site. To approve the project, the Regional Planning Commission must find that the site is appropriate for the proposed density.

In this case, the proposal to develop the site with 159 attached condominium units would be compatible with the Low-Medium Density Residential land use category to the west because that category allows densities ranging from six to twelve units per acre. The adjacent development to the west is a multi-family residential development, approved for 570 units on 215 acres. The applicant's proposal to develop the 13.28-acre subject site

with 159 units is considerably higher in density than the adjacent development to the west, but the proposed project density of 12 units per acres is still within the range of the Low-Medium Density Residential land use category.

The proposal to develop the site for an attached condominium complex with five separate building with below grade parking facilities, though urban in character it is not incompatible with the adjacent development to the west. However, as no revised project design has been submitted for the Deerlake Ranch project to the east of the project site, it is not possible to determine if the propose project for 159 attached condominium units will be consistent with what is ultimately proposed at that location.

STAFF RECOMMENDATION

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

If the Regional Planning Commission determines that the proposed change of zone will allow for development of a project which will provide a benefit to the community and be consistent with the provisions of the 1980 Countywide General Plan, then staff suggests that the Regional Planning Commission recommend approval of approval Zone Change Case No. 00-188-(5) to the Board of Supervisor; and indicate its intent to approve Vesting Tentative Tract Map No. 53235, Conditional Use Permit No. 00-188-(5), Parking Permit No. 00-188-(5) and Oak Tree Permit No. 00-188-(5).

SUGGESTED MOTION: "I move that the Regional Planning Commission instruct staff to prepare the Final Environmental Impact Report and prepare a resolution recommending the approval of Zone Change No. 00-188-(5) to the Board of Supervisors. Also, I direct staff to prepare the necessary findings and conditions for approval of Vesting Tentative Tract Map No. 53235, Conditional Use Permit No. 00-188-(5), Parking Permit No. 00-188-(5) and Oak Tree Permit No. 00-188-(5)."

Attachments:

Factual
CUP Conditions
Parking Permit Conditions
Oak Tree Permit Conditions

Tract Conditions
Burdens of Proof
Exhibits
Thomas Guide Map
Vicinity Map
Zone Change Maps
Land Use Radius Map
Tentative Tract Map No. 53235
Exhibit "A"

CONDITIONAL USE PERMIT NO. 00-188-(5)
CONDITIONS OF APPROVAL

1. This grant authorizes the development of the 13.28-acre project site with 159 attached condominium units in five residential buildings, one recreation lot, one driveway lot and one open space lot.

2. This permit shall not be effective for any purpose until a duly authorized representative of the property involved has filed at the office of the Department of Regional Planning his/her affidavit stating that he/she is aware of and accepts all the conditions of this permit. The affidavit of acceptance shall be recorded with the Los Angeles County Recorder.

3. 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.

4. If any provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

5. It is further declared and made a condition of this permit that if any condition hereof is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.

6. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if he/she 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.

7. 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 to the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

8. If any future inspection discloses that the subject property is being used in violation if any one of the conditions of this grant, the permittee may be required to reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

9. 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

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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 promptly notify the permittee of any claim, action or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim, action or proceeding, of if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

10. 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 the Department of 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:

    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

    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 according to Los Angeles County Code Section 2.170.010.

11. Unless this grant is used within the time specified, the grant will expire. The time limit for the use of this grant shall be concurrent and consistent with that of Tract Map No. 53235.

12. The subject property shall be developed and maintained in substantial compliance with the exhibit map on file marked Exhibit "A". An amended or revised tentative tract map approved for Tentative Tract Map No. 53235 may, at the discretion of the Director of Planning, constitute a revised Exhibit "A." Revised plans require the written authorization of the property owner.

13. A maximum of 159 residential units is permitted on the subject property.

14. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property except as specifically set forth in this permit, including the approved Exhibit "A," or as otherwise authorized by a plot plan or revised Exhibit "A" approved by the Director of Planning.

15. The development of the subject property shall conform to the conditions approved for Tentative Tract Map No. 53235.

16. All utilities shall be placed underground.

18. Per Section 21.32.195, the permittee or the current owner shall plant or caused to be planted one tree within the front yard of each lot. The location and the species of said tree may incorporated into a site plan or landscape plan to be approved by the Director of Planning and the County Forester and Fire Warden.

19. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works.

20. Detonation of explosives or any other blasting device or material shall be prohibited unless required permits have been obtained.

21. All grading and construction activities 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. No Saturday, Sunday or holiday operations are permitted.

22. 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.

23. The applicant or his successor shall, upon commencement of any activity allowed by this permit, diligently pursue all grading to completion.

24. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.

25. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

26. 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 of Los Angeles.

27. No structure shall exceed a height of 35 feet above finishing grade, except for chimneys and rooftop antennas, as defined by Section 22.08.08 of the Los Angeles County Code (Zoning Ordinance).

28. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings, or signage.

29. In the event of such extraneous markings occurring, the permittee is to remove or cover said markings, drawings, or signage no later than 72 hours after occurring. The only exception shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

30. The applicant shall utilize water-saving devices and technology in the construction of this project to the extent feasible and consistent with Los Angeles County Building and Plumbing Code.

31. The property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.

32. The applicant shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine facilities that may be necessary to protect the property from fire hazard. Water mains, fire hydrants, and fire flow shall be provided as may be required.

33. Prior to grading permit issuance, the permittee shall submit the grading plan to the Department of Regional Planning for review and approval. The plan must indicate all building pad locations. Record a covenant stating that there shall be no further

disturbance of the areas outside the approved pads and that no holly-lead cherry trees shall be removed from the project site prior to the approval of the grading plan.

35. The permittee shall participate in an appropriate financing mechanism to provide funds for fire protection facilities required by new residential development in an amount proportionate to the demand created by this project.

36. This project may be develop in phases. Prior to the issuance of grading or building permits, submit a phasing plan indicating the sequence of grading and the construction of the infrastructure and buildings to the Department of Regional Planning for review and approval.

37. Prior to the issuance of building permits for a specific phase of this development, a final grading place covering the subject area shall be submitted to the Department of Public Works and a copy sent to the Director of Regional Planning.

38. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Planning Director indicating that the proposed construction and associated grading:

    a. complies with the conditions of this grant and the standards of the zone; and

    b. is compatible with hillside resources.

39. Prior to the issuance of building permits, the permittee shall pay a fee of $643.00 per dwelling unit to the County of Los Angeles Public Library, as this project's contribution to the library fee for mitigating impacts on the library system in the Santa Monica Mountains area.

40. Review of the site plan, within the limits established by geologic and engineering constraints, shall emphasize grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences on site.

41. All graded slopes (cut and fill) shall be revegetated. 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 before issuance of a building permit. The

landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.

42. No grading shall be done or natural vegetation removed beyond that which is shown on the approved Hillside Management Conditional Use Permit Exhibit "A," except that which may be required by the Fire Department for brush clearance purposes.

43. Open space shall comprise not less than 70% of the net area of the project. Pursuant to Section 22.56.215 (J-1a) of the Los Angeles County Code (Zoning Ordinance), such open space may include the portions of private yards outside the building pads as depicted on the Exhibit "A;" landscaped areas adjacent to streets and highways; paseo and open recreational and areas graded for the rounding of slopes to contour appearance.

44. In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning and the Los Angeles County Fire Department. Their review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs and ground covering) that could be expected 18 months after planting in compliance with fire safety requirements. The landscaping plan shall show size, type and location of all plants, trees and watering facilities. The landscaping shall be maintained in compliance with the approved plans.

The landscaping plan must show that at least 50% of the area covered by landscaping will be native vegetation, including not only trees, but shrubs and ground covering as well. However, if the applicant can prove to the satisfaction of staff that a 50% or more native planting is not possible due to County fire safety requirements, then staff may determine that a lower percentage of native planting is required. In those areas where staff approves a reduction to less than 50% native vegetation, the amount of native planting required shall be at least 30%. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by staff and the Fire Department. Fire resistant plants should be given first consideration.

Permitted Plantings. Trees, shrubs and ground coverings native to the region may be used for the required 50% native landscaping. Fire resistant and native plants

that may also be used for the required 50% native landscaping can be found on the attached list (marked Exhibit "B") compiled by the Los Angeles County Fire Department. This list may be amended as approved by staff.

Timing of Planting. Prior to the issuance of building permits for any construction the applicant shall submit a landscaping and phasing plan for the landscaping associated with that 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.

The planting shall begin at the time of occupancy of each building. The required planting of new trees, shrubs and ground coverings shall be completed within six months following occupancy.

The approved phasing plan shall set forth goals for the growth of the new plants in order to achieve established landscaping within eighteen months following completion of the required planting. The applicant shall supply information for staff review of the completed landscaping at such time to confirm completion in accordance with the approved landscaping plan. In the event that some plants have not flourished, at the time of review, staff may require replacement planting as necessary to assure completion in accordance with such plan.

PARKING PERMIT NO. 00-188-(5)
CONDITIONS OF APPROVAL

This grant authorizes the use of reciprocal parking for each lot as depicted on Tentative Tract Map No. 53235 subject to all of the following conditions of approval.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.

2. This permit shall not be effective for any purpose until a duly authorized representative of the property involved has filed at the office of the Department of Regional Planning his/her affidavit stating that he/she is aware of and accepts all the conditions of this permit. The affidavit of acceptance shall be recorded with the Los Angeles County Recorder.

3. 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. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.

4. 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 the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses 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 reach 80 percent of the amount on 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.

   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 according to Los Angeles County Code Section 2.170.010.

5. Unless this grant is used within the time specified, the grant will expire. The time limit for the use of this grant shall be concurrent with that of Tract Map No. 53235.

6. 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.

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7. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statue, 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. The permittee shall deposit with the County of Los Angeles the sum of $1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 10 biennial inspections. Inspections shall be unannounced.

   If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional 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 site plan on file. The amount charged for additional inspections shall be $150.00 per inspection, or the current recovery cost, whichever is greater.

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8. 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 a 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's health or safety or so as to be a nuisance.

9. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

10. The proposed development shall provide 318 residential parking spaces and 43 guest parking spaces. and (+)

11. No more than 40 percent of the 318 residential parking space shall maintain a street width of 8.5 feet but a stall width of 17 feet. submit parking plan for approval prior to issuance of building permit.

12. This permit shall not be effective until the owner of the subject property submits an covenant agreeing to provide the necessary easements to ensure that the parking and access rights described in this permits are protected should the ownership of the proposed lots as shown on Tentative Tract Map No. 53235 change in the future.

13. Prior to issuance of building permit, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.

14. The permittee shall ensure through lease arrangements or covenants, conditions and restrictions that guests of all future residences in the condominium complex, comprised of proposed Lot Nos. 1 through 6 as shown on the Tentative Tract Map No. 53235, will have the non-exclusive right to commonly park motor vehicles in any area designated for guest parking within the development, and to use those areas designated as driveways and parkways within the development for purposes of ingress and egress to and from said parking areas.

15. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.

16. 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 business being operated on the premises or that do not provide pertinent information about said premises.

17. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Inspections shall be made as provided in Condition No. 9 to ensure compliance with this condition, including any additional inspections as may be necessary to ensure such compliance.

18. The permittee shall maintain the property in a neat and orderly fashion.

19. The permittee shall maintain free of litter all areas of the premises under which the permittee has control.

20. ~~If after inspection and/or complaints, the Director determines that a parking problem exists, the use of the restaurant and/or school shall be restricted to the satisfaction of the Director to increase the compatibility of the use with the number of parking spaces provided.~~

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* add a condition for MMP of the EIR

OAK TREE PERMIT NO. 00-188-(5)
CONDITIONS OF APPROVAL

CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at either 818-890-5719 or 323-881-2481)

1. Unless otherwise apparent from the context, the term "permittee' shall include the applicant and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant.

3. The term "Oak Tree Report" refers to the update document on file by Planning and Design Solutions, the consulting arborist, dated July 17, 2000.

4. The time limit for the use of this grant shall be concurrent with and consistent with that of Tentative Tract Map No. 53235. Unless this grant is used within the time specified, the grant will expire. In the event that Tentative Tract Map No. 53235 expires prior to the use of this grant, this grant shall expire.

5. Copies of the oak Tree Report, Oak tree map, and conditions of approval shall be kept on the project site and available for review. All Individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, and conditions of approval.

6. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department 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 County Forester any failure to fully comply 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.

7. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53235.

8. This grant allows removal one tree of the Oak genus identified as Tree Number 1 on the applicant's site plan map and oak Tree Report.

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9. 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.

10. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two 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 County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.

11. 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 County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

13. The permittee shall provide mitigation trees of the Oak genus at a rate of 2:1 for the tree specified above.

14. Any mitigation trees shall be at least a fifteen-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.

15. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source.

16. 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 three- year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

CONDITIONS OF APPROVAL
OAK TREE PERMIT 00-188-(5)

17. 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.

18. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of $300.00. Such fees shall be used to compensate the County Forester $100.00 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the Conditions of Approval.

    The above fees provide for one (1) initial inspection of temporary fencing (required to secure the protected zone of all remaining oak trees) prior to the commencement of construction and two (2) subsequent annual inspections until the Conditions of Approval have been met. The Director of Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

19. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited without an addendum prepared by the Forestry Division of the Los Angeles County Fire Department and approved by the Department of Regional Planning.

20. Should encroachment within the protected zone of any additional trees of the Oak genus on the project site not permitted by this grant result in its injury or death within two years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

21. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.

22. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.

23. 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.

24. Violations of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.

25. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance.

26. The permittee shall defend, indemnify and hold harmless Los Angeles County (the "County), it 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. The County shall cooperate fully in the defense. If the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify or hold harmless the County.

27. 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 the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed an 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 according to Section 2.170.010 of the Los Angeles County Code.

28. It is hereby declared to be the intent that if any provisions of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse, provided that the permittee has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.

DEPARTMENT OF REGIONAL PLANNING
TENTATIVE TRACT MAP NO. 53235

MAP DATE: 9-23-02

CONDITIONS:

1. Conform to the requirements of the Los Angeles County Code (Subdivision and Zoning Ordinances) and the requirements of the RPD-5,000-12U zone. Also, comply with the requirements of Conditional Use Permit No. 00-188, Parking Permit No. 00-188 and Oak Tree Permit No. 00-188.

2. Recordation of the final map is contingent upon the approval of Zone Change Case No. 00-188 by the Board of Supervisors and the effectuation of an ordinance changing the zoning on the property from A-1-1 to RPD-5,000-12U as recommended under Zone Change Case No. 00-188.

3. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning.

4. Adjust the lot lines between Lot Nos. 2, 3 and 8 to exclude the tot lot from the open space lot (Lot No. 8) prior to final map.

5. Show Poema Place and Topanga Canyon Boulevard as dedicated streets on the final map.

6. The use of the "alternate driveway and street improvements design" as shown on the September 23, 2002 tentative is approved, if the subdivider cannot acquire the necessary offsite right-of-way or easements to construct the required roadway improvements and driveway access to the Department of Regional Planning and the Department of Public Works. Also, the new owner or his/her successor in interest must made additional effort to acquire the necessary offsite right-of-way or easements prior to final approval to the satisfaction of the Department of Regional Planning and the Department of Public Works.

7. Construct or bond with the Department of Public Works for driveway paving, a minimum of 32 feet on the main driveway, and 28 feet on all branch driveways to the satisfaction of the Department of Regional Planning and the Fire Department.

8. Show the driveway on the final map as a "Private Driveway and Fire Lane" or on a plat to be recorded concurrently with the final map and label as a "Private Driveway and Fire Lane."

9. Post the driveway with signs stating "No Parking" and provide for continued posting and enforcement of the restriction in the Covenants, Conditions and Restrictions.

DRAFT

Submit a copy of the Covenants, Conditions, and Restrictions or maintenance agreement to the Department of Regional Planning for review prior to final map approval.

10. Submit a letter to the Department of Regional Planning agreeing to provide an adequate lighting system along all walkways to be constructed within the common areas to the satisfaction of the Department of Regional Planning.

11. Provide in the Covenants, Conditions and Restrictions a method for the continuous maintenance of the common areas, including the driveway and the lighting system along all walkways to the satisfaction of the Department of Regional Planning with a copy of the document to be recorded prior to filling of the final map.

12. Dedicate to the County of Los Angeles on the final map the right to prohibit construction of residential structures on Lot Nos. 6 and 7 on the final map.

13. Dedicate complete construction rights on the open space lot (Lot 8) to the satisfaction of the Department of Regional Planning.

14. Permission is granted to create additional open space lot to the satisfaction of the Department of Regional Planning.

15. The open space lot may be dedicated to a public agency to the satisfaction of the Department of Regional Planning.

16. The ownership and maintenance of the open space lot shall be provided by a homeowners association if it is not dedicate to a public agency. Submit a copy of the covenants, conditions and restrictions to the Department of Regional Planning for review prior to final map approval.

17. This tract map is approved as a condominium project for a total of 159 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. Place a note or notes on the final map to this effect to the satisfaction of the Department of Public Works and the Department of Regional Planning.

18. Construct or bond for off-site paving to Poema Place, for a minimum width of 32 feet, to the satisfaction of the Department of Regional Planning and the Fire Department prior to final map approval.

19. A final tract map is required for this land division. A waiver is not allowed.

20. Per Section 21.32.195, the subdivider or the current owner shall plant or caused to be planted one tree within the front yard of the each lot. The location and the species of said tree may be incorporated into a site plan or landscape plan to be approved by the Director of Planning and the County Forester and Fire Warden. A bond may be posted with the Department of Public Works for the required trees prior to final map approval.

21. Pursuant to Chapter 22.72 of the County Code, the subdivider or his successor in interest shall pay a fee to the County of Los Angeles Public Library prior to issuance of building permits in the amount of $643.00 per dwelling unit ($643.00 X 159 dwelling units = $102,237.00), or such other amount as may be required by Chapter 22.72 at the time of payment. The subdivider may contact the County Librarian at (562) 940-8430 regarding payment of fees.

22. 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, 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 promptly notify the permittee of any claim, action or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim, action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County.

23. 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 the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses 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 pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    1. If during the litigation process, actual costs incurred reach 80 percent of the amount on 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.

At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost of the collection and duplication of records and other related documents will be paid by the permittee according to the Los Angeles County Code Section 2.170.010.

22. Except as modified herein by the Regional Planning Commission, this approval is subject to all those conditions set forth in the attached reports recommended by the Los Angeles County Subdivision Committee that consists of the Department of Pubic Works, the Fire Department, the Department of Parks and Recreation and the Department of Health Services.

RP

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SUBDIVISION
TRACT MAP NO. 53235 (Rev.) TENTATIVE MAP DATED 09-23-2002

The following reports consisting of 14 pages are the recommendations of the Department of Public Works.

The subdivision shall conform to the design standards and policies of the Department 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 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.

3. Easements are required, subject to review by the Director of Public Works to determine the final locations and requirements.

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. HW

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. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

10. Quitclaim or relocate easements running through proposed structures.

11. Show open space note and dedicate residential construction rights over the open space lots.

12. Delineate proof of access to a public street on the final map.

13. If unit filing occurs, reserve reciprocal ingress and egress easements in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

14. If the subdivider intends to file multiple final maps, he must so inform the Advisory Agency at the time the tentative map is filed. The boundaries of the unit final maps shall be designed to the satisfaction of the Director of Public Works and the Department of Regional Planning.

15. The first unit of this subdivision shall be filed as Tract No. 53235-01, the second unit, Tract No. 53235-02, ... and the last unit, Tract No. 53235.

16. 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.

17. 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.

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SUBDIVISION
TRACT MAP NO. 53235 (Rev.) TENTATIVE MAP DATED 09-23-2002

18. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

Name Barry S. Witler +lw/for Phone (626) 458-4915 Date Rev. 10-28-2002

wp

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

REVISED TENTATIVE MAP DATED 09/23/2002

TRACT NO. 53235

DRAINAGE CONDITIONS

[X] Comply with the following requirements to the satisfaction of Director of Public Works prior to the filing of the final map:

[X] Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map.

[X] A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study shall be approved prior to submittal of improvement plans.

[X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010 of the Subdivision Ordinance.

[X] Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 10/10/002 to the satisfaction of Public Works.

==========

GRADING CONDITIONS

[X] A grading plan and soils report must be submitted and approved prior to approval of the final map.

[X] Adjust the proposed grading in the vicinity of Poema Place so that toe of slopes are set behind the property line or construct a wall at the property line to prevent sloughing of slope into the public right-of-way to the satisfaction of the Department of Public Works and the Department of Regional Planning. If necessary, acquire approval from the Department of Regional Planning prior to approval of improvement plans.

[X A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

[X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

[X] All nine of site easements must be depicted on the grading and landscaping plans.

Name Asbel MO KAJBAF Date 10/24/02 Phone (626) 458-492

et 1 of 1

EWER CALLING HOURS
.m. & 3-4 p.m. Mon.-Thurs.

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

DISTRIBUTION
1 Geologist
1 Soils Engineer
1 LDMA/Proc. Center
1 Section File
1 Subdivision

NTATIVE TRACT/MINOR LAND SUBDIVISION 53235
BDIVIDER American Church Trust Company
GINEER B & E Engineers
OLOGIST Law Crandall (70131-0-0301.0002)
ILS ENGINEER Same as above

TENTATIVE MAP DATED 9/23/02 (revised)
LOCATION Chatsworth

REPORT DATE 1/12/01, 10/06/02
REPORT DATE 1/12/01, 10/06/02

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

[X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the Geology and Soils Sections. 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 and completion of soils work, corrective grading bonds will be required.

[X] 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.

[X] The Soils Engineering review dated 9/26/02 is attached.

X] **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 2 Subdivision Code.

[X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.

[X] A geology and soils engineering report will be required to address the off-site grading noted beyond the easter boundary of the property line prior to approval of building or grading plans.

[X] Geotechnical Recordation Map verification deposit estimate 6 hours.

[ ] Groundwater is less than 10 feet from the ground surface on lots _____

Prepared by Karin Vazquez Reviewed by Charles Nestle Date September 26, 2002

The "Manual for Preparation of Geotechnical Reports" prepared by County of Los Angeles, Department of Public Works is available on the Internet at the following address:
http://dpw.co.la.ca.us/med/manual.pdf

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

SOILS ENGINEERING REVIEW SHEET

District Office 9.1
Job No. LX001129
Sheet 1 of 1

Address: 900 S. Fremont Ave.
Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913
Calling hours - Monday through Thursday 8-9 a.m. & 3-4 p.m.

Tentative Tract Map 53235
Location 11400 Poema Place, Chatsworth
Developer/Owner American Church Trust Company
Engineer/Architect B & E Engineers
Soils Engineer LawGibb Group (P.N. 70131-0-0301)
Geologist Same as above

Review of:

Tentative Tract Map Dated By Regional Planning 9/23/02 (Rev.)

Previous review sheet dated 8/6/01

ACTION:

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

REMARKS:

1. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

2. At grading plan stage, provide chemical test results (sulfate, chloride, resistivity, etc.) for the on-site soils to address the presence of chemicals deleterious to concrete and ferrous materials. The tests must be in accordance with California Test Methods, Department of Transportation, or equivalent (aqueous solution tests, such as EPA Tests or similar methods are not acceptable for determination of resistivity).

REGISTERED PROFESSIONAL ENGINEER
GAN N. LEM
NO. 2328
EXP 6/30/03
GEOTECHNICAL
STATE OF CALIFORNIA

Prepared by _____ Date 9/26/02
Gan Lem

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.

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - ROAD
TRACT MAP NO. 53235 (Rev.)

TENTATIVE MAP DATED 09-23-2002

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

1. Dedicate right of way or provide easement a minimum of 58 feet from the southerly right of way line of Poema Drive to the satisfaction of Public Works.

2. Offsite improvements are required. It shall be the sole responsibility of the subdivider to acquire the necessary right of way or easement.

3. The use of the "alternate driveway and street improvements design" as shown on the tentative map is approved, if the subdivider cannot acquire the necessary off-site right of way or offsite easements to construct the required roadway improvements and driveway access. Also, if the owner and/or subdivider changes prior to final map approval, additional effort must be made to acquire the necessary offsite right of way or offsite easement to the satisfaction of Public Works.

4. Provide intersection sight distance commensurate with a design speed of 40 mph plus grade factor (500 feet) on Poema Place from the proposed private drive and fire lane (westerly 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.

5. All line of sight easements shall be depicted on landscaping plans and/or grading plans.

6. Construct drainage improvements (and parkway drains, if needed) and offer easements needed for street drainage or slopes.

7. Close any unused driveway with standard curb, gutter, and sidewalk.

8. Repair any broken or damaged curb, gutter, sidewalk, and pavement on streets within or abutting this subdivision.

9. Remove the existing parkway improvements on the northside and construct curb, gutter, base, pavement, and sidewalk for widening on Poema Place on and including the offsite portions fronting and to the west of the property to the satisfaction of Public Works. Provide 40 feet of roadway width between curbs on Poema Place. It shall be the sole responsibility of the subdivider to acquire the necessary right of way or easement.

+1(c)

10. Provide transition improvements on Topanga Canyon Boulevard to the satisfaction of Caltrans and Public Works.

11. Prepare signing and striping plan on Topanga Canyon Boulevard and on Poema Place to the satisfaction of Caltrans and Public Works.

12. Comply with the mitigation measures as indicated in the attached memorandum from our Traffic and Lighting Division dated October 30, 2002 to the satisfaction of Public Works. Also, prior to recordation, the traffic mitigation measures at the intersections of Topanga Canyon Boulevard at Mayan Drive/Poema Place, and Topanga Canyon Road at SR-118 Westbound Ramps must be in place to the satisfaction of Public Works.

13. Locate the entry gate or key pad (if one is provided) a minimum of 50 feet beyond the proposed right of way of Poema Place and construct the gated entrance with a minimum of 32 feet radius for turnaround to the satisfaction of Public Works.

14. Plant street trees on Poema Place.

15. Prior to final map approval, the subdivider shall 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.

16. Underground all existing and new utility lines to the satisfaction of Public Works. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

17. Comply with the following street lighting requirements:

    a. Submit a street lighting plan.

    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 street lights. The Board of Supervisors must approve the annexation and/or 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.

HW

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - ROAD
TRACT MAP NO. 53235 (Rev.)

TENTATIVE MAP DATED 09-23-2002

(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 for any questions at (626) 300-4726.

c. For acceptance of street light transfer billing, all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans and energized for at least one year as of July 1st of the current year.

d. Note that the annexation and assessment balloting process takes approximately five to six 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.

18. All improvements within Topanga Canyon Boulevard will require an encroachment permit from Caltrans.

19. A deposit is required to review documents and plans for final map clearance.

HW/for

Name Barry S. Witler Phone (626) 458-4915 Date 10-07-2002

msw

October 30, 2002

TO: Rod Kubomoto
Watershed Management Division

FROM: John T. Walker
Traffic and Lighting Division

TOPANGA CONDOMINIUM PROJECT
ADMINISTRATIVE DRAFT ENVIRONMENTAL IMPACT REPORT (AUGUST 2002)
TRAFFIC IMPACT STUDY (JULY 25, 2002)
TENTATIVE TRACT NO. 53235
CHATSWORTH AREA

As requested, we have reviewed the above-mentioned documents. The above-mentioned documents have been submitted to address our previous comments provided in our memos dated August 2, 2001, and May 21, 2002.

The 13.28-acre site for the proposed Project is located northwest of Topanga Canyon Boulevard at Poema Place near the Chatsworth area in the County of Los Angeles. The proposed Project consists of the development of 159 residential condominiums. The condominium units will be constructed in five separate structures with one recreational building and 358 on-site parking spaces. Poema Place will provide direct vehicular access to the Project site. Based on the trip generation rates for condominium/town homes provided in the County of Los Angeles Traffic Impact Analysis Report Guidelines (copy attached), the Project, at its build out in the Year 2004, is estimated to generate approximately 1,272 vehicle trips per day with 86 and 116 vehicle trips during the a.m. and p.m. peak hours, respectively.

We agree with the study that the traffic generated by the Project alone will significantly impact the following County and County/State of California Department of Transportation (Caltrans) intersections. We require the following mitigation measures be the sole responsibility of the Project. The developer of this Project should work with the developer of the adjacent property (Tentative Tract No. 53138) to complete the improvements. The Project's pro-rata share is 27 percent. The issuance of any building permit for the Project shall be withheld until these mitigation measures are in place.

Topanga Canyon Boulevard at Mayan Drive/Poema Place

East Approach: One left-turn lane and one shared through/left-turn lane (add one left-turn lane).

South Approach: One left-turn lane and one exclusive right-turn lane (convert shared left-/right-turn lane to a left-turn lane and add one exclusive right-turn lane).

West Approach: One shared through/right-turn lane and one exclusive right-turn lane (add exclusive right-turn lane).

Install traffic signals. Traffic signals at this intersection shall be interconnected with the traffic signals at the intersection of Topanga Canyon Road at SR-118 westbound ramps to the satisfaction of Caltrans and Public Works.

Topanga Canyon Boulevard at SR-118 Westbound Ramps

North Approach: Two through lanes and one exclusive right-turn lane (add exclusive right-turn lane).

East Approach: Two left-turn lanes and one shared through/right-turn lane (add second left-turn lane and convert shared left-/through/right-turn lane to shared through/right-turn lane).

Modify traffic signals. Traffic signals at this intersection shall be interconnected with the traffic signals at the intersection of Topanga Canyon Road at Mayan Drive/Poema Plance to the satisfaction of Calrans and Public Works.

Detailed striping plan along with signal installation/modification plans shall be prepared and submitted to Caltrans and Public Works for review and approval.

Based on the Project trip generation and distribution and the current poor level of service at the following intersections, we require the traffic study be expanded to include these intersections in the City of Los Angeles for Project impacts and mitigation measures:

- Topanga Canyon Road at Santa Susana Pass Road
- Topanga Canyon Road at Chatsworth Street
- Topanga Canyon Road at Devonshire Street

The potential traffic impact on SR-118 must be considered. The applicant shall consult with Caltrans to determine the California Environmental Quality Act (CEQA) levels of significance with regard to traffic impacts on Caltrans' freeway facilities. This consultation shall also include a determination of Caltrans requirements for the study of traffic impacts to its facilities and the mitigation of any such impacts. Written comments on the impact of the Project shall be obtained from Caltrans and forwarded to Public Works and the Department of Regional Planning for review.

We require the City of Los Angeles review this document to determine the potential CEQA levels of significant with regard to traffic impacts within its jurisdiction. Documentation of consultation with the City shall be prepared and submitted to Public Works and the Department of Regional Planning.

If you have any questions, please contact Nickolas VanGunst of our Traffic Studies Section at Extension 4768.

NV:cn
T-4/EIR02247

Attach.

cc: T. M. Alexander
Land Development (Witler, Wong)

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT MAP NO. 53235 (Rev.)

TENTATIVE MAP DATED 09-23-2002

The subdivision shall conform to the design standards and policies of the Department 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 building/lot with a separate house lateral or have approved and bonded sewer plans on file with the Department of Public Works.

2. The subdivider shall submit an area study to the Department of Public Works to determine if capacity is available in the sewerage system to be used as the outlet for the sewers in this land division. If the system is found to have insufficient capacity, upgrade of the existing system is required to the satisfaction of the Department of Public Works.

3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.

4. Easements are required, subject to review by the Department of Public Works to determine the final locations and requirements.

5. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

HW/for

Name Barry S. Witler Phone (626) 458-4915 Date 10-10-2002

msw

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT MAP NO. 53235 (Rev.)

TENTATIVE MAP DATED 09-23-2002

The subdivision shall conform to the design standards and policies of the Department 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 buildings/lots in the land division, must be provided. The system shall include fire hydrants of the type and location 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 the Department of 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 building/lot.

3. Off-site improvements are tentatively required.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructure constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each lot/parcel in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. All line of sight easements must be depicted on the landscape and irrigation plans.

7. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

HCW/for

Name Barry S. Witler Phone (626) 458-4915 Date 10-10-2002

msw

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 53235 Map Date September 23, 2002

C.U.P. 00-188 Vicinity Malibu 266

☒ **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 300 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: **Access as shown on the submitted tentative map is adequate.**

By Inspector: Janna Masi Date October 3, 2002

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNICORPORATED

Subdivision No. 53235 Tentative Map Date September 23, 2002

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 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.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ 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 3 public fire hydrant(s). Upgrade / Verify existing ____ public 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 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: ____

☒ 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: ____

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 regulatio
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 October 3, 2002

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # 53235	DRP Map Date: 09/23/2002	SCM Date: 10/07/2002	Report Date: 10/03/2002
Park Planning Area # 34	OAT MOUNTAIN		Map Type: REV. (REV RECD)

Total Units [159] = Proposed Units [159] + Exempt Units [0]

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:	1.00
IN-LIEU FEES:	$136,000

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $136,000 in-lieu fees.

Trails: See also attached Trail Report. SANTA SUSANA PASS TRAIL

Comments:

Proposed to build 159 multi-family condominium units.

Contact Patrocenia T. Sobrepeña, Acting Park Planner, Department of Parks and Recreation, 433 South Vermont Avenue, Los Angeles, California, 90020 at (213) 738-2972 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Tonda Lay, Trail Coordinator at (213) 738-2118.

By: _____
James Barber, Advanced Planning Section Head

Supv D 5th
October 07, 2002 08:07:53
QMB02F.FRX

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # 53235	DRP Map Date: 09/23/2002	SMC Date: 10/07/2002	Report Date: 10/03/2002
Park Planning Area # 34	OAT MOUNTAIN		Map Type: REV. (REV RECD)

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

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x AFMV/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 1990 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.

AFMV/Acre = Average Fair Marked Value per Acre by Park Planning Area.

Total Units **159** = Proposed Units **159** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.68	0.0030	0	0.00
M.F. < 5 Units	2.04	0.0030	0	0.00
M.F. >= 5 Units	**2.10**	**0.0030**	**159**	**1.00**
Mobile Units	1.86	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**1.00**

Park Planning Area = **34 OAT MOUNTAIN**

Goal	Acre Obligation	AFMV / Acre	In-Lieu Base Fee
@(0.0030)	1.00	$136,000	**$136,000**

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	AFMV / Acre	In-Lieu Fee Due
1.00	0.00	0.00	1.00	$136,000	**$136,000**

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

Tim Gallagher, Director

October 7, 2002

NOTICE OF TRAIL REQUIREMENT FOR REVISION TRACT MAP

Map #: TR - 53235

Date on Map: September 23, 2002

Provide a 20 foot easement for the **Santa Susana Pass 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, all information pertaining to trail requirements must have been shown on the Tentative Tract or Tentative Parcel Map. **all information pertaining to trail requirements must be shown on the Tentative Tract Map**.

__X__ TRAIL OK AS SHOWN.

_____ TRAIL ON HOLD PENDING SITE VISIT.

_____ THE MAP IS APPROVED REGARDING TRAIL REQUIREMENTS.

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

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, all information pertaining to trail requirements must be shown on the Final Tract Map.

__X__ THE MAP IS APPROVED REGARDING TRAIL REQUIREMENTS.

For any questions concerning trail alignment or other trail requirements, please contact
Tonda Lay, Trail Coordinator (213) 738-2118.

Tonda Lay

Tonda Lay, Trail Coordinator

Executive Offices • 433 South Vermont Avenue • Los Angeles, CA 90020-1975 • (213) 738-2961

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

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

Environmental Health
ARTURO AGUIRRE, Director

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

BOARD OF SUPERVISORS
Gloria Molina
First District

Yvonne Brathwaite Burke
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

September 30, 2002

Tract Map No. 53235

Vicinity: Chatsworth/Los Angeles

Vesting Tentative Map Date: September 23, 2002

The Los Angeles County Department of Health Services has no objection to the approval of **Vesting Tentative Tract Map 53235**, with the understanding that the expected potable water needs will be supplied through a public water system which guarantees water connection and service to all lots and wastewater treatment demands will be accommodated by public wastewater treatment facilities as proposed.

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

Respectfully,

PATRICK NEJADIAN

FOR Russell A. Johnson, R.E.H.S., Chief,
Mountain and Rural/Water, Sewerage and Subdivision Program

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

RECEIVED
OCT 21 2002
REGIONAL PLANNING
L.A. COUNTY

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

October 18, 2002

Samuel Dea, Regional Planning Assistant II
Land Divisions
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Dea:

OAK TREE PERMIT #00-188, 11400 PEOMA PLACE IN THE UNINCORPORATED AREA OF CHATSWORTH

We have reviewed the "Request for Oak Tree Permit #00-188." The project is located at 11400 Peoma Place in the unincorporated area of Chatsworth. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak tree on the site. The term "Oak Tree Report" refers to the document on file by Impact Sciences, the consulting arborist, dated July 17, 2000.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

   Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of $200. Such fees shall be used to compensate the County Forester $100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for two (2) annual inspections until the conditions of approval have been met.

   The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the Forestry Division of the County of Los Angeles Fire Department stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.

4. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review.

   All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL:

5. This grant allows the removal of one (1) tree of the Oak genus (*Quercus agrifolia*) identified on the applicant's site plan and Oak Tree Report.

MITIGATION TREES:

6. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for the tree removed for a total of two trees.

7. Each 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.

8. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source.

9. Mitigation trees shall be planted within one year of the permitted Oak tree removal. Mitigation trees shall be planted either on-site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

10. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing

to survive two years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

11. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

12. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.

13. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance.

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

Very truly yours,

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:sc

c: Thomas J. DiGiuseppe, Sondermann Ring Partners

EXHIBIT A

ZONE CHANGE – BURDEN OF PROOF 00 188 SECTION 22.16.110

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Commission the following facts. Answers must be made complete and full:

A. Modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration because:

Modified conditions warrant the revision to the zoning plan. The development of the adjacent property with attached multi-family residential units has set a pattern of development for the area which was not anticipated by the current zoning of the subject property. The change of zone is necessary to provide for an orderly transition in the intensity of development from urban, adjacent to the 118 freeway, to rural and open space areas of the lower foothills of the Santa Susanna mountain range. The subject property fronts on Poema Place immediately adjacent to, and parallel to, the 118 Freeway. The subject property is located at the intersection of Poema Place and Topanga Canyon Boulevard, which provides superior access relative to the adjacent multi-family residential property. It is good zoning practice to provide for a transition of development intensity closer to an area's regional access. This zone change and infill project would constitute a more logical land use and zoning pattern. Therefore, a rezoning of the subject property is warranted by the relationship to the existing pattern of development and the access provided to the site by the 118 Freeway and Topanga Canyon Boulevard.

Onsite conditions have also changed which support the need to revise the zoning plan for the area. The site has been graded in anticipation of a development of the property for a church. These extensive landform modifications (approximately 7.4 acres of the 13 acre site) require remedial earthwork and have degraded natural areas over much of the property. These prior development activities support the need for a permanent development alternative for the property. The RPD zone proposal provides the best opportunity to address the landform impacts from the previous development effort and design a project that transitions from freeway frontage to open space as an appropriate design framework.

B. A need for the proposed zone classification exists within such area or district because:

The need for new housing is best illustrated in a recent (May 2000) report prepared by the State of California Department of Housing and Urban Development entitled "Raising the Roof: California Housing Development Projections and Constraints, 1997-2020. The report stated the following.

"Few issues facing California are as important as the State being able to meet its future housing needs. Between 1997 and 2020, California will likely add more than 12.5 million new residents and should form approximately 5 million new households. Almost all of this growth will occur in metropolitan area. To meet the housing needs of California's growing population, homebuilders and developers will have to build an average of 220,000 housing units each year between now and 2020."

"Among individual counties, Los Angeles County alone is projected to add two million more residents by 2020."

"... California will need an unprecedented amount of new housing construction – more than 220,000 units per year through 2020 – if it is to accommodate projected population and household growth and still be reasonably affordable. California will need more suburban housing, more infill housing, more ownership housing, more rental housing, more affordable housing, more senior housing, and more family housing. California will also need more diverse housing, and more diverse neighborhoods. California's high land and construction costs, coupled with the cumbersome and open-ended nature of the local entitlements process, have served to discourage innovative land planning, site design, and building design."

This report is available in full via **http://www.hcd.ca.gov**. For additional information Chapter 2 of this report describes household and tenure projections for California counties and metropolitan areas for 2010 and 2020.

C. The particular property under consideration is a proper location for said zone classification within such area of district because:

The location of the property is appropriate for the requested Zone Change. The property has both regional and site access from the 118 Freeway, Topanga Canyon Boulevard and Poema Place, a collector street. The proposed RPD zone is compatible with the pattern of development in the area and is an appropriate transition from the intense development in the San Fernando Valley to the open space foothills of the Santa Susanna Mountains. Further, the RPD zone provides the design controls that are appropriate to address the topographic and prior grading impacts on the subject property.

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 practice because:

The placement of the RPD zone on the subject property will be in conformance with good zoning practice because the zone change will provide for a transition in the intensity of land uses and orderly pattern of development. Further, the proposed zone contains the design review procedures that will insure this degraded property will be designed to address the prior landform modifications and be compatible with the character and pattern of development in the area including providing an open space buffer for the upland area.

(NOTE: Use additional sheets as necessary)

EXHIBIT B

00 188

CONDITIONAL USE PERMIT CASE – BURDEN OF PROOF SECTION 22.56.040

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

A. That the requested use at the location proposed will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The requested residential condominium project is similar to and compatible with the character of the adjacent multi-family residential development. Therefore, the proposed condominium project will not adversely affect the health, peace, comfort or enjoyment of persons residing in the area. The project's clustered design preserves significant open areas as well as the most prominent landforms on the site. These characteristics and the design controls of the RPD zone will ensure that the project is compatible with the pattern of development in the area. The residential use and the clustered design concept are compatible with the public's health, safety & general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project site is 13.28 acres in size, adequate to accommodate the proposed 159 unit attached residential condominium design. The residential component of the project will be clustered on approximately 5 acres within the disturbed portion of the site. The site plan (Refer to Exhibit "A") depicts the arrangement of the buildings and access roadways and shows the yards, recreation areas, parking and related facilities. The site plan preserves the majority of the site as open space to minimize landform alteration outside the existing disturbed areas. Further, the design minimizes the affect of development on adjacent uses and preserves the most significant landforms on the site.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and

2. By other public or private service facilities as are required.

The project site has superior access. The property is adjacent to the 118 Freeway and the Topanga Canyon Boulevard on & off ramps. The project has site frontage on Poema Place, a collector street. Direct access to the freeway and Topanga Canyon Boulevard will allow future residents easy access to employment and commercial centers in both the San Fernando & Simi Valleys. The site has direct access to the utility infrastructure necessary to support the residential development. Refer to the Initial Study Questionnaire for additional information on service districts.

HILLSIDE MANAGEMENT – BURDEN OF PROOF

A. Hillside Management Areas (Section 22.56.215 F.1):

1. **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;**

   Although the site has previously received County approval for a grading permit in relation to the development of a church site, remedial earthwork is required to bring the developed area into conformance with County design standards for site stability. This project application will be supported by an onsite geotechnical report approved by the Department of Public Works to ensure that grading required by this project will be free of geotechnical or slope stability hazards.

   The project is within a high fire hazard area, however, the project's cluster design, locating development adjacent to the Poema Place and Topanga Canyon Boulevard, provides for a defensible space to buffer the project from flammable native vegetation. The driveway is looped with two access points on Poema Place to facilitate ingress and egress to the property. This design facilitates the evacuation of the residents in case of an emergency.

2. **That the proposed project is compatible with the natural, biotic, cultural, scenic, and open space resources of the area;**

   Much of the site has been disturbed by previous grading activities. The cluster concept proposed for the project will limit development to the existing disturbed areas. A records search and site survey conducted in 1985 concluded that "no evidence" of cultural resources could be found. By preserving the remaining natural open space areas including the most significant landforms, the cluster design of the project is compatible with the natural, cultural, scenic and open space resources of the site.

3. **That the proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;**

   The project location is adjacent to the 118 Freeway and Topanga Canyon Boulevard. Thus, future project residents will have easy access to commercial facilities in the San Fernando Valley and the regional transportation network. Essential public services and utilities are available to the site.

   The project can be found consistent with the General Plan. The project is located adjacent to a developed Urban 2 area and has the same or better locational, topographic and access characteristics. Given that the General Plan does not depict land use patterns less than 50 acres and that the site is approximately 13 acres, General Plan consistency is determined by land use compatibility and other site suitability factors. The adjacent urban residential uses, improved roadway access, and prior grading of the site make it an appropriate urban infill location.

4. **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.**

   The design of the project takes advantage of the existing landforms and graded areas to minimize the disturbance of natural slopes and cluster development within the disturbed area. This design will retain much of the scenic quality of the site and the more prominent landforms. The scale of the attached residential project is compatible with the character of the adjacent residential development.

EXHIBIT C

PARKING PERMIT - BURDEN OF PROOF SECTION 22.56.1020

A. Not applicable, because the required number of parking spaces is provided.

B. There will be no conflicts arising from special parking arrangements allowing compact spaces because:

The proposed Project's required residential parking will include 40% compact parking spaces, to effectively utilize the available buildable area. The proposed compact parking spaces will be oversized in design (8.5' in width x 17' in length). In addition, a management program will be implemented by the homeowner's association and will include the assignment of parking spaces to the residents. Guests of the residents will park in designated visitor parking spaces, which will be utilized on a first come first serve basis. The parking stalls provided for the residents' guests will be designed as standard sized. The management program implemented by the homeowner's association will assure an efficient distribution and utilization of all residential parking spaces.

The compact parking stalls provided for the residential parking of the Project will be sized in excess of the design standards as required by the Los Angeles County Code. Code requires compact parking stalls to have a minimum width of 8'. The requested compact parking stalls will maintain a width of 8.5', which is equivalent to a standard stall width. The efficient and proper distribution of these "over-sized" compact stalls provides for better utilization of the parking areas, which in turn facilitates ingress and egress, and reduces traffic congestion within the parking areas. The parking areas can thus comfortably accommodate a wide variety of vehicle sizes with increased clearance between cars.

Given the "over-sized" nature of the compact parking stalls and implementation of a property management program, no conflicts will arise as a result of this minor modification.

C. Not applicable, because no offsite facilities are proposed.

D. Not applicable, because the required number of parking spaces is provided on-site.

E. Refer to response "B" in the Conditional Use Permit Burden of Proof.

EXHIBIT D

OAK TREE PERMIT – BURDEN OF PROOF

This Burden of Proof Statement has been prepared in accordance with the County of Los Angeles Oak Tree Ordinance. The following text describes how the project satisfies each of the Ordinance criteria as provided on the "Request for Oak Tree Permit".

A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property:

The proposed residential project will remove and relocate the one oak tree on the subject property. No other oak trees are located on the subject property.

B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated:

The relocation of the one oak tree is required to provide access through the Los Angeles County Flood Control District easement present on the site. The road improvements will be constructed per current grading standards and implement Best Management Practices to reduce soil erosion.

C. That in addition to the above facts, the following findings apply:

The oak tree proposed for relocation interferes with the access road required by the Los Angeles Flood Control District. Road improvements, including widening of the road, are constrained by existing topography.

Los Angeles County
Department of Regional Planning
Director of Planning James E. Hartl, AICP

#7

June 12, 2003

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

FROM: Ellen Fitzgerald
Land Divisions Section

SUBJECT: ZONE CHANGE 00-188-(5)
CONDITIONAL USE PERMIT 00-188-(5)
OAK TREE PERMIT 00-188-(5)
PARKING PERMIT 00-188-(5)
TENTATIVE TRACT MAP 53235

Commissioners will recall that the public hearing on this project has held on March 19, 2003. The applicant presented his proposal for 159 condominium units in 5 buildings, a recreation building, associated parking facilities and approximately 9 acres of open space on the 13.28 acre site. The Commission also heard testimony from community residents who expressed their opposition to the project based on the proposed density, increased traffic, and impacts on existing infrastructure and services, especially those provided by the City of Los Angeles. The Commissioners discussed issues raised in testimony, specifically related to the somewhat "isolated" location of the site in relation to County provided services such as libraries.

The Commission directed the applicant to return with a redesigned project, taking into account the issues raised at the public hearing. Changes to the project to cater to an "empty-nester" market were suggested, which would limit impacts on schools and libraries. The applicant was advised to prepare a conceptual plan for reconsideration by the Commission prior to more formal submittal for analysis by the County's Subdivision Committee.

The applicant has submitted the conceptual redesign which reduces the development to 65 attached condominium units. The project design includes 11 buildings with 5 to 8 units per building. 2 covered parking spaces are provided for each unit and 17 guest parking spaces are provided. The units range in size from approximately 1,600 square

feet to over 2,300 square feet and include 3 bedrooms and a bonus room in some units. The project is extensively landscaped and a recreation building and tennis court are provided.

The applicant has prepared a report comparing the originally proposed project with the conceptual redesign and has provided several exhibits depicting the new design. The applicant has indicated he looks forward to presenting the redesign and addressing any questions the Commission may have.

PROJECT NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
OAK TREE PERMIT NO. 00-188-(5)
VESTING TENTATIVE TRACT MAP NO. 53235-(5)
STAFF ANALYSIS
FOR SEPTEMBER 17, 2003 REGIONAL PLANNING COMMISSION PUBLIC HEARING
(CONTINUED FROM NOVEMBER 20, 2002, MARCH 19, 2003, JUNE 18, 2003

The most recent discussion of the project occurred on June 18, 2003. On that date, the Commission reviewed a conceptual redesign of the project submitted in response to the Commission's direction on March 19, 2003 to return with a reduced density project that would also reduce impacts on the community and neighborhood services. The applicant returned with a reduced density project and stated that the housing product had changed from one of entry-level buyers to one conducive to "empty nesters". In addition, the applicant explained that all grading will be balanced on-site rather than having to export soil. The applicant also indicated that the Department of Parks and Recreation was satisfied with the trail location, which was shown in the northern portion of the site. Testimony in opposition was also heard. Opponents testified that the project should be further reduced to 39 dwelling units, that single family residences should be developed, which would be consistent with the District Supervisors general concerns for the area, that the tennis court was poorly sited, and that data provided by the applicant with respect to surrounding densities was incorrect. Although the reduced density could be considered, some additional concern was expressed.

The Commission opined that the redesign would reduce impacts and requested additional design changes related to provision of guest parking, trail location and maintenance, child amenities, lighting, proposed zoning, access and the elimination of a proposed tennis court and instructed the applicant to submit a revised tentative tract map for review by the Subdivision Committee and then continued the public hearing to September 17, 2003.

Project Design

The original development proposal was for a 5 building multi-family development of 159 condominiums. The redesigned project now proposes a total of 65 condominiums in 11 buildings with 5 to 8 units per building. 2 covered parking spaces are provided for each unit and a total of 33 guest parking spaces are provided, well in excess of the 17 which are required by the zoning ordinance. A recreation building and pool and spa are also provided. The development is accessed from a 28' wide gated driveway system from Poema Place. A proposed riding and hiking trail is shown along the front of the site, adjacent to the street. An open space lot (lot 2) of 7.42 acres is depicted to the north of the developed area on lot 1.

Trail connections

Staff has met with the Department of Parks and Recreation's trail coordinator, the project engineer, representatives of Supervisor Antonovich's office and the adjacent project's representatives to discuss the concerns related to trails. The conceptual plan discussed on June 18, 2003 showed the trail across the rear of the subject propertyt. However, community members indicated that the trail should be maintained within the "existing easement" to ensure access to Devil Canyon. The applicant therefore redesigned the project to accommodate the

community's request and moved the trail location to the front of the project site, within an existing dedicated easement.

Staff eventually discovered that the easement the community was referring to is not the same as the dedicated easement along the front of the property. Instead it is a de-facto trail which the community has been utilizing via the existing paved driveway. The actual dedicated easement is within the right of way of Poema Place and is not within the applicant's ownership. It is an unsuitable location for a trail as topographic conditions would likely necessitate retaining walls on both sides and its close proximity to the street would limit the equestrian and hiking experience. Staff evaluated the possibility of providing a trail in the general location the community has been using but could not establish a design that would meet County standards. Instead, the trail originally shown along the rear of the property is the most feasible location. Staff did not have sufficient time to recirculate a map with the corrected location so the tentative map shows the trail along Poema Place. The map should be conditioned to provide the trail in the appropriate location at the rear of the property. Staff has worked with the engineer and applicant of the adjacent Deerlake Ranch project and is confident the trail connection between the two projects can be coordinated.

General Plan Consistency

The staff report prepared for the March 19, 2003 public hearing explained that due to the scale and generalized nature of the Land Use Policy map of the General Plan, land use patterns of less than 50 acres are generally not shown. Due to the difficulty in precisely determining the land use categories, staff has relied on the criteria established in a 1982 policy memo for determining the need to process an amendment to the Countywide General Plan when a project does not fall clearly within an obvious category. The 50-acre policy includes criteria that a General Plan amendment may not be necessary if a project is compatible with the character of the community, is not regionally significant, would not result in environmental impacts of regional significance, and would not establish a precedent or conflict with basic general plan policies. The "50-acre rule" has been in effect for the past 20 years.

Prior to the initial submittal of this project, staff review of the General Plan land use policy map determined that the subject property was adjacent to non-urban designations to the north and east and Low-Medium Density, up to 12 units per acre, to the west. The exact boundaries of these designations could not be precisely determined and so, utilizing the 50 acre rule, the project was accepted as compatible with the Low-Medium Density designation without an application for an amendment to the General Plan. The proposed density at the time the project was submitted, 159 units on 13.2 acres, appeared consistent with the established density on the property located to the west, the Cadillac Fairview project.

The Cadillac Fairview project, Tract 41388, was approved by the Regional Planning Commission in 1982. The approval was for 570 attached condominiums on 270 acres, a density of approximately 3 units per acre, much lower than the maximum of 12 units permitted by the Low Medium Density designation. When additional research on the history of Tract 41388 was done, most recently in conjunction with determining the appropriate location for proposed trails associated with the adjacent Deerlake Ranch project, it was discovered that the aforementioned

Low Medium Density designation was granted **only** for property that encompassed the Cadillac Fairview project. That project had originally been proposed for higher density with an affordable housing component and at the time the project was proposed a County initiated update to the General Plan was simultaneously pending. Information in the file indicates that the site was changed to the urban Low-Medium density designation by the County to accommodate the project and the change was included in the update; no applicant initiated plan amendment associated with the project was involved. Only the developed area of the project was given the Low-Medium density designation. The remaining area remained non-urban, designated open space.

With this information relating to the exact boundaries of the Low-Medium density designation, staff can no longer conclude that the boundaries of the categories on the land use policy map are uncertain. As the boundary is certain, reliance on the 50 acre rule is no longer appropriate. Therefore, staff believes that an amendment to the Countywide General Plan is appropriate and necessary.

Since the General Plan Development section is presently reviewing the land use designations of all property within the unincorporated area, staff has discussed the appropriate procedure for initiation of this amendment. General Plan section staff indicates that a low-density designation for the subject property is appropriate based on the surrounding residential development, the close proximity of the 118 freeway, and the fact that the area may be considered urbanized, or urbanizing. The density of the surrounding development, including Twin Lakes, Indian Falls and Indian Springs, Cadillac Fairview (Somerset Condos) and proposed Deerlake Ranch are all consistent with a low-density residential category, rather than a non-urban designation. Staff also believes that amending the land use category to a designation consistent with the surrounding community would prevent the application for a more intense use at this location if the pending project does not get built. The General Plan section has indicated that redesignation of the subject property to Low Density residential would be their recommendation in association with the County's pending General Plan update.

Therefore, staff recommends that the Regional Planning Commission initiate an amendment to the Countywide General Plan to change the land use designation of the subject property from Non-Urban to Low Density Residential.

Environmental Impact Report

The draft EIR analyzed the impacts associated with a 159 unit condominium development. Since the proposed density has been significantly reduced, associated impacts have also been reduced. There is no need for recirculation of the draft EIR based on the project redesign.

Corresondence

Staff received correspondence related to trails from Equestrian Trails, Inc. and Teena Takata, a neighbor who has testified on this project. Both express concerns that existing trails be maintained, that there be assurances that proposed trails will interconnect and that the proposed density is not consistent with the equestrian nature of the area.

Staff recommendation

The redesigned project has reduced the proposed density by 59 percent and the resulting density in the low residential density range can be found consistent with that of the surrounding area. The project site is located adjacent to the Simi Valley Freeway, and Poema Place provides convenient access to Topanga Canyon Boulevard. Project impacts identified in the Draft EIR can be mitigated to less than significant levels with the exception of cumulative impacts to educational resources. Staff suggests the applicant submit a revision to the current tentative map indicating the riding and hiking trail at the rear of the property, in a location determined to connect with the future trail on the adjacent Deerlake Ranch project site, to the satisfaction of the Department of Parks and Recreation and incorporated any other changes the Regional Planning Commission might recommend. Staff recommends that the Commission initiate an amendment to the Countywide General Plan to bring the subject property into conformance with the urbanizing nature of the area and to revise the requested zone change application from RPD-5,000-12U to RPD-5,000-6U to reflect the project's reduced density,

Suggested motion

I move that the Regional Planning Commission close the public hearing and indicate its intent to recommend approval of Plan Amendment 00-188 and Zone Change 00-188 and intent its intent to approve Conditional Use Permit 00-188 and Tentative Tract Map 53235 and direct staff to return with the necessary resolution and findings and conditions for approval.

Attachments

March 4, 2004

TO: REGIONAL PLANNING COMMISSION

FROM: Ellen Fitzgerald
Land Divisions Section

SUBJECT: PROJECT NO. 00-188-(5)
GENERAL PLAN AMENDMENT CASE NO. 00-188-(5)
ZONE CHANGE CASE NO. 00-188-(5)
CONDITIONAL USE PERMIT NO. 00-188-(5)
OAK TREE PERMIT NO. 00-188-(5)
VESTING TENTATIVE TRACT MAP NO. 53235-(5)

On September 17, 2003 the Regional Planning Commission initiated an amendment to the General Plan, heard testimony on a revised project design, closed the public hearing and indicated its intent to approve the project and directed staff to prepare the FEIR and findings and conditions of approval.

However, the Commission also requested staff investigate further two outstanding issues. First, the possibility that a minor redesign to the project might be considered to potentially save the one oak tree on-site which was shown to be removed and secondly to ensure connectivity between the trails on the project site and those on the adjacent project. The property to the east of the project has been approved for development of a residential development known as the Deerlake Ranch project and much testimony was heard on the need for a interconnected trail system.

Oak Tree

The project design requires the removal of one oak tree. The oak tree is located along the access road to a required debris basin.

The project applicant discussed the possibility of relocating the debris basin to prevent the need to remove the tree with Department of Public Works staff. Unfortunately, it was determined that the debris basin could not be relocated so the tree will not be able to be saved.

However, the applicant has agreed to plant additional oak trees, beyond that recommended by the Los Angeles County Forester. to mitigate for the lost tree. Rather than the standard 2:1 mitigation recommended, the applicant will instead mitigate at a 10:1 ratio. Also, in addition to the 10 trees, 10 acorns will also be planted.

Trails

Staff feels confident that the trail depicted on the tentative map can be coordinated with the trail shown on the tentative map for the proposed Deerlake Ranch project to the east.

The project applicant has been conditioned to submit evidence to the Director of Planning that the trial is constructed and dedicated to the satisfaction of the Department of Parks and Recreation prior to recordation of the final map.

Additionally, staff will explain issues concerning the height of proposed retaining walls which were discovered subsequent to the close of the public hearing. The wall height is dependent upon the ultimate wall location and is related to the use of the alternative driveway depicted on the tentative tract map.

The Final Environmental Impact Report and Findings of Fact and the Mitigation Monitoring Program are attached.

Staff will be available to respond to any questions Commissioners may have.