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July 14, 2009

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
#8 of OCTOBER 20, 2009

Agenda No. 7
03/24/09

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

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**Re: CONDITIONAL USE PERMIT NO. 200600080-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted an appeal hearing regarding the Regional Planning Commission's approval of the above-referenced permit to authorize the construction, operation, and maintenance of an equestrian facility/riding academy on a 10.25-acre site, to provide therapeutic riding programs and equestrian-related activities to developmentally disabled and/or special needs children, located at 34289 Rocking Horse Road in Agua Dulce. At the completion of the hearing, you indicated an intent to deny the appeal and approve the permit, and instructed us to prepare findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

ROBERT E. KALUNIAN
Acting County Counsel

By *[Signature]*
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:
[Signature]
JOHN F. KRATTLI
Senior Assistant County Counsel

LLH:sh
Enclosure

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NO. 200600080-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit Case No. 200600080-(5) ("CUP") on March 24, 2009. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP on December 3, 2008.
2. The permittee, Carousel Ranch, requests a CUP to authorize the construction, operation, and maintenance of an equestrian facility/riding academy on a 10.25-acre site, with an associated on-site single-family residence and mobilehome, to provide therapeutic programs and equestrian-related activities to developmentally-disabled and/or special needs children (hereinafter the permittee's use will be referred to as a "Riding Academy").
3. The subject property is located at 34289 Rocking Horse Road, north of the intersection of Rocking Horse Road and Old Mint Canyon Road, approximately .25 miles north of Sierra Highway in the unincorporated area of Sleepy Valley. A blue-line stream is located in the southeast section of the site and runs southwesterly, connecting through a series of creek channels to the Santa Clara River. The site is also located within a 100-year floodplain ("Floodplain").
4. The subject property is zoned A-1-20,000 (Light Agricultural - 20,000 Square Feet Minimum Required Area).
5. The surrounding properties are zoned as follows:

North: A-2-1 (Heavy Agricultural - One Acre Minimum Required Area);
East: M-1.5/A-1-1 (Restricted Heavy Manufacturing/Light Agricultural - One Acre Minimum Required Area);
South: A-2-1/A-1-1; and
West: A-1-20,000.
6. The site is surrounded primarily with large parcels of land which contain residential uses or are vacant.
7. Land uses surrounding the subject property are as follows:

North: Single-family residential and vacant;
East: Single-family residential and vacant;
South: Single-family residential and vacant; and
West: Single-family residential and vacant.
8. Access to the site is from Rocking Horse Road, with a connection to Sierra Highway via Old Mint Canyon Road.

9. The permittee acquired the site in 2005 and began operating the Riding Academy shortly thereafter without a CUP. At the time, a similar use had been in operation on the property for a number of years. Because the permittee's use included equestrian-related therapy programs for children with special needs, the County Department of Regional Planning ("Regional Planning") determined that the use required a CUP. As a result, Regional Planning's zoning enforcement staff issued the permittee a Notice of Violation ("NOV") in October 2005, for operating without a CUP and initiated Zoning Enforcement Case No. 05-0028302.
10. In December 2005, in response to the NOV and at the request of the permittee, the Director of Regional Planning ("Director") issued the permittee a "clean hands waiver" under section 22.04.110 of the Los Angeles County Code ("County Code"), which allowed the permittee to continue its operation while it pursued obtaining a CUP, subject to the conditions that: (a) the permittee would promptly file its CUP application; (b) the "clean hands waiver" would be valid only until a final determination was made on the CUP; and (c) if the CUP was denied, the permittee would cease operations within 30 days of the denial. In April 2006, the permittee filed the CUP application with Regional Planning, and in May 2006, the zoning enforcement case was closed.
11. The site plan for the project, labeled Exhibit "A," depicts a 10.25-acre lot with the following on-site improvements: (a) a single-family dwelling, used as part of the permittee's operation; (b) a mobilehome, described further in Finding No. 12 below; (c) a proposed covered horse arena, 150' x 210' in size, open on all sides, with lighting for use during rainy weather conditions; (d) a separate small horse arena; (e) temporary seating outside the covered arena; (f) a parking area to accommodate up to 73 parking spaces, including four handicap spaces; and (g) portable toilets, all outside the Floodplain.
12. The on-site mobilehome is located on the northwestern portion of the site, 20 feet from the western property line, and within a 64-foot-wide dedicated County Road Easement ("Road Easement"). The mobilehome will be used by an on-site caretaker who will oversee the site during non-operating hours ("Caretaker Residence").
13. The subject property is located within the area covered by the Santa Clarita Valley Area Plan ("Area Plan") and is designated as N-1 (Non-urban 1, 0.5 du/ac). For non-residential uses in non-urban areas, the Area Plan supports private and commercial specialized activities and recreational uses/facilities when designed in a manner that is compatible with and sensitive to surrounding scenic and natural resources, such as nature study centers, scientific research and educational facilities, camps, lodges, retreats, and visitor accommodation centers and facilities. The proposed use would be consistent with the Area Plan in that it would maintain the rural character of the site while at the same time provide educational and therapeutic programs for developmentally-disabled children.

14. The subject property is located within the Agua Dulce Community Standards District ("CSD") and is subject to the requirements of the CSD. The CSD requires a 25-foot side-yard setback for all lots within the CSD. The Caretaker Residence is located 20 feet from the western property line and thus encroaches the required side-yard setback. In the CUP request, the permittee seeks relief from this requirement.
15. Prior to the Commission's public hearing, an Initial Study was prepared for the project under the California Environmental Quality Act ("CEQA"). Based on the Initial Study, Regional Planning determined that a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the project, finding that with the project revisions agreed to by the permittee in response to the Initial Study and with the mitigation measures set forth in and carried out through the Mitigation Monitoring Program ("MMP"), there was no substantial evidence that the project would have a significant effect on the environment.
16. Prior to the Commission's public hearing, Regional Planning staff received correspondence in support of and in opposition to, or with concerns regarding, the project.
17. Correspondence in support of the project included a letter from the Mayor of the City of Santa Clarita describing what he viewed as the outstanding work performed by the permittee in assisting children with disabilities. The Mayor's letter also countered certain claims made by the project opponents that the permittee's use will devalue the neighboring properties. The Mayor noted that the site is located in a rural area where nearly all surrounding property owners have horses and/or farm animals. Moreover, according to the Mayor, most nearby properties are sufficiently large, at least two acres in size, to buffer the neighboring properties from the site.
18. Other correspondence received in support of the project indicated that, prior to the Commission hearing, the permittee worked with several local residents to address their concerns regarding the project, which resulted in a number of conditions imposed on the project and agreed to by the permittee.
19. Correspondence was also received from the Agua Dulce Town Council ("Town Council") expressing neither support nor opposition to the project, but providing comments on a number of issues, including the project's potential impacts to water quality, dust control, emergency access, traffic, hours of operation, and lighting in the area. Staff addressed the Town Council's comments in the conditions of approval.
20. Several opposition letters were received prior to the Commission's hearing from David B. Leonard, the adjoining property owner to the west of the site, and the appellant in this matter, described further in Finding No. 30 ("Appellant"). The Appellant raised a number of claims regarding the project and its operation, including that: (a) the Caretaker Residence blocks the Road Easement and

violates setback requirements in the zone; (b) the permittee inappropriately uses inmate labor at the facility; (c) Regional Planning improperly classified the permittee's use as a Riding Academy when the on-site activities far exceed such use; (d) the proposed use will devalue the Appellant's property and will interfere with the area's emergency response efforts in the event of disaster; and (e) the permittee's hours of operation, number of students and employees, lighting, and dust control were inappropriate for the site. The Appellant's claims regarding hours of operation, lighting, and dust control were ultimately addressed by staff in the proposed conditions of approval.

21. At the Commission's December 3, 2008 public hearing, the Commission heard a presentation from staff, testimony from the permittee and its representative, testimony from project supporters and opponents, and testimony from persons with concerns regarding the project.
22. Supporters of the project testified that, among other things, the Riding Academy will serve a community benefit by providing a unique program for physically and emotionally-disabled children, resulting in enhanced motor skills, physical coordination, and self-esteem for these children.
23. During the Commission's public hearing, the Commission considered the permittee's hours of operation. The permittee testified that extended operating hours in the summer were appropriate to account for daytime heat, and that Saturday operating hours were essential for its operation. Testimony was also given that evening hours at the facility would be appropriate to accommodate working parents of the children using the facility. In response to this testimony, the Commission found it appropriate to provide for expanded operating hours during daylight savings time for the summer season, and also to allow Saturday operations, but to prohibit Sunday operations. For purpose of this condition, the Commission defined "operating hours" to mean only those hours when riding lessons were occurring at the site, but not to include hours when solely administrative functions were occurring at the site.
24. During the Commission's public hearing, the Commission considered the permittee's on-site lighting and its potential impact on surrounding property owners. The Commission determined that any motion sensor used on-site should be infrared to limit its activation and to minimize lighting impacts on the night sky and neighboring properties. The Commission also found that on-site arena lights should be turned off no later than one-half hour after the last riding lesson of the day.
25. During the Commission's public hearing, the Commission considered issues regarding the Caretaker Residence. The Commission heard testimony that the Caretaker Residence was necessary for the permittee's operation and that the County Department of Public Works ("Public Works") had no intention in the foreseeable future to improve the Road Easement on which the Caretaker Residence is located. Public Works also indicated that the Caretaker Residence

had been properly conditioned to require the permittee to remove such structure, at its expense, should Public Works ever intend to improve the Road Easement. In its discussions, the Commission found that the permittee's use of the Road Easement and encroachment into the side-yard setback did not restrict access to the neighboring property. The Commission also found that the permittee should plant drought tolerant plants around the Caretaker Residence, to the extent feasible, to mitigate potential fire risks.

26. During the Commission's public hearing, the Commission considered the business use of the on-site single-family residence and heard testimony that such use was directly related to the permittee's operation.
27. During the Commission's public hearing, the Commission considered concerns raised regarding structures in the Floodplain and heard testimony from staff of Public Works that the project has been properly conditioned to mitigate those concerns and not adversely impact the Floodplain. The Commission conditioned the project to prohibit all permanent structures and restroom facilities in the Floodplain.
28. During the Commission's public hearing, the Commission considered the term of the grant and found it appropriate to limit the grant to a 15-year term to ensure that the use would remain compatible with the surrounding land uses, but also to allow the initial term to be extended for two additional 10-year terms with a Director's Review, if the use was found to be in substantial compliance with the conditions of approval.
29. At the conclusion of the Commission's public hearing, the Commission approved the MND and related MMP for the project, and approved the CUP with the conditions of approval proposed by Regional Planning as revised by the Commission.
30. Pursuant to section 22.60.230 of the County Code, the Appellant appealed the Commission's approval to the Board. The appeal raised, among other claims, many of the issues raised by the Appellant at the Commission, and included claims that: (a) the Commission's approval of the CUP was not supported by substantial evidence in the record; (b) the Caretaker Residence created an ongoing nuisance, and that allowing the Caretaker Residence to remain in the Road Easement was an abuse of discretion; (c) the CUP's failure to prohibit inmate labor at the site was an abuse of discretion; (d) the business activities in the single-family residence was not appropriately conditioned; (e) an environmental impact report should have been prepared under CEQA rather than an MND; (f) the property has experienced ongoing zoning violations; and (g) the permittee's use will devalue the Appellant's property.
31. Prior to the Board's appeal hearing, the permittee submitted to the Board a written response to the Appellant's claims. The response asserted, among other things, that: (a) the Caretaker Residence satisfies all zoning requirements in the

County Code and will not conflict with any intended County use of the Road Easement; (b) the use of inmate crews for brush and debris clearance after a local fire was appropriate and was supervised by the County Fire Department; (c) the environmental review for the project was proper and the MND was appropriate; (d) the Commission's description of the Riding Academy accurately reflected the permittee's activities; and (e) the Commission's decision was supported by substantial evidence in the record.

32. Prior to the Board's appeal hearing, the Appellant submitted a supplemental document to his appeal, which reiterated a number of his claims made in the original appeal, and raised the additional claims that the project's potential impacts on riparian resources, water supply, water quality, visual character, lighting, noise, and traffic were not adequately addressed by the Commission under CEQA.
33. On March 24, 2009, the Board conducted a public hearing on the appeal and heard a presentation from Regional Planning, testimony from the Appellant, testimony from the permittee and its representatives, and testimony from Public Works.
34. The Appellant raised substantially similar claims as those raised in his written submissions prior to the Board hearing. In like manner, the permittee and its representatives raised substantially similar responses to the Appellant's claims as those raised at the Commission and in their prior written submissions.
35. The Board also heard testimony from Public Works staff, indicating that Public Works has no plans to construct road improvements on the Road Easement in the foreseeable future. Also, like at the Commission, Public Works testified that the project was properly conditioned to require the permittee to remove the Caretaker Residence from the Road Easement, at its expense, should Public Works ever intend to construct these road improvements.
36. At the conclusion of the Board's public hearing, the Board denied the appeal, adopted the MND and related MMP, and indicated its intent to approve the CUP with the conditions approved by the Commission.
37. The Board finds that the keeping of 80 horses is allowed by right in the A-1 zone, and that the permittee will have significantly fewer than 80 horses at its facility. The Board further finds that the permittee's therapeutic programs and Riding Academy would intensify the horse-keeping use but not to a level of significance.
38. The Board finds that the proposed use of the subject property is compatible with the surrounding residences, and that with the conditions of approval, including the lighting conditions, the use will not create a negative impact on the surrounding uses.

39. The Board finds that because the site is 10.25 acres, it is sufficiently large to accommodate the anticipated number of visitors expected and persons to maintain the facility without creating any adverse impacts to surrounding neighbors.
40. The Board finds that the permittee's therapeutic programs will provide the community needed amenities and services to children with special needs.
41. The Board finds that the project is adequately served for road access through Rocking Horse Road, with a connection to Sierra Highway via Old Mint Canyon Road.
42. The Board finds that, subject to all conditions of approval, the permittee's request meets all CUP burden of proof requirements.
43. The Board finds that an Initial Study was prepared for the project in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study and project revisions, an MND was prepared for the project.
44. The Board finds that an MMP consistent with the conclusions and recommendations of the MND was prepared and its requirements are incorporated into the conditions of approval for this project.
45. The Board reviewed and considered the MND and found that it reflects the independent judgment and analysis of the Board. After considering the MND and MMP together with any comments received during the public review process, the Board found that on the basis of the whole record before it, there was no substantial evidence the project would have a significant effect on the environment.
46. The Board finds that, subject to all conditions of approval, the project is consistent with the Area Plan. The proposed use would maintain the rural character of the project site while providing educational and therapeutic programs for developmentally-disabled children.
47. The Board finds that the project meets the applicable development standards for the CSD, the A-1 zone, and other general development standards for the zone, other than as described in these findings.
48. The Board finds that the permittee has demonstrated the suitability of the subject property for the proposed use. The Board further finds that establishment of the proposed use at such location is in conformity with good zoning practice, and that compliance with the conditions of approval and the environmental mitigation measures in the MMP will ensure the project's compatibility with all applicable General Plan policies.

49. The Board finds that this project is not de minimus in its effect on fish and wildlife resources and thus is not exempt from Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
50. Approval of this CUP is conditioned on the permittee's compliance with the attached conditions of approval and the MMP.
51. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, Hall of Records, 13th floor, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions, and the mitigation measures in the MMP, will be consistent with the adopted General Plan;
- B. That with the attached conditions and restrictions, and the mitigation measures in the MMP, the requested use at the proposed location will not adversely effect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said uses with the uses in the surrounding area; and
- 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 adequately served by other public or private service facilities as are required.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies that the MND was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently considered and reviewed the MND and that it reflects the independent judgment and analysis of the Board as to the environmental consequences of the project; certifies that it considered the MMP, finding that it is adequately designed to ensure compliance with the mitigation measures during project implementation; determined that on the basis of the whole record regarding the MND and MMP,

there is no substantial evidence that the project will have a significant effect on the environment;

2. Certifies that it adopted the MND at the conclusion of its public hearing on the project; and
3. Approves Conditional Use Permit Case No. 200600080-(5), subject to the attached conditions.

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT 200600080-(5)

1. This grant authorizes the construction, operation, and maintenance of an equestrian facility/riding academy, with an associated on-site single-family residence and caretaker mobilehome ("Caretaker Residence"), to provide therapeutic programs and equestrian-related activities to developmentally-disabled and/or special needs children, located at 34289 Rocking Horse Road in Agua Dulce, as depicted on the approved Exhibit "A," 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 for any purpose and cannot be used until the permittee, and the owner of the subject property, if other than the permittee, have filed at the office of Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all the conditions of this grant, and that the conditions have been recorded as required by Condition No. 4, and until all monies have been paid pursuant to Condition No. 17. Notwithstanding the foregoing, this Condition No. 3, and Condition Nos. 4, 5, and 6, shall become effective immediately upon approval of this grant.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of County Registrar-Recorder/County Clerk. 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. Upon recordation, an official copy of the recorded conditions shall be provided to the Director of Regional Planning ("Director").
5. 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 California 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. If the County fails to notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing, pay Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and

deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to depositions, testimony, and other assistance to the permittee or the 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 shall be paid by the permittee in accordance with section 2.170.010 of the Los Angeles County Code ("County Code".)

- 7. 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.
- 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 County Regional Planning Commission ("Commission") or a County hearing officer may, after conducting a public hearing, revoke or modify this grant if it is found that these conditions have been violated, or that this grant has been exercised so as to be detrimental to the public's health, safety, or so as to be a nuisance. In the event that the County deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the permittee shall compensate the County for all costs incurred in such proceedings.
- 9. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit four copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
- 10. All structures related to permittee's use shall comply with the requirements of the County Department of Public Works ("Public Works") Division of Building and Safety. In addition, the permittee shall comply with all requirements set forth in the letter dated November 10, 2008 by Public Works (which incorporates an earlier October 8, 2008 letter), attached hereto, except as otherwise required by said department.

11. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, or by the approved Exhibit "A" or the revised Exhibit "A" approved by the Director.
12. The mitigation measures set forth in the project's Mitigated Negative Declaration ("MND"), including the "Project Mitigation Measures Due to Environmental Evaluation" section of the MND, and the mitigation measures set forth in the Mitigated Monitoring Program ("MMP"), attached hereto and approved as part of this grant, are incorporated herein by this reference and made conditions of this grant. The permittee shall comply with all such mitigation measures in accordance with the terms of the MMP.
13. The permittee shall maintain the premises in a neat and orderly fashion and shall keep the premises free of litter over all areas in which the permittee has control.
14. All landscaped areas shall be continuously and properly maintained in good condition, and to the extent feasible, the permittee shall plant drought tolerant plants around the Caretaker Residence.
15. This grant shall expire unless used within two years from the date of approval. A single one-year extension to use this grant may be requested in writing with the payment of the applicable fee.
16. This grant shall terminate 15 years after the approval date of this grant. Upon written request by the permittee not less than six months prior to the then-applicable termination date, and in accordance with the procedures in Part 12 of Chapter 22.56, and the notice requirements of section 22.56.030.A.10.c, of the County Code, the initial term may be extended for two additional 10-year periods, subject to a Director's Review, for a total term not to exceed 35 years. Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect.
17. 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 full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County the sum of \$2,250 to be placed in a performance fund to be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including inspecting the permittee's adherence to development in accordance with the site plan on file at Regional Planning. The fund shall provide for 15 annual inspections. Inspections shall be unannounced.

In the event that the term of this grant is extended pursuant to Condition No. 16, the permittee shall deposit with the County an additional sum of \$1,500 for each such extension, which amount shall be held and used in the same manner as just described for annual inspections of the premises for the remaining term of the grant as extended, for a total of five additional inspections. These additional inspections shall also be unannounced.

If any 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 for and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The charge for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$150 per inspection.

18. Except for seasonal decorations or signage provided by or for a civic or non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about the premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, 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.
19. The permittee shall ensure that Regional Planning has current contact information at all times for the individual(s) residing in the Caretaker Residence, including the name, address, and telephone number of the individual(s).
20. Upon approval of this grant, the permittee shall contact the County Fire Department to determine the requirements that must be satisfied for fire protection purposes related to the permittee's use. All such requirements shall be satisfied to the satisfaction of and within the timeframe set by said department. In addition, the permittee shall comply with all requirements set forth in the letter dated December 1, 2008 by the County Fire Department, attached hereto, except as otherwise required by said department.
21. All signage on the subject property shall comply with the requirements of Chapter 22.52, Part 10 of the County Code. The permittee shall be prohibited from placing any portable sign on any sidewalk adjacent to the subject property.
22. The permittee shall comply with all requirements set forth in the letter dated September 11, 2008 by the County Department of Public Health, attached hereto, except as otherwise required by said department.
23. All horse manure generated onsite shall be removed daily and prior to any forecasted rainfall.

24. In the event that Public Works makes a determination to use the road easement located on the property for any purpose, the permittee, at its expense, shall remove any and all obstructions from such road easement, including, but not limited to, the Caretaker Residence.
25. No permanent structure or restroom facility shall be located within the floodway on the subject property.
26. On days that riding lessons and/or special events occur at the site, the permittee shall water down Rocking Horse Road from Mint Canyon to the subject property line to mitigate dust.
27. Exterior lighting at the site shall be designed to minimize off-site illumination and glare by deflecting light away from adjacent parcels, public areas, and the night sky, and by using shields and hoods on each light standard so that the source for the light is not visible to persons outside the site. This requirement shall be met to the satisfaction of the Director and the Director of Public Works. All lights at the site, except those required for security purposes, shall be turned off by 10:00 p.m., except infrared detectors, which may be installed to temporarily activate lighting in the event of movement on the subject property. Notwithstanding anything to the contrary in this Condition No. 27, the horse arena lights may remain activated one-half hour after the conclusion of the last riding lesson at the facility.
28. During standard pacific time, the permittee's hours of operation shall be 10:00 a.m. to 6:30 p.m. on weekdays, and 9:00 a.m. to 6:30 p.m. on Saturdays. During daylight savings time, the permittee's hours of operation shall be 10:00 a.m. to 8:30 p.m. on weekdays, and 9:00 a.m. to 8:30 p.m. on Saturdays. Sunday hours of operation are prohibited all year. For purposes of this Condition No. 28, "hours of operation" shall mean those times during the day where riding lessons occur at the site and shall not include those times where solely administrative functions occur at the site, which administrative functions can occur outside the hours of operation set forth in this Condition No. 28, including on Sundays.

Attachment:

1. Letter from County Department of Public Works dated November 10, 2008
2. Project Mitigation Measures Due to Environmental Analysis
3. MMP
4. Letter from County Department of Fire dated December 1, 2008
5. Letter from County Department of Public Health dated September 11, 2008



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

DEAN D. EFSTATHIOU, Acting Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 10, 2008

IN REPLY PLEASE
REFER TO FILE: **LD-1**

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Anita Gutierrez

FROM: Steve Burger *MLS*
for Land Development Division

**CONDITIONAL USE PERMIT (CUP) REVIEW AND COMMENT
CAROUSEL RANCH
PROJECT NO. R2006-01208
CUP NO. RCUP 200600080
34289 ROCKING HORSE ROAD**

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for the subject CUP to construct a covered riding arena with a total area of approximately 31,500 square feet and the conversion of a single family ranch home with ancillary buildings into a riding academy with equestrian therapy programs for children with disabilities. The site is located on Rocking Horse Road between Baskett Road and Mint Canyon Road in unincorporated County area of Agua Dulce.

We recommend the following conditions:

1. CEQA Requirements

- 1.1. Revise the Initial Study to reflect comments from Public Works' Traffic and Lighting Division on letter dated October 8, 2008 (see attached).

For questions regarding the item above, please contact Jeff Pletyak at (626) 300-2721.

5. Grading

- 5.1. Dedicate or offer drainage and slope easement for Baskett Road along the westerly property line to the satisfaction of Public Works.

For questions regarding the item above, please contact Andy Narag at (626) 458-4921.

6. Right of Way and Road Improvement Requirements

- 6.1. Make an offer of private and future right of way 32 feet from the westerly property line along Baskett Road.
- 6.2. Whenever there is an offer of future street or private and future street right of way, provide a drainage acceptance statement/letter.

For questions regarding the items above, please contact Andy Narag at (626) 458-4921.

If you have any other questions or require additional information, please contact Julian Garcia or Toan Duong at (626) 458-4910.

JG:ca

P:/LDPUB/SUBMGT/CUP/PROJECT 2006-01208_CUP200600080_34289 ROCKING HORSE .DOC

October 8, 2008

TO: Dennis Hunter
Land Development Division

Attention Toan Duong

FROM: Bill Winter
Traffic and Lighting Division

**CAROUSEL RANCH RIDING ACADEMY
CONDITIONAL USE PERMIT R200600080
INITIAL STUDY
UNINCORPORATED SLEEPY VALLEY AREA**

As requested, we have reviewed the Initial Study for the proposed Carousel Ranch Equestrian Facility/Riding Academy project located at 34289 Rocking Horse Road in the unincorporated County area of Sleepy Valley.

The proposed project will be utilized for riding academy and equestrian related activities to provide developmental therapeutic programs for children with special needs; it will also be used for occasional community events. The project will be located on a 10.25 gross acre parcel of land with up to 73 parking spaces. Up to 30 employees and 100 children will be on site at any given time during normal operation.

We believe that the traffic generated by the project will not have a significant impact to County roadways or intersections in the area. However, the Initial Study shall be revised to address the following comments:

- Old Mint Canyon Road is a County-maintained roadway, but it is described as a private road.
- A traffic circulation/site access analysis shall be submitted to Public Works for review and approval. The analysis should describe the primary route using public roadways to access the site and address the need for additional traffic control devices along the route to accommodate turning movements by large size trucks or vehicles with trailers, including the intersection of Old Mint Canyon Road at Sierra Highway.
- During the construction phase, large size truck trips shall be limited to off-peak hours using designated truck routes.

FILE COPY

Mr. Dennis Hunter
October 8, 2008
Page 2

- Caltrans recommended in their letter to Regional Planning dated September 2, 2008, (copy attached) that the Temporary Use Permits required for the occasional community events include Traffic Management Plans, which have been reviewed and approved by Caltrans and Public Works.
- Caltrans requires a transportation permit for the use of oversized-transport vehicles on State highways.

If you have any further questions regarding the review of this document, please contact Ron Matsuoka of our Traffic Studies Section at Extension 4769.

RM:cn

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df

Attach.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF REGIONAL PLANNING
AND PUBLIC TRANSPORTATION
IGR/CEQA BRANCH
100 SOUTH MAIN STREET
LOS ANGELES, CA 90012
PHONE (213) 897- 6696
FAX (213) 897-1337



*Flex your power!
Be energy efficient!*

September 02, 2008

Mr. Rudy Silvas
Department of Regional Planning
320 West Temple Street
Los Angeles, CA, 90012

Re: Equestrian Facility & Riding Academy
IGR/CEQA No. 080836/ZJ
Vic. LA-14-PM 39.854

Dear Mr. Silvas:

Thank you for including the California Department of Transportation in the review process for the proposed Equestrian Facility and Riding Academy located at 34289 Rocking Horse Road, in the Sleepy Valley area of Los Angeles County.

The proposed project is located some distance from State Route 14 (SR-14). We do not expect project approval to result in a direct, adverse impact to existing State transportation facilities. However, we would be concerned with traffic backing up during occasional special events on the nearest off-ramp from SR-14. We recommend a Traffic Management Plan be in place during those events.

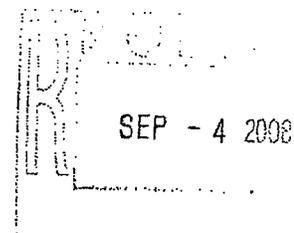
We would like to remind you that any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods.

If you have any questions regarding our comments, please call project coordinator Zeron Jefferson at (213) 897 - 1333 or Elmer Alvarez at (213) 897-6696 and please refer to our record number 080604/EA.

Sincerely,

A handwritten signature in cursive script that reads "Elmer Alvarez".

Elmer Alvarez
IGR/CEQA Senior Transportation Planner
Caltrans, District 7





Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

October 6, 2008

**PROJECT MITIGATION MEASURES
DUE TO ENVIRONMENTAL EVALUATION**

Project: R2006-01208

Case: RCUPT 200600080, RENVT 200600082

The Department of Regional Planning (DRP) staff has determined that the following mitigation measures or conditions for the project are necessary to ensure that the proposed project will not cause significant impacts upon the environment.

The permittee shall deposit the sum of \$3000.00 with the Department of Regional Planning within 30 days of project approval, in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.

Mitigation Measures for: Noise

1. Noise impacts during construction shall be mitigated to protect the nearby residences. In order to minimize construction noise impacts, the applicant shall implement the following mitigation measures:

A. The applicant shall comply with all applicable sections of the County of Los Angeles noise control ordinance Title 12 Environmental Protection for Noise Control (Section 12.08.440 and all other applicable sections). In addition, standard construction noise attenuation measures should be included but not limited to the following: 1) maintain equipment in good working order and follow the manufacturer's recommended noise muffling devices and covers; 2) minimize equipment idling; 3) staging and delivery areas should be located as far as feasible from nearby residences and schedule deliveries during mid-day or mid morning; and 4) to the extent feasible, utilize electrical powered tools or equipment instead of diesel powered equipment for exterior work.

B. All construction, grading or earth material hauling activities shall be prohibited on any Sunday or legal holidays, or at any other time between weekday hours of 6:00 p.m. and 8:00 a.m. (Title 12 ordinance indicates construction work prohibited between 7:00 p.m. and 7:00 a.m.). "Grading" means any excavating or filling of earth material or any combination thereof conducted at a site for construction or other improvements thereon. Decomposed granite will be imported with this project.

C. A public address (PA) system for use during special events shall not exceed a set decibel level established by the County Health Department. The level set is for special events that occur between 7AM to 10 PM:

MAX at any time: 70 dBA

1 min (cumulative period) out of any hour or L1.7: 65 dBA

- 5 min out of any hour or L8.3: 60 dBA
- 15 min out of any hour or L25: 55 dBA
- 30 min out of any hour or L50: 50 dBA

Mitigation Measures for: Air Quality

2. The Project Developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:

- Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Use late model heavy-duty diesel-powered equipment at the Project Site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
- Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the Project Site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). (This measure does not apply to diesel-powered trucks traveling to and from the site.)
- Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment).
- Limit truck and equipment idling time to five minutes or less.
- Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.

3. The Project Proponent shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Project Developer shall include in construction contracts the applicable control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:

- Use watering to control dust generation during grading/filling activities
- Water active grading/fill sites and unpaved surfaces at least three times daily.
- Cover stockpiles with tarps or apply non-toxic chemical soil binders.
- Provide daily clean-up of mud and dirt carried onto paved streets from the site.
- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install wind breaks at the windward sides of construction areas.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more.

An information sign shall be posted at the entrance to each construction site (i.e. subject parcel) that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt

Mitigation Measures for: **Biota**

4. The following mitigation measures shall be applied:

A. To reduce the long term loss of native habitat and the potential of invasive species establishment, a landscape plan shall be submitted for review and approval by the County of Los Angeles Department of Regional Planning and Fire Department prior to the issuance of a grading or building permit. Landscaping shall provide a visual screening and erosion-preventative function. The landscape plan shall utilize only locally-sourced, locally indigenous plant species and varieties outside of irrigated zones, and shall use non-invasive species within irrigated zones.

B. Project related activities likely to have the potential of disturbing suitable bird nesting habitat shall be prohibited from February 1 through August 31, unless a biological monitor acceptable to the Director of Planning surveys the project area prior to disturbance to confirm that disturbance to habitat will not result in the failure of nests on-site or immediately adjacent to the area of disturbance. Disturbance shall be defined as any activity that physically removes and/or damages vegetation or habitat, any action that may cause disruption of nesting behavior such as noise exceeding 90dB from equipment, or direct artificial night lighting. In order to ensure the protection of all Migratory nongame native bird species that are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13), of which Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit the take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA), the developer shall ensure that if project activities cannot feasibly avoid the breeding bird season, then beginning thirty days prior to the disturbance of a suitable nesting habitat the developer/project proponent will arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. The developer shall record the results of the surveys and recommended protective measures described above and submit the records to the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

- C. Prior to grading or earth material hauling activities, a qualified biologist shall be retained by the applicant as the biological monitor subject to the approval of the County of Los Angeles. That person shall ensure that impacts to biological/riparian resources (inclusive of special-status plants) are avoided or minimized, and shall conduct pre-grading/construction field surveys for special-status plant and animal species that may be affected and/or eliminated as a result of grading and/or site preparation activities. During any earthmoving activities, the biological monitor shall be present to relocate any vertebrate species that may come into harm's way to an appropriate offsite location of similar habitat. The biological monitor shall be authorized to stop specific grading, earth moving or other construction activities if violations of mitigation measures or any local, state, or federal laws are suspected.
- D. The developer shall consult with the California Department of Fish and Game (CDFG) prior to the issuance of any grading or building permits for potential impacts to State listed species, and for any salvage and relocation plans for special status plant or wildlife species.
- E. Any temporary or permanent fencing or sign posts shall be of a type that does not inadvertently snare perching birds, especially raptors. In an effort to eliminate the potential of snaring, fence and sign posts shall be of a type either lacking bolt holes near the top of the post or shall have the holes filled with a nut and bolt. The applicant shall limit the amount of barriers for the Project Site to the greatest extent possible. Any barriers constructed for the project will not impede any north-south wildlife movement through the preserved and revegetated areas within the Project Site.
- F. In order to avoid impacts to nighttime wildlife activities, exterior night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.
- G. Vegetation within the Fuel Modification Plan area outside of irrigated areas shall be thinned selectively (i.e. no wholesale clearing) so that elements of native vegetation remain. The trimming of native shrubs shall be rotated from year to year so that individual plants are able to recover from pruning and 'rest' before being pruned again. Fuel modification activities shall be accomplished by manual means (including hand-held powered equipment such as weed whackers); mowers, disking, other large machinery, or herbicides shall not be used.
- H. Prior to the issuance of any grading or building permits, the applicant shall obtain written clearance from CDFG on any mitigation requirements for impacts to CDFG's jurisdiction; the developer may be required to provide a minimum 1:1 replacement ratio for any impacted resources, subject to agency approval. Appropriate mitigation for impacts to CDFG jurisdictional waters will be determined through the CDFG 1602 Streambed Alteration Agreement (SAA) permitting process if the applicant is required to file for it. Should the applicant file for a SAA, the applicant must provide CDFG with a biological assessment, which will include vegetation maps and biological surveys of the site.
- I. No further installation of chainlink fencing will be allowed, only split rail (3 rail) type horse fences will be permitted in order to not restrict wildlife movement.
- J. Anticoagulants are not to be used as a method of rodent control.

Mitigation Measures for: **Drainage and Grading**

5. The project shall comply with the drainage concept and/or Standard Stormwater Urban Mitigation Plan approved by Public Works. The Department of Public Works shall also determine, prior to issuance of any grading/solid fill, hauling or building permit, if an NPDES permit is required.
6. A grading/ haul route plan for import of decomposed granite is required to be reviewed and approved by Regional Planning and Public Works prior to issuance of any grading or building permits. The project area of the site is located within a floodway/ floodplain.

Mitigation Measures for: **Waste Removal**

7. Horse corrals in the floodway/ floodplain areas must be cleaned daily and prior to any forecasted rainfall. Horse manure shall be placed in water protective bins for pickup and use elsewhere or for disposal off site.
8. Only portable toilets may be used in conjunction with the equestrian facility/riding academy. These toilets are not to be placed within the designated floodway/floodplain areas of the site.

Mitigation Measures for: **Traffic**

9. The applicant must contact the Traffic and Lighting Division of Public Works to work out a Traffic Management Plan for special events. A copy of the plan shall be forwarded to Caltrans for their review.
10. Any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. Large size truck trips are limited to off-peak commute periods.

Mitigation Measures for: **Emergency Services**

11. The applicant is required to file for and obtain approval of a Temporary Use Permit (TUP) with the Department of Regional Planning prior to any special events. The application for a TUP requires the coordination between the Fire, Sheriff, and Health Departments prior to any approval.

Mitigation Measures for: **Mitigation Compliance**

13. As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting an annual mitigation compliance report to the DRP for review and responsible for replenishing the mitigation monitoring account, if necessary, until such time as all mitigation measures have been implemented and completed.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by a Hearing Officer or the Planning Commission will be on the project as changed/conditioned.

Diane Toney
Applicant

10-7-08
Date

No response within 10 days. Environmental Determination requires that these changes/conditions be included in the project.

Staff

Date

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Noise</p> <p>1. Noise impacts during construction shall be mitigated to protect the nearby residences. In order to minimize construction noise impacts, the applicant shall implement the following mitigation measures:</p> <p>A. The applicant shall comply with all applicable sections of the County of Los Angeles noise control ordinance Title 12 Environmental Protection for Noise Control (Section 12.08.440 and all other applicable sections). In addition, standard construction noise attenuation measures should be included but not limited to the following:</p> <p>1) maintain equipment in good working order and follow the manufacturer's recommended noise muffling devices and covers; 2) minimize equipment idling; 3) staging and delivery areas should be located as far as feasible from nearby residences and schedule deliveries during mid-day or mid morning; and 4) to the extent feasible, utilize electrical powered tools or equipment instead of diesel powered equipment for exterior work.</p> <p>B. All construction, grading or earth material hauling activities shall be prohibited on any Sunday or legal holidays, or at any other time between weekday hours of 6:00 p.m. and 8:00 a.m. (Title 12 ordinance indicates construction work prohibited between 7:00 p.m. and 7:00 a.m.). "Grading" means any excavating or filling of earth material or any combination thereof conducted at a site for construction or</p>	<p>Payment for implementation of noise mitigation measures to be paid prior to commencement of construction.</p>	<p>Monitoring to occur during construction.</p>	<p>Applicant</p>	<p>Los Angeles County Department of Regional Planning, Public Works, and Public Health</p>

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>other improvements thereon. Decomposed granite will be imported with this project.</p> <p>C. A public address (PA) system for use during special events shall not exceed a set decibel level established by the County Health Department. The level set is for special events that occur between 7AM to 10 PM:</p> <p>MAX at any time: 70 dBA 1 min (cumulative period) out of any hour or L1.7: 65 dBA 5 min out of any hour or L8.3: 60 dBA 15 min out of any hour or L25: 55 dBA 30 min out of any hour or L50: 50 dBA</p>				
Air Quality	Payment for implementation of air	Monitoring to occur during	Applicant	Los Angeles County Department
MMP for RCUPT 200600080 (Carousel Ranch) at 34289 Rocking Horse Rd., Sleepy Valley (November 20, 2008)				

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> • Keep all construction equipment in proper tune in accordance with manufacturer's specifications. • Use late model heavy-duty diesel-powered equipment at the Project Site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks). • Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the Project Site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment 	<p>quality management measures to be paid prior to commencement of construction.</p>	<p>construction.</p>		<p>of Regional Planning, Public Works</p>

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). (This measure does not apply to diesel-powered trucks traveling to and from the site.)</p> <ul style="list-style-type: none"> Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). Limit truck and equipment idling time to five minutes or less. Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible. <p>3. The Project Proponent shall implement fugitive dust control measures in accordance with</p>				

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>SCAQMD Rule 403. The Project Developer shall include in construction contracts the applicable control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> • Use watering to control dust generation during grading/filling activities • Water active grading/fill sites and unpaved surfaces at least three times daily. • Cover stockpiles with tarps or apply non-toxic chemical soil binders. • Provide daily clean-up of mud and dirt carried onto paved streets from the site. • Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site. • Install wind breaks at the windward sides of construction areas. • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more. • An information sign shall be posted at the entrance to each construction site (i.e. subject parcel) that identifies the permitted construction hours and provides a telephone 				

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.</p>				
<p>Biota</p> <p>4. The following mitigation measures shall be applied:</p> <p>A. To reduce the long term loss of native habitat and the potential of invasive species establishment, a landscape plan shall be submitted for review and approval by the County of Los Angeles Department of Regional Planning and Fire Department prior to the issuance of a grading or building permit. Landscaping shall provide a visual screening and erosion-preventative function. The landscape plan shall utilize only locally-sourced, locally indigenous plant species and varieties outside of irrigated zones, and shall use non-invasive species within irrigated zones.</p> <p>B. Project related activities likely to have the potential of disturbing suitable bird nesting habitat shall be prohibited from February 1 through August 31, unless a biological monitor acceptable to the Director of Planning surveys the project area prior to disturbance to confirm that disturbance to habitat will not result in the failure of nests on-site or immediately adjacent to the area of disturbance. Disturbance shall be</p>	<p>Payment for implementation of biological protective mitigation measures to be paid prior to commencement of construction.</p>	<p>Monitoring to occur during construction.</p>	<p>Applicant</p>	<p>Los Angeles County Department of Regional Planning, Public Works, and State Department of Fish and Game.</p>

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>defined as any activity that physically removes and/or damages vegetation or habitat, any action that may cause disruption of nesting behavior such as noise exceeding 90dB from equipment, or direct artificial night lighting. In order to ensure the protection of all Migratory nongame native bird species that are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13), of which Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit the take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA), the developer shall ensure that if project activities cannot feasibly avoid the breeding bird season, then beginning thirty days prior to the disturbance of a suitable nesting habitat the developer/project proponent will arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable</p>				

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PROJECT NO. R 2006-01208-(5)

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<p>nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. The developer shall record the results of the surveys and recommended protective measures described above and submit the records to the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.</p> <p>C. Prior to grading or earth material hauling activities, a qualified biologist shall be retained by the applicant as the biological monitor subject to the approval of the County of Los Angeles. That person shall ensure that impacts</p>				

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

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<p>to biological/riparian resources (inclusive of special-status plants) are avoided or minimized, and shall conduct pre-grading/construction field surveys for special-status plant and animal species that may be affected and/or eliminated as a result of grading and/or site preparation activities. During any earthmoving activities, the biological monitor shall be present to relocate any vertebrate species that may come into harm's way to an appropriate offsite location of similar habitat. The biological monitor shall be authorized to stop specific grading, earth moving or other construction activities if violations of mitigation measures or any local, state, or federal laws are suspected.</p> <p>D. The developer shall consult with the California Department of Fish and Game (CDFG) prior to the issuance of any grading or building permits for potential impacts to State listed species, and for any salvage and relocation plans for special status plant or wildlife species.</p> <p>E. Any temporary or permanent fencing or sign posts shall be of a type that does not inadvertently snare perching birds, especially raptors. In an effort to eliminate the potential of snaring, fence and sign posts shall be of a type either lacking bolt holes near the top of the post or shall have the holes filled with a nut and bolt. The applicant shall limit the amount of barriers for the Project Site to the greatest extent possible. Any barriers</p>				

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>constructed for the project will not impede any north-south wildlife movement through the preserved and revegetated areas within the Project Site.</p> <p>F. In order to avoid impacts to nighttime wildlife activities, exterior night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.</p> <p>G. Vegetation within the Fuel Modification Plan area outside of irrigated areas shall be thinned selectively (i.e. no wholesale clearing) so that elements of native vegetation remain. The trimming of native shrubs shall be rotated from year to year so that individual plants are able to recover from pruning and 'rest' before being pruned again. Fuel modification activities shall be accomplished by manual means (including hand-held powered equipment such as weed whackers); mowers, disking, other large machinery, or herbicides shall not be used.</p> <p>H. Prior to the issuance of any grading or building permits, the applicant shall obtain written clearance from CDFG on any mitigation requirements for impacts to CDFG's jurisdiction; the developer may be required to provide a minimum 1:1 replacement ratio for any impacted resources, subject to agency approval.</p>				

MITIGATION MONITORING PROGRAM
PROJECT NO. R. 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Appropriate mitigation for impacts to CDFG jurisdictional waters will be determined through the CDFG 1602 Streambed Alteration Agreement (SAA) permitting process if the applicant is required to file for it. Should the applicant file for a SAA, the applicant must provide CDFG with a biological assessment, which will include vegetation maps and biological surveys of the site.</p> <p>I. No further installation of chainlink fencing will be allowed, only split rail (3 rail) type horse fences will be permitted in order to not restrict wildlife movement.</p> <p>J. Anticoagulants are not to be used as a method of rodent control.</p>				
<p>Water Service</p> <p>5. <u>The applicant shall provide an adequate sustainable supply of potable water from an approved source to the satisfaction of the Department of Public Health. The applicant must contact the County of Los Angeles Department of Public Health for water availability approval at (626) 430-5380.</u></p> <p>6. <u>A water system maintained by the property owner, with appurtenant facilities to serve all buildings in the project, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and</u></p>				

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p><u>fire flows.</u></p> <p>Drainage and Grading</p> <p>7. The project shall comply with the drainage concept and/or Standard Stormwater Urban Mitigation Plan approved by Public Works. All proposed improvements shall be designed in such a way that they do not adversely impact the existing floodway to the satisfaction of Public Works. The Department of Public Works shall also determine, prior to issuance of any grading/solid fill, hauling or building permit, if an NPDES permit is required.</p> <p>8. Dedicate or offer drainage and slope easement for Baskett Road along the westerly property line to the satisfaction of Public Works.</p> <p>9. Whenever there is an offer of future street or private and future street right of way, provide a drainage acceptance statement/letter.</p> <p>10. A grading/ haul route plan for import of decomposed granite is required to be reviewed and approved by Public Works prior to issuance of any grading or building permits. The project area of the site is located within a floodway/ floodplain.</p>	<p>Payment for implementation of protective mitigation measures to be paid prior to commencement of construction.</p>	<p>Monitoring to occur prior to issuance of grading permits.</p>	<p>Applicant</p>	<p>Los Angeles County Department of Regional Planning, Public Works</p>
<p>Geotechnical</p> <p>11. Prior to construction of this project, the applicant shall provide to Public Works a geotechnical engineering report that addresses, but is not limited to, the potential for liquefaction and</p>	<p>Payment for implementation of protective mitigation measures to be paid prior to commencement of construction.</p>	<p>Monitoring to occur prior to issuance of grading permits.</p>	<p>Applicant</p>	<p>Los Angeles County Department of Regional Planning, Public Works</p>

MITIGATION MONITORING PROGRAM
PROJECT NO. R. 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
recommends mitigation as necessary.				
Waste Removal				
<p>12. Horse corrals in the floodway/floodplain areas must be cleaned daily and prior to any forecasted rainfall. Horse manure shall be placed in water protective bins for pickup and use elsewhere or for disposal off site.</p> <p>13. Only portable toilets may be used in conjunction with the equestrian facility/riding academy. These toilets are not to be placed within the designated floodway/floodplain areas of the site.</p>	Payment for implementation of protective mitigation measures to be paid prior to commencement of construction.	Monitoring to occur prior to issuance of grading/building permits and after construction.	Applicant	Los Angeles County Department of Regional Planning, Public Works, Public Health
Traffic				
<p>14. The applicant must contact the Traffic and Lighting Division of Public Works. <u>A traffic circulation/site access analysis shall be submitted to Public Works for review and approval. The analysis should describe the primary route using public roadways to access the site and address the need for additional traffic control devices along the route to accommodate turning movements by large size trucks or vehicles with trailers, including the intersection of Old Mint Canyon Road at Sierra Highway.</u></p> <p>15. The applicant shall adhere to the <u>Traffic Management Plans reviewed and approved by Caltrans and Public Works, which will be a part of the Temporary Use Permits required for the occasional community events proposed.</u></p>	Payment for implementation of protective mitigation measures to be paid prior to commencement of construction.	Monitoring to occur prior to issuance of grading/building permits and during special events	Applicant	Los Angeles County Department of Regional Planning, Public Works (Traffic and Lighting Division), Caltrans

MITIGATION MONITORING PROGRAM
PROJECT NO. R 2006-01208-(5)

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>16. <u>Make an offer of private and future right of way 32 feet from the westerly property line along Basket Road.</u></p> <p>17. Any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. Large size truck trips are limited to off-peak commute periods/hours using designated truck routes.</p>				
<p>Emergency Services</p> <p>18. The applicant is required to file for and obtain approval of a Temporary Use Permit (TUP) with the Department of Regional Planning prior to any special events. The application for a TUP requires the coordination between the Fire, Sheriff, and Health Departments prior to any approval.</p>	<p>Payment for implementation of emergency services measures to be paid prior to commencement of special events.</p>	<p>Monitoring to occur special events.</p>	<p>Applicant</p>	<p>Los Angeles County Department of Regional Planning, Public Works, Fire Department, Sheriff Department, Public Health</p>
<p>Mitigation Compliance</p> <p>19. As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting an annual mitigation compliance report to the DRP for review and responsible for replenishing the mitigation monitoring account, if necessary, until such time as all mitigation measures have been implemented and completed.</p>	<p>Submittal and approval of annual Mitigation Compliance Report. Replenishment of Mitigation Monitoring account if necessary until such time as all mitigation measures have been implemented and completed.</p>	<p>Annually</p>	<p>Applicant</p>	<p>Los Angeles County Dept. of Regional Planning</p>



**COUNTY OF LOS ANGELES
FIRE DEPARTMENT**

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: December 1, 2008

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2006-01208

LOCATION: 34289 Rocking Horse Road., Agua Dulce

- The Fire Department Land Development Unit has no additional requirements for this permit.
- This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone (VHFHSZ). An approved Fuel Modification Plan shall be submitted to our Santa Clarita Fire Prevention Office prior to Building Plan approval. For details contact the Fuel Modification Unit, Fire Station 32, 605 North Angeleno Avenue, Azusa, CA 91702-2904. They may be reached at (626) 969-5205.
- Comments:** FIRE DEPARTMENT HAS CLEARED THIS PROJECT FOR PUBLIC HEARING WITH THE CONDITIONS OF APPROVALS:
- Water:** The size of the proposed water storage tank for fire protection purposes for the proposed covered corral will be determined by NFPA 1142 standards during the building plan check process. The tank and Fire Department outlets shall be installed and inspected prior to building permit issuance.
- Access:** No dimensions are provide for the proposed Fire Department turnaround on the site plan. Provide the turnaround dimensions on the architectural site plan prior to submitting plans to our Santa Clarita Fire Prevention Office for building plan approval. All weather access surface is required for all private driveway and fire lanes. Decomposed granite will be accepted as all weather access. pavement is required for any fire lane exceeding a slope of 10%.
- Special Requirements:** Adequate signage for all fire lanes shall be posted prior to occupancy. Location of signage will be determined by the Santa Clarita Fire Prevention Inspector.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: **Juan C. Padilla**

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



COUNTY OF LOS ANGELES
Public Health

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

JONATHAN E. FREEDMAN
Chief Deputy

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

SWATI BHATT, REHS
Chief Environmental Health Specialist
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5380 • FAX (626) 813-3016

September 11, 2008

Los Angeles County
Department of Regional Planning
Attn: Mark Child
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Gutierrez:

**SUBJECT: LOS ANGELES COUNTY ENVIROMENTAL HEALTH DEPARTMENT, LAND
USE PROGRAM, USE OF CHEMICAL TOILETS AT CAROUSEL RANCH,
34289 ROCKING HORSE ROAD, AGUA DULCE**

This letter is in response to Carousel Ranch's request to use portable/chemical toilets in lieu of a private on-site wastewater treatment system (OWTS) for accomplishing liquid waste disposal on the property.

Due to site limitations for installing a code complaint OWTS on the subject property, subject to the conditions below, the Department conditionally does not object to the use of portable/chemical toilets on the property for this existing operation. The conditions of our non-objection are as follows:

1. All portable/chemical toilets shall be placed outside of the recorded floodway area (i.e. proposed toilet location #24 on Sikand site plan must be relocated).
2. All portable/chemical toilets used shall meet Los Angeles County Code, Title 11, Section 11.38.540 requirements for construction and design.
3. All portable/chemical toilets shall be kept clean and in good repair at all times.
4. Sewage from the toilets shall be disposed of only in a sanitary sewer approved by the Department



BOARD OF SUPERVISORS

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Use of Chemical Toilets At Carousel

September 11, 2008

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5. All special events where food and beverages will be offered to the public either for sale and/or given away on the property shall require a temporary event permit by the local Health Department.
6. No itinerant restaurant. (i.e., food booth, mobile food preparation vehicle, food cart) shall be located within 500 feet of any portable/chemical toilet.

If you have any questions regarding this matter, please contact Ms. Swati Bhatt at (626) 430-5380.

Very truly yours,

Swati Bhatt, REHS
Chief Environmental Health Specialist

SB:dw