

# LOS ANGELES CITY PLANNING DEPARTMENT RECOMMENDATION REPORT

**CITY PLANNING COMMISSION**

DATE: **January 27, 2005**  
 TIME: **After 10:00 a.m.\***  
 PLACE: **Marvin Braude Building  
 First Floor Conference Room  
 6262 Van Nuys Boulevard  
 Van Nuys CA.**

**CASE NO. CPC 2004-4344 GPA/ZC**

Plan Amendment and Zone Change  
 CEQA: EIR 2002-2485  
 Location: 7000-8000 La Tuna Canyon Drive  
 Council District: 2  
 Plan Area: Sunland - Tujunga - Lakeview Terrace -  
 Shadow Hills - East La Tuna Canyon  
 & Sun Valley - La Tuna Canyon  
 Plan Land Use: Minimum, Very Low I,  
 Very Low II Residential and Open  
 Space  
 Zone: A1-1, RE11-1  
 District Map: 192B193  
 Expiration date: April 17, 2005

**PUBLIC HEARING** completed December 9, 2004  
 Request is appealable, if denied.

- REQUEST:**
1. Pursuant to procedures set forth in Section 11.5.8 of the Municipal Code, a **General Plan Amendment** to the Sunland-Tujunga-Lakeview Terrace-Shadow Hills-East La Tuna Canyon Community Plan for the following: (See Table 1 below for more detail.)
    1. From Minimum Residential, Very Low I Residential and Very Low II Residential to Low Residential and Minimum;
    2. From Very Low I Residential and Open Space to Minimum Residential; and
  2. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from A1-1 (Agriculture Zone) and RE11-1 (Residential Estate Zone) to RE9-1-H, RE11-1-H, and RE20-1-H (Residential Estate Zones). (See Table 1 below for more detail.)

Table 1. Existing and requested zone and plan designations, by Area.

Area*	Existing Zone	Existing Plan Designation	Acreage	Requested Zone	Requested Plan Designation	Requested Development
A	RE11-1-H	Very Low II	3.4	RE11-1-H	Low	Gated - 211 Single family homes (297.7 acres)
	A1-1	Very Low II	6.4	RE11-1-H	Low	
	A1-1	Minimum	42.7	RE11-1-H	Low	
	A1-1	Minimum	86.3	RE9-1-H	Low	
	A1-1	Very Low I	41.9	RE9-1-H	Low	
	A1-1	Very Low I	78	N/C	Minimum	
B	A1-1	Minimum	62.4	RE20-1-H	Low	Gated - 69 Single family homes (128.6 acres)
	A1-1	Minimum	67.6	N/C	N/C	
C**	A1-1 A1-1-K	Minimum RPD	461	N/C	N/C	Open space & Equestrian Park
Total			887			

\* Area A is located north of Interstate 210 and Area B is south of Interstate 210.

\*\* No proposed zone changes or plan amendments for the remaining areas of the subject property outside of vesting tentative tract 61672.

**PROJECT:** Construction of 280 single-family homes on individual lots clustered on a 426 acres, a 3-

**acre equestrian park (open to the public), private recreational amenities and the preservation of 461 acres as permanent open space**, on an 887 acre site. Approximately 211 of the homes would be constructed on the site located north of Interstate 210, which is commonly referred to as "Development Area A". The remaining 69 homes would be constructed on the portion of the project site located south of Interstate 210, which is commonly referred to as Development Area B". La Tuna Canyon Road will provide direct vehicular access to both development areas. Area C refers to the applicants proposed public open space area, which is not a part of this action.

**APPLICANT:** Whitebird, Inc. doing business as California Whitebird, Inc.

**RECOMMENDATION:**

1. **Approve and recommend** that the City Council adopt the General Plan Amendments and Zone changes as presented on Exhibit E-1, attached to the report including the attached conditions of approval.
2. **Approve and recommend** that the City Council adopt Environmental Impact Report No. 2002-2485 (GPA\ZC\MPR), copy contained in the administrative file. In addition, adopt the Statement of Overriding Consideration attached as Exhibit E-9.
3. **Adopt** the attached Findings.
4. **Recommend** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative or "Q" Qualified classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and, that the (T) Tentative classification be removed in the manner indicated on the attached page.
5. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
6. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Con Howe  
Director of Planning

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Daniel Scott, Senior City Planner

Robert Z. Dueñas, Hearing Officer  
(818) 374-5036

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**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *City Planning Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the City Planning Commission Secretariat at (213) 978-1300.



## (T) CONDITIONS OF APPROVAL

**Impose** the following (T) Tentative Classification Conditions.

Pursuant to LAMC Section 12.32 G, the (T) classification shall be removed by compliance with and the recordation of a Revised Vesting Tentative Tract No. 61672 or by posting guarantees satisfactory to the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Planning Department for attachment to the subject City Plan Case.

1. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary).
  - A. Responsibilities/Guarantees.
    1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
    2. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
2. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering.
3. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.
4. Construction of tree wells and planting of street trees and parkway landscaping to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.
5. Preparation of a parking area and driveway plan to the satisfaction of the appropriate district office of the Bureau of Engineering and the Department of Transportation. A parking area and driveway plan shall be prepared for approval by the appropriate district office of the Bureau of Engineering and the Department of Transportation. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.
6. Installation of street lights to the satisfaction of the Bureau of Street Lighting.
7. That street lighting modifications be required at an intersection if there are improvements by the Department of Transportation (also for off-site improvements).

8. Preparation of a plot plan to the satisfaction of the Fire Department.
9. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.
10. Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.
11. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 171,502 adopted by the City Council, must be paid in full at the Development Services Division office.
12. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
13. Recreation and Parks Dedication. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.
14. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

**(Q) CONDITIONS OF APPROVAL**

1. **Use.** Project shall comply with all provisions of the RE11-1-H, RE9-1-H and RE20-1-H zones.
2. **Lots:** Development of area A and B shall be limited to 230 buildable lots.
3. The area (lots) identified on Exhibit E-2 as having a potential visual impact to Interstate 210 or La Tuna Canyon Road shall not contain a buildable lot. Those areas shall be maintained by the HOA and be part of the replanting program occurring throughout the site.
4. **Building Height of the Scenic Highway Corridors and View shed Protection.** The height of all structures shall be as follows:
  - a. The maximum height of all single-family dwellings and accessory structures that are visible from the right-of-way of La Tuna Canyon Road or Interstate 210 shall not exceed 30 feet.
  - b. The highest elevation of graded pads on the project site shall be at least 55 vertical feet below any designated Prominent Ridge line directly above the highest point of the graded pad.
  - c. No main structure on a buildable lot shall be visible from a scenic highway.
5. **Volunteered Conditions by the Applicant:** Prior to the issuance of a grading permit, the applicant shall donate sub areas 1 through 5a, as shown on Exhibit E-2, to a public or non-profit agency for its maintenance as public open space (461 acres, sub areas 1 through 5a).
6. **Volunteered Conditions by the Applicant:** Prior to the issuance of a grading permit, the applicant shall provide a 3 acre equestrian facility as shown on Exhibit E-2, sub area 4. The facility shall be donated to a public or non-profit agency for its maintenance. In the event no agency is willing to accept the facility, the applicant shall establish a funding source and create a responsible organization for the perpetual maintenance of the facility.

**Environmental Conditions:**

7. **Revised Map.** A Revised Map and Modification shall be submitted satisfactory to the Advisory Agency and the City Engineer, over the entire ownership (887 acres) delineating a subdivision in which all conditions shall be applied to the revised subdivision. ,
8. **Prior to the recordation of the final map,** the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of 230 single family dwellings.

- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit. Lots with less than 50 feet frontage shall have one guest parking provided on site.
  - c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - d. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
  - e. A system of equestrian trails shall be provided adjacent to all internal tract roadways in the project area south of the I-210. Where not practicable because of grades, the system shall be provided near the project roadways. The system standards shall comply with the requirements of the City Engineer standards for equestrian trails; or alternative to the satisfaction of the Advisory Agency and City Engineer.
9. Prior to the recordation of the final map, the project developer shall prepare development standards for the single-family homes, the landscaping and streetscape for the project. Residential design standards shall be reviewed in consultation with the Council Office, prior to review by the Advisory Agency. Approved standards shall be included in the "Notes" portion of the plans submitted to the Department of Building and Safety for plan check and shall be approved by the Advisory Agency prior to issuance of a building permit. These standards shall be incorporated into the covenants, codes and restrictions (CC&R's) of the Homeowners Association. A copy of the CC&R's shall be submitted 1) to the Advisory Agency for placement in the tract files and 2) to the Community Planning Bureau for placement in the CPB files.
10. **Public Discussion Meeting for Review of Grading Plan, Site Plan, Landscape Plan and Tree Planting Plan.** Prior to issuance of any Grading Permit, a Grading, Site, Landscape and Streetscape plan -- at least at a 40-scale --- and a copy of the development standards shall be submitted to the satisfaction of the Advisory Agency, Department of Building and Safety and Bureau of Engineering. The plans shall show the following:
- a. Approximate location of proposed residential structures and the limits of the building pads for the proposed residential structures.
  - b. Proposed Finish Floor Elevation (FFE) for each residence; and maximum residence height.
  - c. Location of Prominent Ridge lines and Prominent Ridge line Protection Areas (San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan) in relationship to residence height and lot location.
  - d. Illustrative landscape plan showing the final tree restoration plan required by Condition No. 69. This plan need not be at 40 scale.
  - e. The final development standards, including streetscape standards, for proposed homes and improvements.
  - f. Cut grades not to exceed 1.5:1 to the satisfaction of the Department of Building and Safety, Grading Division. In the event the Department of Building and Safety Grading Division does not approve graded cuts at 1.5:1, the subdivider shall request a tract modification and submit appropriate environmental clearance.

The purpose of the Public Discussion meeting is to review that landform grading techniques have been employed to the extent feasible to preserve the project site's natural topography and to review the layout, trail system, development standards, landscaping, restoration plan for oak and sycamore trees.

( NOTE: This shall not be a public hearing. Persons to be noticed are those who signed in at the initial Advisory Agency hearing on the subject tract and Council District 2. )

In the event the subdivider does not request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plans before obtaining any permit shall be recorded.

11. The Advisory Agency may correct these tract conditions pursuant to Ordinance No. 176,321 in order to make them consistent with the City Council's final action on the general plan amendment and zone change.

Prior to the issuance of a building permit or recordation of the final map, whichever come first, a copy of the adopted general plan amendment and published zone change ordinance shall be submitted to the satisfaction of the Advisory Agency.

12. That the applicant shall record and execute a Covenant and Agreement to comply with the **San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan**, Ordinance No. 175,736 (Eff. 2/8/2004) prior to the issuance of a building permit, grading permit and the recordation of the final tract map.

## BIOLOGICAL RESOURCES

13. That prior to recordation of the final map or to issuance of a grading or building permit, suitable arrangements shall be made satisfactory to the Army Corps of Engineers, the California Department of Fish and Game, and the California Regional Water Quality Control Board, binding the subdivider and all successors to conform to the following requirements:
  - a. The project developer shall create a water quality basin in the lower reach of Drainage 4 that covers approximately 2.5 acres. The basin shall be planted with a mosaic of wetland/riparian habitats that will provide both biogeochemical (water quality) and habitat functions. The proposed habitats shall include southern coast live oak riparian forest at the upper elevations, southern mixed riparian in the middle elevations and wet meadow or emergent marsh in the wettest (lowest) areas.
  - b. The project developer shall preserve and enhance approximately 2.5 acres within La Tuna Canyon Wash that exhibit moderate to high levels of infestation by sticky eupatory (*Ageratina adenophora*) and African umbrella sedge (both are recognized as invasive exotic species). The enhancement program shall include eradication of sticky eupatory and African umbrella sedge from the onsite reach through a five-year program. The five-year program shall also include replanting with native understory species in areas where the dense understory formed by sticky eupatory has been removed.
  - c. The project developer shall provide 2.8 acres of native riparian plantings within the proposed onsite detention basins and water quality basins and other appropriate areas.

- d. The project developer shall revegetate 1.21 acres of southern mixed riparian forest and 0.15 acre of southern coast live oak riparian forest.
- e. If construction occurs during the nesting season for migratory birds (March 15 August 15), then prior to construction activities, the project developer shall have a qualified biologist survey the project site for the presence of any occupied raptor nests. If such a nest is found, it shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code.
- f. If grading or clearing of vegetation is scheduled to take place during the nesting season for migratory or resident birds (March 15-August 15), a qualified biologist will survey areas to be graded no more than three days prior to the start of work. If active nests of migratory or resident birds are located, measures to ensure protection of the nesting migratory or resident bird will be determined by the monitoring biologist and will depend on factors such as the bird species and the construction schedule. These measures may include, but are not limited to:
  - (1) If a non-raptorial avian nest is identified that has either eggs or nestlings, the shrub or tree containing the nest will be clearly marked with flagging tape or caution ribbon to identify the presence of an active nest. No mechanized work will be allowed within 25 feet of the nest until the fledglings have departed the nest or until the biologist has determined that the nesting attempt has failed and been abandoned by the adult birds.
  - (2) If a raptor nest is identified that has either eggs or nestlings, the shrub or tree containing the nest will be clearly marked with flagging tape or caution ribbon to identify the presence of an active nest. No mechanized work will be allowed within 200 feet of the nest until the fledglings have departed the nest or until the biologist has determined that the nesting attempt has failed and been abandoned by the adult birds.
- g. In order to minimize the movement of displaced animals into residential areas during clearing and grubbing of areas to be graded, such clearing and grubbing activities will start at the existing urban edge and move toward open space. A copy of a plan or a letter for these requirements, approved by the above-noted agencies, shall be given to the Advisory Agency for clearance of this condition. To be cleared by City Planner or above.

#### **DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

14. That prior to recordation of the final map, or prior to the issuance of any grading or building permit, whichever occurs first, the subdivider shall execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M), to the satisfaction of the Advisory Agency, binding the subdivider to implement the Mitigation Monitoring Program contained in Section V of Final EIR (ENV-2002-2481-EIR) and to provide certification, as identified by the MMP, to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented.

In addition, the subdivider shall identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of Mitigation Monitoring Program contained in Section V of the Final EIR and the mitigation items required by the Tract's approval, satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the mitigation items required.

15. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to comply to the following requirements with respect to project design and construction:
- a. In order to meet the Caltrans standard regarding freeway noise, one of the following two options shall be implemented:
    - c. Sound walls shall be constructed at the locations and heights shown in Figure IV.E-2 in the Draft EIR, as revised in Figure 3-S in Appendix F to the Final EIR, OR
    - c. The elevations or locations of the homes shall be altered and/or intervening berms or landform features shall be integrated into the project design.
  - b. The project design and construction will incorporate all applicable building codes that relate to building sound insulation, including appropriate use of double-glazed windows, etc.
  - c. Exterior buildings finishes shall be non-reflective and use natural subdued tones.
  - d. All structures on the project site shall comply with the applicable requirements of the Specific Plan.
  - e. All fences, gates and walls visible from Interstate 210 or La Tuna Canyon Road shall be constructed of one or more of the following materials: rough-cut, unfinished wood; native type stone; split-face concrete bloc; textured plaster surface walls; black or dark green chain link; wrought-iron in combination with small-gauge tubular steel posts (tubing posts not to exceed 1½" square in dimension).
  - f. All utilities installed in connection with the development of the project shall be placed underground.
  - i. Where feasible, drainage devices (terrace drains, benches and intervening terraces) visible from surrounding areas shall be bermed and placed in swales.
  - g. Concrete drains and all other drainage devices shall be tinted with an appropriate earth tone to effectively conceal them from surrounding views.
  - h. Where required sound walls may interrupt views of the surrounding scenery, sound walls constructed of a combination of Plexiglas and concrete blocks may be installed.
  - i. The project developer shall install lower intensity lighting for the bridges that cross La Tuna Canyon Wash and Drainage 4.
  - j. Construction of the single-family homes, landscaping, public and streetscape improvements shall conform to the design standards approved by the Advisory Agency.

Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to provide the following disclosures to all prospective homebuyers:

- a. For all homes in the Development Areas located within 300 feet from the edge of Interstate 210, the project developer shall provide an information and disclosure statement to each prospective buyer and include such statement as part of the final sales literature, which statement shall include the following:
  - The fact that the proposed home is located within 300 feet from the edge of Interstate 210.
  - A statement that this subject has been addressed in the Final EIR for the project and that the Final EIR is on file with the City of Los Angeles, Department of City Planning.
  - A statement that additional information regarding the potential health effects from proximity to freeways and other high traffic areas may be obtained from the SCAQMD and the Office of Environmental Health Hazard Assessment at the California Environmental Protection Agency.
- b. All prospective homebuyers will be clearly advised of the implications of living adjacent to natural open space areas. The educational materials will be written to foster an appreciation of native ecosystems, and will identify appropriate measures that homeowners should take to minimize conflicts between wildlife, domestic animals, and humans, including:
  - (1) Responsibilities and benefits associated with living near a wildland area (e.g., residents will be required to avoid planting invasive plant species, and will receive benefits related to maintaining the natural beauty of nearby open space areas).
  - (2) Warnings of dangers and nuisances posed by wildlife that may forage at the development edge (e.g., dangers that mountain lions pose to humans and potential loss of pets to naturally occurring predators).
- c. The project developer and/or homeowners' association(s) shall work with the City to make residents aware of used motor oil recycling facilities and household hazardous waste drop off centers in the area. Availability of centers can reduce the amount of toxic contaminants found in urban runoff.
- d. The project developer shall make information published by the City regarding the curbside recycling program, as well as onsite composting methods for yard waste, available to purchasers of dwelling units at the time of sale.
- e. The project developer shall provide composting bins to purchasers of each new dwelling unit.
- f. The project developer shall provide trash compactors in each new residence to allow more effective and sanitary method of trash disposal.
- g. For all residential lots in Development Area A located within 150 feet of the edge of the SCE Transmission Line ROW, the project developer shall provide an EMF information and disclosure statement to each prospective buyer and include as part of the final sales literature, which statement shall include the following:
  - The location of the SCE transmission lines in the vicinity of Development Area A.
  - A statement that this subject has been addressed in the Final EIR for the project and that the Final EIR is on file with the City of Los Angeles, Department of City Planning.
  - A statement that additional information regarding the potential health effects from EMF exposure may be obtained from the California State Department of Health or by

contacting the California EMF Project located at 1515 Clay Street, Suite 1700, Oakland, California 94612, or by viewing available information posted on the California EMF Project's official internet site at <http://www.dhs.cahwnet.gov/ehib/emf/general.html>.

17. Prior to the recordation of the final map, the subdivider will submit a certified recorded copy of the project homeowners' association CC&Rs to the satisfaction of the Advisory Agency that include the following provisions and responsibilities to be undertaken by the homeowners' association(s):
  - a. In order to reduce pesticide and fertilizer use at the source and to remove these pollutants from urban runoff, the project developer and/or homeowners' association(s) shall adopt Integrated Pest Management (IPM) programs for use on their own public grounds in addition to promoting their use to project residents.
  - b. "Pooper-scooper" regulations shall be included in CC&Rs to require proper disposal of animal waste and to prevent additional nutrient loading of storm drains.
  - c. Cleaning of wastes and debris from all project area debris retention and water detention basins shall be completed by the homeowners' association(s) on a quarterly basis (or more frequently if reasonably required). Special importance shall be given to the cleaning of debris retention and water detention basins prior to the first rainstorm of the year, in order to reduce "first flush" effects on the area watershed and to prevent unnecessary sediment and waste load transport.
  - d. The CC&Rs for the project shall prohibit the use of all exterior uplighting fixtures for building facades and trees, establish design limits on the amount of landscape lighting per foot, permit only downlighting for all exterior-building mounted fixtures, and prohibit "glowing" fixtures that would be visible from existing communities or public roads.
  - e. The CC&Rs shall specify that night lighting on private property located on any lot located within 100 feet from the edge of Interstate 210 shall be permitted, provided it is low-height, low illumination safety lighting that is shielded and directed onto the property.
  - f. The project homeowners' association(s) shall retain a single alarm and security patrol company to patrol the Development Areas and correct false alarms expeditiously.
  - g. The project homeowners' association(s) shall ensure that clearly identifiable address indicators are provided for all homes and other buildings. Although mitigation measures are not required under CEQA, the above measures would further reduce the project's less-than-significant police protection impacts.
  - h. The project developer shall prepare and implement a landscape plan that provides planting and maintenance guidance for common landscaped areas, slopes, and undeveloped building pads. A separate landscape plan may be prepared for each Development Area. The project developer shall be responsible for the plan's implementation until such time as a homeowners' association assumes responsibility for landscape maintenance. The landscape plan shall be subject to the

review and approval by the Department of City Planning prior to issuance of any grading permit. To ensure its implementation, the landscape plan shall be incorporated into the project's CC&Rs. Major features of the landscape plan shall include:

A listing of plant species appropriate for use for both temporary slope stabilization purposes and long-term landscaping designs for common areas. The plan shall emphasize the use of drought-tolerant, fire retardant, native plant species. Only noninvasive non-native plant species shall be included in the listing of acceptable planting materials. In addition, wherever practical, plants which are relatively pest resistant and which require a minimum of added nutrients shall be utilized in landscaping.

Retention of a landscape contractor thoroughly familiar with the provisions of the landscape plan, by the project's homeowners' association, for ongoing implementation of the landscape plan.

- i. The homeowners' association(s) shall monitor the landscaped areas over a five-year period following the completion of landscaping in a Development Area and remove, as necessary, unwanted non-native invasive species that become established, ensuring that, over time, native habitats are established.
- j. The project homeowners' association(s) shall maintain openings in walls at key locations within the Development Areas to enhance local movement paths for wildlife.
- k. The project homeowners' association(s) CC&R's shall include the development standards approved pursuant to this approval the applicant shall include a statement that any alterations or improvements to any structures or infrastructure improvements shall conform to these design standards.

18. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- MM-1 Drainage from the building sites shall be directed toward the street in non-erosive drainage devices.
- MM-2 Building pads shall have sufficient height above the curb to drain toward the street on a slope of two percent. Pad drainage may be conveyed to the street via side lot swales, as required.
- MM-3 Where the tributary area is deemed sufficient by the City Engineer and approved by the decision-maker, paved drainage terraces shall be provided along terraces, at the top of cuts, and behind retaining structures.
- MM-4 Mulch shall be used to the extent feasible in all landscape areas.
- MM-5 Existing trees and shrubs shall be preserved and protected, to the extent feasible.
- MM-6 Efficient irrigation systems that minimize runoff and evaporation, and maximize the water that would reach the plant roots, such as a dripline system, shall be installed.
- MM-7 Timed irrigation system shall be provided for water conservation.

- MM-8 Slopes shall be graded so that runoff of surface water is minimized.
- MM-9 Permanent drainage and debris control facilities shall be constructed to the satisfaction of the City Engineer. As proposed, such facilities shall include:
- Underground stormdrains with capacity for a 50-year frequency storm.
  - Terrace drains provided in compliance with the requirements of the LAMC.
  - Energy dissipators installed at any outlet structure where the velocity is considered erosive.
  - Roof runoff collected in a rain gutter and downspout system and directed to approved areas via non-erodible conductors.
- MM-10 Semi-permeable pavement shall be utilized for hardscape areas.
- MM-11 The project shall adhere to applicable provisions of the LAMC, Flood Hazard Management Specific Plan (if applicable) and the recommendations of the City Engineer/Department of Building and Safety.
- MM-12 Signage shall be installed on all project storm drain inlets to read: "NO DUMPING OF WASTE-DRAINS TO OCEAN," or other similar signage consistent with forthcoming City policies.
- MM-13 Newly excavated sites tend to contribute significant amounts of sediments and toxic materials to the drainage systems. The following steps shall be taken to minimize this process:
- c Where feasible, phase construction to limit activity during the wettest months of the year (i.e., December, January and February).
  - c Stabilize exposed surfaces immediately after construction is complete, and ensure that permanent stabilization is successful, through implementation of the following:
    - Minimization of stripped areas;
    - Use of straw bale filters and sand bagging;
    - Temporary seeding and mulching of all stripped areas;
    - Conservation cultivation practices on steep slopes;
    - Traffic control on construction sites;
    - Berms and crushed stone on construction roads;
    - Reduction of effective slope length in critical areas with benches or terraces;
    - Slopes shall be planted with protective vegetation and a suitable watering system (in conformance with City requirements) installed as soon as practical after completion of grading.
      - Use of accepted materials storage procedures, spill prevention and other "housekeeping" practices to prevent runoff contamination by toxic chemicals such as paints, solvents, pesticides, metals from building materials, or fuels.

- MM-14 The project developer shall be responsible for obtaining the necessary NPDES Construction Permit for the project site from the Regional Water Resources Control Board, Wastewater Division. The project developer shall obtain a Notice of Intent (NOI) for compliance with the State's NPDES General Construction Permit prior to issuance of a grading permit. The Construction Permit NOI shall include a SWPPP to address construction sediment and erosion control. The project developer would also be required to address long-term monitoring and the implementation of BMPs to the "maximum extent practicable". Maximum extent practicable means to the maximum extent possible, taking into account the latest available technology and economic feasibility.
- MM-15 Temporary erosion control measures, such as landscaping, berms, etc., shall be implemented following grading to minimize sedimentation impacts to onsite drainages. Available measures include introduction of rapid developing, soil-anchoring groundcover (of native plant species), and strategic placement of runoff-detaining structures. These runoff-detaining structures and all remaining construction sediment and debris shall be removed at the time of project completion.
- MM-16 During construction activities, the project developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, that are adjacent to existing public roadways, be secured to prevent trespass.
- MM-17 The project developer shall submit a plot plan for the development to the LAPD's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented, to the extent feasible.
- MM-18 Upon completion of the project, the project developer shall provide the Foothill Area Commanding Officer with a diagram of the project. The diagram shall include access routes, addresses, and any other information that might facilitate prompt and efficient police response.
- MM-19 The project developer shall give the Foothill Area Commanding Officer access codes and/or keys to lock boxes to gated portions of the project site.
- MM-20 In the event of full or partial road closures, the project developer shall employ flagmen during the construction of the electrical distribution system to facilitate the flow of traffic.
- MM-21 During the design process, the project developer shall consult with the Los Angeles Department of Water and Power, Efficiency Solutions Business Group, regarding possible energy efficiency measures.
- MM-22 Prior to the start of construction, the proposed project's energy engineer shall consult with SCG for an energy analysis regarding efficiency and conservation measures.
- MM-23 The project developer shall hire flagmen to facilitate traffic flow during installation of the natural gas main extensions.
- MM-24 The project developer shall ensure that the landscape irrigation system be designed, installed and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.

- MM-25 The project developer shall install either a “smart sprinkler” system to provide irrigation for the landscaped areas or, at a minimum, set automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be adjusted to avoid water runoff, especially when irrigating sloped property.
- MM-26 The project developer shall select and use drought-tolerant, low-water consuming plant varieties to reduce irrigation water consumption.
- MM-27 The project developer shall install ultra-low flush water toilets and water-saving showerheads in new construction. Low-flow faucet aerators should be installed on all sink faucets.
- MM-28 All hazardous or potentially hazardous materials used on the project site during construction for purposes of blasting shall be under the control of the designated contractor from the time such materials are brought onsite through the time of their use and the time they are removed from the project site. Access to these materials shall be controlled at all times. All such materials shall be fully accounted for both prior to and following all blasting work to be performed on the project site.
- MM-29 If buried cultural materials are exposed during construction, work shall be halted in the immediate vicinity of the find until a qualified archaeologist can assess their significance.
- MM-30 If the finds are termed significant (i.e., a unique archaeological resource), the archaeologist and a Native American Observer shall be permitted to remove the items in a professional manner for further laboratory evaluation.
- MM-31 If human remains are unearthed during construction, no further disturbance shall occur until the Los Angeles County Coroner has made the necessary findings as to origin and disposition in accordance with Section 7050.5 of the California Health and Safety Code. If the remains are determined to be those of a Native American, the Native American Heritage Commission (NAHC) in Sacramento shall be contacted before the remains are removed in accordance with Section 21083.2 of the California Public Resources Code.
- MM-32 If fossil remains are encountered during grading activities, no further disturbance of the fossil remains shall occur until a vertebrate paleontologist approved by the Natural History Museum of Los Angeles County Vertebrate Paleontology Department (LACMVP) has been retained by the project developer to evaluate and, if and to the extent warranted and feasible, recover the remains and/or implement other appropriate mitigation measures, if necessary.

19. Construction Mitigation Conditions - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**
- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
  - Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
  - If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres or portion thereof. Each sign must be posted in a prominent location.
- CM-2 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes to channel runoff around the site shall be constructed. Channels shall be lined with grass or pavement shall be roughened to reduce runoff velocity.
- CM-3 Appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department, Grading Division, shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the LABC, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned, to shield and bind the soil.
- CM-4 All construction waste shall be disposed of properly. Appropriately labeled recycling bins shall be provided to recycle construction materials, including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- CM-5 During construction, leaks, drips and spills shall be immediately cleaned up to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-6 During construction, pavement shall not be hosed down at material spills and dry cleanup methods shall be used whenever possible.
- CM-7 During construction, dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or cover with tarps or plastic sheeting.
- CM-8 During construction, gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-9 During construction, all vehicle/equipment maintenance, repair and washing shall be conducted away from storm drains. All major repairs shall be conducted offsite. Drip pans or drop clothes shall be used to catch drips and spills.

- CM-10 Moisten soil not more than 15 minutes prior to moving soil and three times a day, or four times a day under windy conditions, in order to maintain soil moisture of 12 percent.
- CM-11 On the last day of active operations prior to a weekend or holiday or before beginning grading on another portion of the project site, apply water or a chemical stabilizer to maintain a stabilized surface. Maintain this surface crust as long as the disturbed soil remains uncovered.
- CM-12 Water excavated soil piles hourly or cover piles with temporary coverings.
- CM-13 Cease grading during periods when winds exceed 25 miles per hour.
- CM-14 Operate vehicles on unpaved roads at 15 mph or less.
- CM-15 Apply appropriate NOx control technologies, such as use of lean-NOx catalyst or diesel oxidation catalyst, to the extent feasible.
- CM-16 Blasting and crushing equipment shall be equipped with water spray devices in order to maintain soil moisture and prevent fugitive dust emissions.
- CM-17 Cease grading during periods when the SCAQMD calls a Stage 1 episode in SRA 8.
- CM-18 Construction activities, including job-site deliveries, shall be limited to the hours of 7:00 a.m. to 9:00 p.m., provided that such construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m. to the extent such construction activities are conducted within 500 feet of any existing residential buildings.
- CM-19 In accordance with Section 41.40(c) of the LAMC, construction activities, including job-site deliveries, shall not be conducted within 500 feet of any existing residential buildings before 8:00 a.m. or after 6:00 p.m. on Saturday or any national holiday or at any time on Sunday.
- CM-20 Prohibit use of adjoining residential streets by construction personnel and construction related vehicles for parking.
- CM-21 An area should be designated as far from residential areas as feasible for the delivery of materials and equipment to site.
- CM-22 Stage deliveries to occur from mid-morning to mid-afternoon, where feasible, to take advantage of times when residential zones are less susceptible to annoyance from outside noise.
- CM-23 Coordinate deliveries to reduce the potential of trucks waiting to unload for protracted periods of time.
- CM-24 All construction equipment shall be equipped with the manufacturers' recommended noise muffling devices, such as mufflers and engine covers. These devices should be kept in good working condition throughout the construction process.

- CM-25 To the extent feasible, hydraulic equipment instead of pneumatic impact tools and electric powered equipment instead of diesel powered equipment shall be used for exterior construction work.
- CM-26 Maintaining equipment in an idling mode shall be minimized. All equipment not in use shall be turned off.
- CM-27 For smaller equipment (such as, air-compressors and small pumps), line-powered equipment shall be used to the extent feasible.
- CM-28 The project developer shall appoint a construction coordinator to interface with the general contractor and neighboring communities, local neighborhood councils and local equestrian organizations. The construction coordinator shall be accessible to resolve problems related to the effects of project construction on the surrounding community, to the extent feasible. The construction coordinator shall also provide information to the surrounding community regarding scheduling of specific construction activities (e.g., grading and blasting) and construction phasing.
- CM-29 The construction contractor shall only contract for waste disposal services with a company that recycles construction-related wastes.
- CM-30 To facilitate the onsite separation and recycling of construction-related wastes, the construction contractor should provide temporary waste separation bins in front of each home during construction.

#### **DEPARTMENT OF CITY PLANNING-STANDARD SINGLE-FAMILY CONDITIONS**

20. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:
- a. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
  - b. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.
21. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund. In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

#### **Administrative:**

22. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
23. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
24. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
25. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
26. Building Plans. Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.



## FINDINGS

1. **General Plan Land Use Designation.** The adopted Sun Valley-La Tuna Canyon Community Plan designates approximately 250 acres of the project site for Minimum Land Use Category corresponding to the OS, A1, A2, and RE40 Zones. The adopted Sunland-Tujunga-Shadow Hills-Lakeview Terrace-East La Tuna Canyon Community Plan designates approximately 425.1 acres of land within the boundaries of the Vesting Tentative Tract Map (VTTM) as Minimum Residential, Very Low I Residential and Very Low II Residential. The VTTM is presently zoned A1-1, A1-K and RE11-1 Zones. There is a small area of 9 acres designated as Open Space at the southerly boundary along La Tuna Canyon Road. The adopted Plan establishes that, if privately owned, the designated Open Space is limited to minimum density (Footnote No. 9). Both adopted plans establish slope density requirements for properties in Minimum Residential Land Use Categories. Sun Valley Plan has no provision for clustering while the Sunland-Tujunga Community Plan permits clustering with certain limitations (Footnote 7).
2. **City Charter Section 556 and 558:** The recommended general plan amendments to Low and Minimum density residential complies with Charter Section 556 and 558 in that the recommended amendment complements the land use patterns and density trends in the general area and permits the clustering of 230 dwelling units which would otherwise be spread over the entire 887 acres of the site, thus furthering the intent, purposes and objectives of the Community Plan to preserve the natural character of scenic areas.

The recommended development of 230 single-family lots is not permitted under the current general plan land use and zoning designations. The City has determined that a total of 175 lots could be spread across the entire acreage and would be consistent with the requirements of the currently adopted community plans. The recommended project is similar to Alternative E discussed in the Final EIR. The Department concluded that a variation of Alternative E, in its layout and proposed building sites can – with minor modification – serve as the basis for this approval of 230 lots.

As discussed in the Final EIR, the Sunland-Tujunga Community Plan and other elements of the General Plan include certain policies that are generally applicable to the Project. The consistency of the Project with these policies is addressed in Section IV.G (Land Use), pages IV.G-18 through IV.G-24, in the Draft EIR, and Section III (Corrections and Additions), pages III-68 through III-76, in the Final EIR.

3. **Zone Change, L.A.M.C. Sec. 12.32.F:** The recommended zone changes are in conformance with the public necessity, convenience, general welfare or good zoning practice in that a clustered project (with additional lots generating more housing, limiting grading to predetermined locations, a reduction in habitat/tree acreage loss, eliminating truck hauls to export of soils) coupled with significant accessible acreage permanently dedicated as public open space and available to hikers and equestrians alike, affords a more positive overall land use pattern in the community. In order to achieve a clustered project and maintain the proposed open spaces, the recommended series of zone changes (Exhibit E-1) will permit such a development. The Final EIR, concludes that the “environmentally superior” alternative is Alternative “B” that has characteristics of clustering, limits vehicular access from existing residential streets, permanently dedicates open space, and affords no development south of the I-210.

The action, as recommended, has been made contingent upon compliance with the “(T)” and “(Q)” conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

4. **Environmental.** On September 7, 2004, the City Planning Department issued a Final Environmental Impact Report (State Clearinghouse No. 2002091018). Based upon the whole of the environmental record, the public hearing held December 9, 2004, the Planning Department finds that substantial evidence for each and every finding made is contained in the Draft and Final EIR, including a Statement of Overriding Considerations (Exhibit E-9 attached) and a Mitigation Monitoring Program (MMRP). The records upon which this decision is based are located in the Department of City Planning, Environmental Section, Room 750, 200 North Spring Street, Los Angeles, California 90012-2601.
5. Based upon the above findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

## STAFF REPORT

### Project Request

The request is for a series of Plan Amendments and Zone Changes as listed in Exhibit **E-1** and the corresponding map attached as Exhibit **E-2**. The applicant is currently entitled to approximately 175 dwelling units, based on the Slope Density ordinance, using the entire area of development areas of A, B and C. The proposal is to develop 280 single-family lots over approximately 414.8 acres, development areas A and B. As part of the development the applicant proposes to sell/donate 461.5 acres to a public or non-profit agency to be held as public open space, area C. It should be noted that area C is not a part of the application but was studied in the Environmental Impact Report. The site (including area C, is on an approximately 887 gross acres site zoned A1-1, A1-K and RE11-1 and is designated Minimum Residential, Very Low I Residential, Very Low II Residential and Open Space in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan (Sunland-Tujunga Community Plan) and the Sun Valley-La Tuna Canyon Community Plan (Sun Valley Community Plan).

### Project Site

The Canyon Hills project site is an irregularly shaped 887-acre parcel located on the northern flank of the Verdugo Mountains in the northeastern San Fernando Valley. The project site is located at 7000-8000 La Tuna Canyon Road in the City of Los Angeles. The project site is characterized by steep hilly terrain, with local changes in elevation in excess of 900 feet. Natural slope gradients roughly range from 3:1 to as steep as 0.75:1 (vertical:horizontal). Steep "V" shaped canyons are typical of the drainages on the project site, as well as in the Verdugo Mountains in general.

The project site is bisected into a northern portion and southern portion by Interstate 210, a designated scenic highway, with approximately 492 acres of the project site located on the north side of Interstate 210 and approximately 395 acres of the project site located on the south side. The project site has approximately 2.7 miles of frontage on the north side of Interstate 210. La Tuna Canyon Road, a designated secondary highway, forms the project site's southern boundary.

The project site contains many of the scenic elements characteristic of the Verdugo Mountains such as prominent ridges, steep slopes, rock outcroppings, dense vegetation and large expanses of open space. The northern portion of the project site is generally bordered by a prominent east-west ridge line and by Interstate 210 on the south. A series of secondary, north-south trending topographic ridges descend from the prominent ridge line to the freeway. Steep and narrow south-draining ravines alternate with the secondary ridges to form an undulating topography. The ravines produce north-south view corridors toward the prominent ridge line, while the secondary ridges form barriers to east-west views across the length of the project site.

The southern portion of the project site is a natural continuation of the northern portion, artificially separated by the freeway. The southern portion exhibits the same topographic pattern of steep hillsides cut by deep ravines as seen on the northern portion of the project site except there are also visual differences between the two properties. The southern portion is bordered by La Tuna Canyon Wash on the south, a watercourse that supports a dense growth of riparian habitat. Also, large manufactured fill slopes, constructed to support the freeway, are visually prominent man-made features along the higher elevations of the southern portion.

Exhibit E-1

CPC 2004-4344 GPA/ZC Plan Amendment and Zone Change requests							
Dev. Area	Sub Area	Acres	Existing Plan Designation	Rec. Plan Designation	Existing Zoning	Recommended Zone	Proposed Dev. VTT 61672
A	6	14.3	Minimum Residential	Minimum Residential	A1-1	A1-1	Proposed - 230 Single-family lots
A	7	42.7	Minimum Residential	Low Residential	A1-1	RE11-1-H	
A	8	6.4	Very Low II	Low Residential	A1-1	RE11-1-H	
A	9	3.4	Very Low II	Low Residential	RE11-1	RE11-1-H	
A	10	37.3	Minimum Residential	Low Residential	A1-1	RE9-1-H	
A	11	3.8	Very Low I	Low Residential	A1-1	RE9-1-H	
A	12	23.7	Minimum Residential	Minimum Residential	A1-1	A1-1	
A	13	3.4	Very Low I	Low Residential	A1-1	RE9-1-H	
A	14	29.7	Very Low I	Minimum Residential	A1-1	A1-1	
A	15	34.7	Very Low I	Low Residential	A1-1	RE9-1-H	
A	16	48.3	Very Low I	Minimum Residential	A1-1	A1-1	
Total		97.7					
B	17	52.4	Minimum Residential	Low Residential	A1-1	RE20-1-H	
B	18	54.7	Minimum Residential	Minimum Residential	A1-1	A1-1	
Total		17.1					
C	1	24.1	Minimum Residential	Minimum Residential	A1-1-K	A1-1-K	
C	2	25.6	Minimum Residential	Minimum Residential	A1-1	A1-1	
C	3	49.1	Minimum Residential RPD	Minimum Residential	A1-1	A1-1	
C	4	8.2	Open Space	Minimum Residential	A1-1	A1-1	
C	5	22.5	Minimum Residential	Minimum Residential	A1-1	A1-1	
C	5a*	32	Minimum Residential	Minimum Residential	A1-1	A1-1	
Total		61.5					
* Subarea 5a was a portion subarea 18, but is not a part of VTT 61672							1/17/2005

## SUMMARY OF PUBLIC HEARING AND COMMUNICATIONS

### PUBLIC REVIEW/RESPONSES

On September 6, 2002, the City issued a Notice of Preparation (NOP) regarding the preparation of the Draft Environmental Impact Report (Draft EIR) for the proposed project in order to solicit comments on the proposed content of the Draft EIR (see Appendix A to the Draft EIR). The NOP was circulated for a period of 30 days, until October 7, 2002. All NOP comments relating to the Draft EIR were reviewed and the issues raised in those comments were addressed, to the extent feasible, in the Draft EIR. A Public Scoping Meeting was conducted on September 23, 2002 at the Sunland-Tujunga Municipal Building.

On October 2, 2003, the City released the Draft EIR for public comment. The comment period was 90 days, ending on December 31, 2003, which is 45 days longer than the public comment period required under California Environmental Quality Act (CEQA). A total of 199 comment letters were received during the public review of the Draft EIR. Copies of the original comment letters are contained in Appendix A of the Final Environmental Impact Report (Final EIR).

On September 7, 2004, the City of Los Angeles Environmental Review Section determined that the Draft and Final EIR were adequate for review by the decision-making body and issued a Notice of Completion/Availability for the Final EIR.

The project sponsor attended and/or hosted a series of public community meetings to provide outreach on the Draft EIR, the Final EIR and the proposed project. The project sponsor hosted two open houses on the proposed project at the Mount Gleason Middle School on October 22, 2003 and on June 23, 2004.

Between October 2003 and November 2004, the project sponsor participated in several local community meetings to provide an overview of the proposed project with the following groups on the dates noted:

Sunland-Tujunga Neighborhood Council - October 8, 2003; November 12, 2003; May 6, 2004; May 20, 2004; July 19, 2004; and November 3, 2004.

Foothill Trails Neighborhood Council - October 16, 2003; July 15, 2004; October 21, 2004.

La Tuna Canyon Community Association - October 28, 2003 & May 18, 2004

Sunland-Tujunga Chamber of Commerce - September 16, 2003 & September 21, 2004

Approximately 17 letters were submitted for the Advisory Agency hearing. All of the letters object to the proposed development and some letters question some of the assumptions on which the EIR or proposed mitigations are based, and express disagreement with the EIR's conclusions or assert that the EIR understates some of the proposed project's potential impacts. Concerns or issues were

raised in the following areas: aesthetics, fire safety, emergency access, traffic, equestrian trails, flooding in the Tujunga Wash, and biological impacts.

With respect to Aesthetics, one letter indicates that the Draft EIR did not include a visual simulation of the main access road to Development Area 'A' from La Tuna Canyon Road. This access point abuts an extremely steep slope that will have to be traversed and graded for approximately 3,000 feet along Interstate 210. While the EIR's conclusions with respect to visual impacts would not change, the letter indicates that the decision-maker needs to understand the impacts of the proposed project.

With respect to emergency access, concerns were raised that the emergency access to Inspiration Way would be utilized as a short cut to Foothill Boulevard by traffic from the proposed project, or, that the emergency access would not be adequate if the emergency access was gated and locked during an emergency.

With respect to the proposed tree mitigation program, one letter disagreed with the 90% survival rate indicated by the EIR for replacement oak trees. Another letter indicated that if the proposed project is to be a gated community, replacement oak trees would not be accessible to wildlife.

Concerns were also raised that the Tujunga Wash periodically floods and that runoff from the project site would exacerbate this condition.

Some letters cited observations by residents of larger animals including a mountain lion in the vicinity of the project site and suggest that regional wildlife movement between the Verdugo and Santa Monica Mountains may be more probable than the EIR concludes. The Santa Monica Mountains Conservancy submitted a letter with specific recommendations to prevent the reduction of opportunities for potential regional wild life movement between the Verdugo and San Gabriel Mountain ranges.

Another issue raised was that the proposed project should include a K overlay to establish itself as an equine keeping community and include equestrian linkage trails to the unofficial equestrian trails on the west of the project site. A concern was raised regarding the elimination of an existing hiking trail on the project site that provides access to the Verdugo Mountains.

## GENERAL COMMENTS

### Project Description

The proposed project includes 355 lots consisting of 280 single-family lots and 75 private/public lots.

The single-family homes will be clustered on approximately 194 acres on the eastern portion of the 887-acre project site. Development will be located in two areas of the project site known as Development Area 'A', located on the north side of the 210 freeway, and Development Area 'B', located between the south side of Interstate 210 and La Tuna Canyon Road. The proposed project also includes the preservation of approximately 461 acres (78%) of the project site as open space, including a three-acre public equestrian park adjacent to La Tuna Canyon Road west of Development Area 'B'.

211 homes would be constructed on approximately 297 acres of land on Development Area 'A' and approximately 69 homes would be constructed on approximately 117 acres of land on Development Area 'B'. Development Area 'A' is located between two generally south trending ridges of which neither is designated a Prominent Ridge line by the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan. Development Area 'B' is located primarily on the south and east sides of a Prominent Ridge line that rises above the freeway grade in the south-central portion of the project site.

Lots 281 through 305 consist of open space, recreational facilities and detention basins, including one lot that will house a water tank. The proposed private recreational facilities include tot lots, active play areas, passive open space areas, a vista point with picnic area and gazebo, and a pool with a jacuzzi, restroom building and barbeque area. See Section III (Project Description) of the Draft EIR, as revised in Section III (Corrections and Additions) of the Final EIR, for a more detailed description of the proposed project.

### Grading

The proposed project will require approximately 4.6 million cubic yards of grading and will permanently disturb approximately 240 acres of the project site. 23 acres of the 240 acres is subject to remedial grading. Of the total grading, approximately 3.4 million cubic yards would be excavated on Development Area 'A' on approximately 142 acres, and 1.21 million cubic yards would be excavated on Development Area 'B' on approximately 52 acres. The grading is proposed to be "balanced" onsite (i.e. no export of earth will be required). All excavated material would be distributed over the Development Areas as "fill" in order to create the planned landforms. There would be no movement of earth between Development Areas 'A' or 'B'.

Landform grading techniques are intended to be employed to the extent practical to reduce cut and fill. The use of back-cut grading and curvilinear streets are planned to maintain the topography as close as possible to its natural grade. The proposed project includes some cut slopes that exceed 2:1 up to a ratio of 1.5:1 in order to reduce grading and visual impacts. The excavation up to a depth of 80 feet in one location would be required in Development Area 'A'. This excavation will occur on a knoll that is part of a secondary ridge and would reduce the height of the knoll and would therefore not result in the creation of an 80 foot cut slope.

There are several fill slopes over 200 feet in height at a 2:1 slope. These fill slopes are located behind small canyons that are not within primary views. The fill areas are concentrated next to the cut areas to avoid long dirt hauls. Fill areas are designed to avoid primary drainage areas.

The Department of Building and Safety Grading Division has reviewed geological reports for the proposed project and has requested submittal of additional detailed geologic and/or soils engineering reports subject to the requirements stated in their memo dated September 21, 2004. The Advisory Agency should note that the Department of Building and Safety Grading Division recommends that graded cut slopes not exceed a 2:1 slope.

The EIR determined that significant geological impacts would result in the following areas: seismically- induced rock fall hazards; slope and/or foundation instability due to landslides; and manufactured slope stability. The EIR recommended mitigation measures that would reduce these potentially significant impacts to less than significant levels.

With respect to aesthetic impacts, the EIR determined that significant unavoidable impacts would result from grading in the following areas: scenic vistas, scenic resources and changes in community character (see heading under "Aesthetics").

### Hearing Officer Comments

The project site is located within two community plan areas. The easterly portion of the site is located within the Sunland-Tujunga Community Plan and the westerly portion of the site is located within the Sun Valley Community Plan area. The portion of the site proposed for development is located on the eastern portion of the site and is entirely within the Sunland-Tujunga Community Plan area.

The project site is subject to the City's 15% Slope Density Ordinance which is applicable to any site that has an average slope of 15% or more and that is located in the Minimum Residential and Very Low Residential land use categories. According to the Draft EIR, the maximum number of homes that can currently be developed on the project site under the current General Plan land use designations and the City's slope density ordinance (Section 17.05 of the L.A.M.C.) is 87-units (Alternative D). However, the applicant submitted a topographical map dated November 1, 2004, and based on this map, the site would be entitled to a maximum density of 175 dwelling units under the City's slope density ordinance. In either, case, the proposed density of 280 homes would exceed the density permitted by the City's slope density ordinance.

The applicant has requested a series of Plan Amendments and zone changes throughout the site as shown on Exhibit E-1. The applicants intent is to cluster the development towards the easterly side of the site (north and south along the freeway) and donate much of sub area 1 thru 5a to a nonprofit or public agency to be held as open space. The applicants by right density would be approximately 175 dwelling units. The current Minimum residential plan designation, of the site, would not permit the lot size range of 9,000 and up being proposed by the applicant. The plan amendments being requested would designate much of the tract area to Low residential. This designation would allow down to a 5,000 square-foot lot, which would easily permit the applicants proposed lot sizes. The plan designation to Low density residential would permit more than the 175 dwelling units permitted under the Slope Density ordinance. The applicant has requested an additional 105 dwelling units for a total of 211 dwelling on subarea A and 69 dwelling units on sub area B. Subarea A would consist of approximately 181.7 acres of Low designated land and subarea B would consist of approximately 62.4 acres of Low designated land. The average lot size in Development Area 'A' is approximately 17,312 square feet and the average lot size in Development Area 'B' is approximately 23,676 square feet.

The applicant's concept of clustering development and preserving open space has merit, the proposed clustered design exceeds the expected level of development for the area and the impacts of that increase become apparent when reviewing the aesthetic and visual impacts on the area.

The project site is located within the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan. The Specific Plan regulates four general areas:

1. Prominent Ridge line Protection: - The specific plan designates Prominent Ridge lines and Prominent Ridge line Protection Areas (the area 60 vertical feet from any point along the long axis of the crest of a Prominent Ridge line) and establishes protection measures as follows:
  - a. Prohibits any grading that alters the elevation of the crest of the Prominent Ridge line on any site;
  - b. Requires that the highest point of any structure is not less than 25 vertical feet from the designated Prominent Ridge line;
  - c. Where Prominent Ridge line Protection Areas are shown only on one side of a ridge-line, buildings or structures on the portion of the site without Prominent Ridge line protection shall not break the silhouette of the applicable protected ridge;
  - d. Graded slopes should be landform graded where practical.
  - e. No native vegetation shall be removed within any Prominent Ridge line Protection Area;

- f. Permits construction in a Prominent Ridge line Protection Area or portion thereof that is not visible from the right-of-way of any Scenic Highway and the project is placed or constructed to preclude silhouettes against the skyline above the Prominent Ridge line on the Scenic Highway.
2. Scenic Highway Corridors Viewshed Protection - the plan establishes standards for site design and landscaping to assure that the design of projects and related improvements within designated scenic highway corridors preserve, complement and/or enhance the views from these corridors.

The maximum height of any structure in a Scenic Highway Corridor that is visible from the right-of-way of any Scenic Highway shall not exceed 30 feet.

The proposed project has been designed to comply with all the requirements and restrictions in the Specific Plan relating to ridge line protection, biological resource protection and scenic highway corridors viewshed protection. However, the project will create new secondary ridges and place development along the silhouette of the new grade areas. The 210 freeway is a scenic highway and travelers currently enjoy a large roadway with steep hills and natural vegetation. The grading of subarea A will place homes within significant sight lines from the freeway, causing the new homes to be the significant feature along the tops of the manmade hills. While the basic grading in subarea A changes the contours and locations of many secondary ridges the area will still have a significantly natural and rural character. However, it is the placement of homes on top of the secondary ridge lines that will disrupt the natural visual character of the scenic highway. The applicant could greatly preserve the visual character of the area from the freeway by eliminating development on all lots whose structures would be visible from the freeway. Those lots should be maintained as landscaped parks as part of the over all re-planting program.

In Area B the grading used is much more of a terraced design. While south bound travelers along the 210 freeway would not see a great portion of the development, north bound travelers along the freeway and La Tuna Canyon Road would see a major development stepping up along the hills. Homes within sub area B would be the dominant feature of the hills and ridges.

Permitting the applicant to reallocate the overall density to create a clustered development and donate a portion of the land for the public good will lead to the preservation of scenic resources within privately held lands. However, caution must be taken when revising a Community Plan to accommodate an applicants development. One of the purposes of the Slope Density ordinance is to prevent the over grading and over development of the hillside areas when held in private ownership. In this situation the applicant would be relieved of the Slope Density requirements (due to the plan amendment to Low residential which does not require the Ordinances application) and be granted the potential for a greater number of units. While the applicants donation of a portion of the site for open space is a benefit, the over building of the clustered development diminishes the benefit by significantly impacting the character of two major Scenic Highways in the City. Granting the plan amendments as requested by the applicant and permitting no more than 230 dwelling units would provide for an acceptable balance between the City and the applicant. The applicant would achieve a benefit of building and grading over a smaller area of the site. The City would gain by having a large portion of open space preserved as open space along two scenic highways. The applicant would also enjoy the open space areas, as it will abut their tract, while not having to be responsible for its maintenance or protection.

