

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2016-3174-ZC	ENV-2016-3175-MND	CD 12 – Smith
PROJECT ADDRESS:		
10811 – 10921 North Old Santa Susana Pass Road		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Eric Borstein, Santa Susana Estates LLC 11766 Wilshire Boulevard #820 Los Angeles, CA 90025	(310) 582-1991	eric@borsteinenterprises.com
<input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Erik Pfahler, Bornstein Enterprises 11766 Wilshire Boulevard #820 Los Angeles, CA 90025	(310) 582-1991 ext. 203	erik@borsteinenterprises.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Valentina Knox-Jones	(818) 374-5038	valentina.knox.jones@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Zone Change (ZC)		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

N/A

ATTACHMENTS:

REVISED:

ENVIRONMENTAL CLEARANCE:

REVISED:

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other _____

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other _____

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NOTES / INSTRUCTION(S):

Related Case: VTT-74478-1A

FISCAL IMPACT STATEMENT:

- Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission
- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
June 27, 2019	6 - 0
LAST DAY TO APPEAL:	APPEALED:
N/A	N/A
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant	August 1, 2019



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

DATE: JUL 31 2019

Case No. **CPC-2016-3174-ZC**
CEQA: ENV-2016-3175-MND
Plan Area: Chatsworth – Porter Ranch
Related Case: VTT-74478-1A

Council District: 12 – Smith

Project Site: 10811 – 10921 North Old Santa Susana Pass Road

Applicant: Eric Borstein, Santa Susana Estates LLC
Representative: Erik Pfahler, Borstein Enterprises

At its meeting on **June 27, 2019**, the City Planning Commission took the following actions related to the following project:

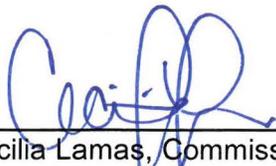
The Project consists of the subdivision of an 11.92 acre site into 19 single-family lots. The Project requires the demolition of six dwellings and various unattached garages, sheds, stables, and open sided structures. One existing historic structure, the 'Wilson House', will be preserved and a detached garage will be constructed as an accessory structure. Private streets, walls, and a public horse trail will be constructed for the subdivision. The proposed single-family dwellings are one- and two-story structures, with heights varying from approximately 19 feet to 27 feet and with floor areas of approximately 4,750-5,000 square-feet in size. 19 protected trees exist on the site, of which four are proposed for removal and 15 are proposed for preservation. 129 non-protected trees exist on the site, of which 109 are proposed for removal and 20 are proposed for preservation. The Project will require approximately 12,800 cubic yards of earth to be graded and 5,200 cubic yards to be exported.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-3175-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **Found** that the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **Found** that the mitigation measures have been made enforceable conditions on the project; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Approved and recommended**, pursuant to Section 12.32 of the Los Angeles Municipal Code, that the City Council adopt a Zone Change from A2-1 to (T)RA-1-K, with the exceptions of portions zoned OS-1XL which shall remain OS-1XL;
3. **Adopted** the attached Modified Conditions of Approval; and
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Khorsand
Second: Mack
Ayes: Leung, Millman, Mitchell, Perlman
Absent: Ambroz, Choe, Padilla-Campos

Vote: 6 – 0



Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is final upon the date of mailing and is not appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Zone Change Ordinance, Map, Modified Conditions of Approval, Findings

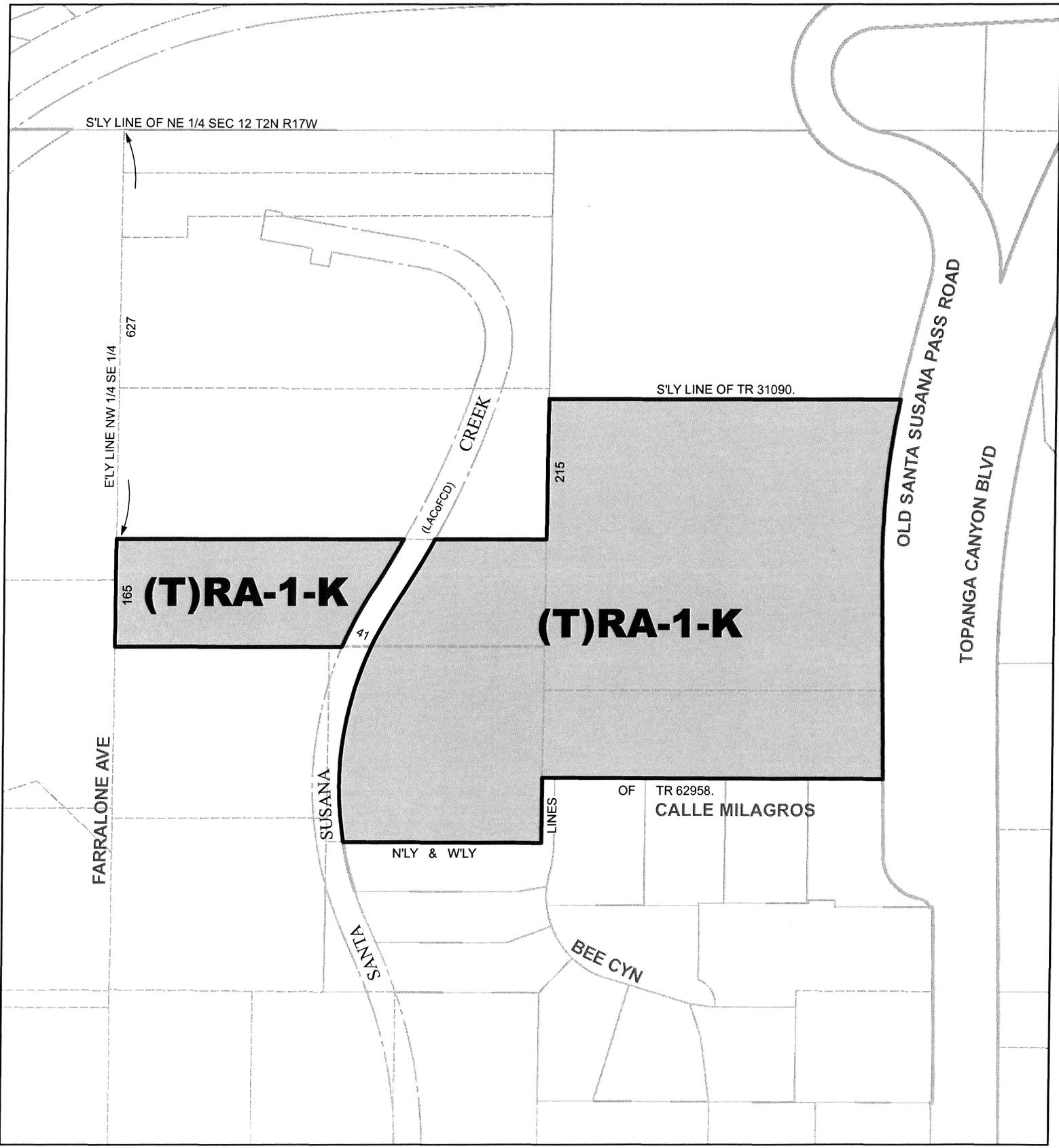
c: Michelle Levy, Senior City Planner
Valentina Knox-Jones, City Planner

ORDINANCE NO. _____

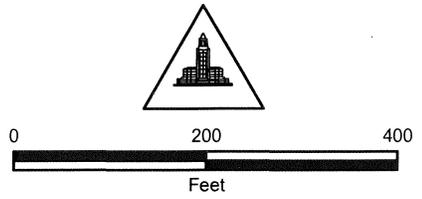
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



THE INTENT OF THIS ORDINANCE IS FOR THE BOUNDARIES OF THIS ZONE CHANGE TO COINCIDE WITH THOSE OF RECORDED TR 74478.

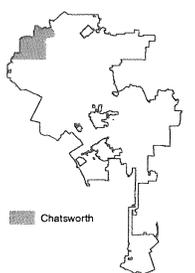


CPC-2016-3174-ZC

AA/cf

070819

City of Los Angeles



CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

(As modified by the City Planning Commission on June 27, 2019)

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of 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 Department of City Planning for attachment to the subject planning case file.

Dedications and Improvements. Prior to the issuance of any building permits, the following 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). Dedications and improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering.

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), the following:

- a. Dedication Required. None.
- b. Improvements Required.

Old Santa Susana Road – construction of a new concrete curb, concrete gutter and a 5-foot wide concrete sidewalk adjacent to property line, and landscaping of the parkway. A meandering sidewalk shall be provided at the location of trees to be preserved, along the easterly property line of Lot 5.

Calle Milagros (Private Street) – 30-foot roadway, concrete curbs, concrete gutters, and a 5-foot concrete sidewalk along the northerly side.

Bee Canyon Road (Private Street) – 38-foot roadway, 12-foot public horse trail, concrete curbs, concrete gutters, 5-foot concrete sidewalks, and landscaping of remaining adjoining westerly side.

A Street (Private Street) – 30-foot roadway, concrete curbs, concrete gutters, and 5-foot concrete sidewalks.

2. **Engineering Fees.** Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 184,054 adopted by the City Council, must be paid in full at the Department Services Division office.

3. **Equestrian and hiking trail.** The general plan-designated equestrian and hiking trail along Bee Canyon Road, shall be improved to the satisfaction of the Bureau of Engineering and shall remain clear of any obstructions.
4. **Utility locations.** Prior to the issuance of permits, the subdivider shall submit a plot plan for approval by the Development Services Center of the Department of City Planning showing the location of any appurtenant equipment associated with utility lines (such as transformers, terminal boxes, meter cabinets, fire hydrants, etc.), to ensure utilities are not located within the required Public or Private Equestrian trails. This utility plot plan shall be accompanied by evidence that the location of said appurtenant equipment, located outside public and private trail easements, are approved by the respective utility providers.
5. **Public Equestrian Trails (Publically Accessible Open Space/Privatey Owned and Maintained).** The following public equestrian trails shall be depicted on the Final Map and shall be constructed consistent with the BOE Standard Detail for Equestrian Trails, prior to the recordation of the map, or suitable guaranteed to the satisfaction of the City Engineer and Deputy Advisory Agency:
 - a. **Southerly Trail.** A 12-foot wide easement along Bee Canyon Road, along the western side of Lots 6 and 13. A break in railing shall be provided halfway between A Street and Calle Milagros, in order to create a railing access point for equine access.
 - b. **Northerly Trail.** A 12-foot wide easement along Bee Canyon Road, along the western side of Lot 1. A gate, a minimum of four (4) feet in width, shall be provided along the westerly property line of Lot 1 in order to provide equestrian access to the trail from the rear portion of the yard. Said gate shall open inwards or shall slide open, so as not to obstruct the trail. The applicant shall consult with the Bureau of Engineering, B-Permit Sewer Section staff to relocate the sewer easement to be located outside of the Public Equestrian Trail easement, or a modification of the Tract shall be filed to adjust the alignment of the trail to the satisfaction of the Deputy Advisory Agency.

Horse trails shall be double-railed and a minimum vertical clearance of 12 feet shall be provided and maintained vegetation free of protruding branches.

Surface of the trail shall be of a fine aggregate material such as decomposed granite or some other non-slip, porous surface to a depth of 12 inches, and the material shall extend over the full width of the trail tread. The surface shall be durable, flexible, non-slippery and compacted enough to support use. Asphalt, concrete, or paved surfaces of any kind are prohibited within the easement area, as they provide poor traction for horseshoes.

The finished grade of the trail shall be level and shall be free and clear of any changes in grade or surface level that may impact safety. The trail shall be graded to allow for quick drainage, however, any drainage ditches, culverts, or other means of drainage should be located outside of the easement. As such, construction of a private drainage easement, outside of the privately owned, Publicly Accessible Equestrian Trail easement, may be required per the City Engineer.

Railings shall be at least 4 feet high, per equestrian trail standards of the City Engineer. No obstructions, other than the locations of railings, shall be permitted within the easement area, and a minimum 10-foot wide clearance must be maintained at all times, to allow the safe passage of two passing equestrians.

Trails should be constructed to remain useable after a 10-year storm rated event. Trails which wash out or erode within one year must be replaced at the original builder's expense.

No appurtenant equipment associated with electrical, communication, street lighting, or cable television lines (such as transformers, terminal boxes, meter cabinets, etc.), and no other easements shall be permitted within the Public Equestrian trail.

6. **Private Equestrian Trails.** The following private equestrian trail shall be depicted on the Final Map and shall be constructed consistent with the BOE Standard Detail for Equestrian Trails, prior to the issuance of a Certificate of Occupancy, or suitably guaranteed to the satisfaction of the City Engineer and Deputy Advisory Agency:

- a. A 5-foot wide easement to be provided along the rear property lines of Lots 6-13, in order to construct a 10-foot wide private trail which provides access from the rear horse keeping facilities to the southern portion of the Bee Canyon trail.

Horse trails shall be enclosed by walls, located at the rear of Lots 6-13, however, these walls shall be located outside of the 10-foot area reserved for private trails. A gate shall be provided at the rear of each property to provide access to horsekeeping facilities. The minimum width of the gate shall be 4 feet.

Surface of the trail shall be of a fine aggregate material such as decomposed granite or some other non-slip, porous surface to a depth of 12 inches, and the material shall extend over the full width of the trail tread. The surface shall be durable, flexible, non-slippery and compacted enough to support use. Asphalt, concrete, or paved surfaces of any kind are prohibited within the easement area, as they provide poor traction for horseshoes.

The finished grade of the trail shall be level and shall be free and clear of any changes in grade or surface level that may impact safety. The trail shall be graded to allow for quick drainage, however, any drainage ditches, culverts, or other means of drainage should be located outside of the 10-foot trail area.

A minimum vertical clearance of 12 feet shall be provided and maintained vegetation free of protruding branches.

No obstructions shall be permitted within the 10-foot trail areas, and a 10-foot wide clearance must be maintained at all times, to allow the safe passage of two passing equestrians. Trails should be constructed to remain useable after a 10-year storm rated event. Trails which wash out or erode within one year must be replaced at the original builder's expense.

No appurtenant equipment associated with electrical, communication, street lighting, or cable television lines (such as transformers, terminal boxes, meter cabinets, etc.), and no other easements shall be permitted within the Private equestrian trail.

7. **Equestrian Crosswalks.** The following equestrian crosswalks shall be constructed as part of the project, to the satisfaction of the City Engineer:

- c. **A Street.** A crosswalk shall be constructed within A Street to align the northerly and southerly portions of the public equestrian trail.

- d. **Bee Canyon Road.** A midblock crosswalk shall be constructed within Bee Canyon Road, approximately halfway between A Street and Calle Millagros, to connect the westerly and easterly sides of Bee Canyon Road and to allow Lots 16 and 17 to access the public trail through the railing access point (Condition No 25.a.ii.).
- e. **Calle Milagros.** A crosswalk shall be constructed within Calle Milagros to align the southerly portion of the public equestrian trail with the existing trail to the south.

Crosswalks shall be at least six (6) feet in width and shall utilize high-visibility crosswalk patterns (i.e. ladder, continental, diagonal marking, etc.), which shall be kept in good condition. The crosswalk pattern shall be painted, and plastic or epoxy materials shall be avoided, as these materials create a slick surface inconsistent with equestrian safety. Parking shall be restricted along private streets for a distance of 20 feet from the edge of the crosswalk, to provide for better visibility. Curb ramps shall be constructed and shall align with the placement of crosswalks.

Horse signage shall be installed at each of the crosswalk locations, on both sides of the road, shall be equipped with Rapid Flashing Beacons which are manually activated through a signal actuator at pedestrian height and a second signal actuator button for the equestrian user (at 6 feet above ground).

8. **Vehicular Access Paths.** A 10-foot unobstructed vehicular access path to the corral shall be reserved to be located on the same side as the driveway and a curb cut shall be provided for the vehicular access path or the vehicular access path shall share a curb cut with the driveway, with enough room to maneuver a trailer from the street to the side yard path, in order to allow trailer access to the property. Trees and shrubs shall not be located within this vehicular access path area.
9. **Street Trees.** Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.
10. **Street Lighting.** Installation of street lights to the satisfaction of the Bureau of Street Lighting, including the construction of three new street lights along Old Santa Susana Road.
11. **Sewers.** Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
12. **Driveway/Parking Area Plan.** Preparation of a parking area and driveway plan to the satisfaction of the appropriate Valley District Office of the Bureau of Engineering and the Department of Transportation. The driveway, parking and loading area(s) shall be developed substantially in conformance with the provisions and conditions of the subject Department of Transportation authorization. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.
13. **Fire.** Incorporate into the building plans the recommendations of the Fire Department (dated December 1, 2016) relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department prior to the approval of a building permit.

14. **Recreation and Parks.** 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 single-family dwellings.
15. 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.
16. 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.

Planning 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.

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission on June 27, 2019)

Pursuant to Section 12.32 of the Los Angeles Municipal Code (“LAMC”), the following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked **Exhibit "A"**, **stamp dated October 2, 2018**, except as may be revised as a result of this action. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Use.** The use of the subject property shall be limited to those uses permitted in the RA Zone as defined in Section 12.07 of the LAMC, and as otherwise permitted by LAMC Section 12.24. However, sports courts shall be prohibited as they are inconsistent with the rural/agricultural character of the area.
3. **Density.** Density shall be limited to 18 new dwelling units and one (1) existing dwelling (the historic Wilson House). This condition does not prohibit Accessory Dwelling Units (ADUs) which comply with state regulations and standards.
4. **Height.** The proposed buildings shall be limited to 27 feet in height, as shown in “Exhibit A”.
5. **Vesting Tentative Tract Map No. 74478.** Development of the project is subject to the approval of Vesting Tentative Tract Map No. 74478, and, if approved, the project shall be in full compliance with all conditions imposed therein.
6. **Prohibited Use of Anticoagulant Rodenticides.** During construction activities and upon project occupancy, the use of anticoagulant rodenticides which has the potential to significantly degrade biological resources, shall be prohibited throughout the tract. The HOA in common areas and individual property owners on their properties, shall use nonpoisonous methods to control rodent pests, include sealing entrances to buildings, sanitizing property, removing rodent habitats, such as ivy or wood piles, setting traps, and erecting raptor poles or owl boxes. The above prohibition shall be clearly described and distributed to home buyers through their home purchase contracts and CC&Rs.

Architectural Design

7. **Wilson House Restoration.** The applicant shall retain the services of a qualified Historic Architect or Architectural Historian and shall work with the Office of Historic Resources to develop a restoration plan in keeping with the Secretary of the Interior’s Standards for Rehabilitation and the CA State Historic Building Code, prior to Condition Clearance and permit issuance. The structure shall be fully restored and issued appropriate Certificates of Occupancy prior to the issuance of the first Certificates of Occupancy associated with the other 18 dwelling units associated with the tract.

8. **Wilson House Visibility and Wall Limitations.** As the historic Wilson House is oriented towards Old Santa Susana Pass Road, a break in the solid wall shall be provided along the Old Santa Susana Pass Road frontage, such that the historic front façade (east elevation) and front yard remain open to the street. Walls may be constructed out from the corners of the Wilson House, but shall not obscure views of the historic structure's front elevation.
9. **Colors/Materials.** As shown in "Exhibit A," the following materials shall be used:
 - The **Spanish Revival** designs shall utilize detailed brickwork, shutters, hipped or gabled roofs with roof tiles, exposed roof beams or rafters (viagas), textured stucco, decorative treatments on tower-like chimneys, wood balconies with decorative wood or cast iron railings, door and window frames with prominent head details, decorative tile 'attic vents' or other decorative elements, and garage doors which mimic the appearance of wooden carriage style doors. Paint colors for the Spanish Revival shall be light neutral colors with dark contrasting details which complement the roof tiles. Light fixtures shall be dark metal or wrought iron and shielded. These details shall be utilized on all four sides of the structures, including an accessory dwellings or structures.
 - The **Contemporary Ranch** designs shall utilize board and batten siding, decorative beams or braces under gables, balconies with wooden railings, shutters or barn-door shutters, door and window frames with prominent head and sill details, garage doors which mimic the appearance of wooden carriage style doors, and stone detailing. These details shall be utilized on all four sides of the structures, including an accessory dwellings or structures.
 - The **custom home** (Lot 18) shall comply with the floor plans and height identified in "Exhibit A".
10. **Private Gates.** No security gates (vehicular gates or pedestrian gates) shall be permitted within the private streets or along the Old Santa Susana Pass Road frontage.
11. **Lighting Design.** Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, driveways, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night may be installed on the buildings to provide illumination to pedestrians and motorists. Uplighting shall be prohibited anywhere on the site.
12. **Lighting.** All outdoor lighting shall be shielded and down-casted within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes). Walkways and parking areas shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public, employees, and emergency response personnel.
13. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

14. **Signage.** No signage, other than that permitted by the LAMC sign regulations, shall be installed on the property. There shall be no off-site commercial signage on construction fencing during construction.
15. **Utility Connections.** New and existing utility line connections shall be undergrounded to the best extent possible.

Equinekeeping Conditions

16. **Equine Keeping.** A minimum 2,000 square foot contiguous area at least 24 feet in width at all points shall be permanently set aside in addition to the useable pad for each residential lot excluding side yards. It shall remain free and clear of all residences and permanent structures, shall be graded to permit quick and adequate drainage and shall be in conformance with the provisions of Section 13.05 (or 12.21.C5(a)) of the Los Angeles Municipal Code (LAMC).

Only landscaping, open and roofed unenclosed (except for structural supports) patio uses and a swimming pool shall be permitted to encroach into this area, and only if an area 12 by 24 feet is retained as an equine stable area or horse corral, and if an area 12 by 12 feet is also retained for storage, preferably covered.

Both the 2,000 square foot level area and the 12 by 24 feet equine stable area shall be a minimum of 35 feet from any habitable room on this and neighboring property in the "K" district (75 feet in a non-"K" district).

A 10-foot unobstructed vehicular access path to the corral shall be reserved to be located on the same side as the driveway and a curb cut shall be provided for the vehicular access path or the vehicular access path shall share a curb cut with the driveway, with enough room to maneuver a trailer from the street to the side yard path, in order to allow trailer access to the property. Trees and shrubs shall not be located within this vehicular access path area.

17. **Accessory Dwelling Units.** Accessory Dwelling Units (ADUs) shall not be located within the area reserved for equine keeping uses. Additionally, ADUs must be located at least 35 feet from the reserved areas for equine keeping uses and adjacent properties, to ensure horsekeeping facilities can be constructed on adjacent properties.
18. **Common Area Maintenance.** A Homeowners Association shall be established and charged with the management and maintenance of all common areas, equestrian trails, including enclosure rails and fence, within the tract and on the front of the project along any City or private street. **The HOA shall be prohibited from constructing any gates within the public trail easement to limit access.** This requirement shall be included in the CC&R's, a copy of which shall be provided to the case file. Each owner shall automatically become a member of the association and each dwelling unit shall automatically be subject to a charge for a proportionate share of the cost of maintenance of the common property.
19. **Covenants, conditions and restrictions (CC&R's)** for all lots shall include a notice to all buyers and future buyers that no habitable room may be built in a "K" district within 35 feet (75 feet from neighbors in a non-"K" district) of the equine keeping structure (where horse is provided food and water). Further, that the provisions of Ordinance No. 157,144, which became effective on November 22, 1982, regulates the keeping of horses both in and out of "K" equine keeping districts. The ordinance imposes certain requirements on the location

of new structures and gives owners of horses being kept on adjacent lots other rights. The application of this ordinance to specific projects should be verified with the Department of Building and Safety prior to applying for building permits. The keeping of animals, including horses, shall not be prohibited by the covenants, conditions and restrictions.

Landscaping

20. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be landscaped, including an automatic irrigation system, and maintained in accordance with a final landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan shall be in substantial conformance with the submitted Landscape Plan, **Exhibit "B"** (stamp dated January 10, 2019), and shall incorporate any modifications required as a result of this grant. Any modifications to the landscape plan subsequent to the effectuation of this grant shall be to the satisfaction of the Director of Planning.

The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Palm trees, Italian Cypress, Crape Myrtle, and Bronze Loquat shall not be considered appropriate in meeting this requirement.

All replacement trees and at least 50% of the landscaping materials shall incorporate species which are appropriate to this biome – consisting of Coastal Sage Scrub or Riversidian-Sage Scrub plant species, Oak woodland or Riparian Woodland species, and native perennial grasses and annual wildflowers.

At least one tree shall be located within each front yard and rear yard. Efforts shall be made to located additional trees along southern elevations, to maximize passive cooling of the residences. Trees shall not be located within the vehicular access paths identified on the Tract Map – as these locations must stay clear of obstructions to provide access to rear horsekeeping facilities.

21. **Landscape Materials.** Invasive, exotic plant species shall be prohibited as part of the landscape plan for the Project. The invasive plants to be prohibited from use in landscaping shall include any of the plant species rated as "High" or "Moderate" in the California Invasive Plant Inventory Database, which is maintained by the California Invasive Plant Council (Cal-IPC). This prohibition will be included in the CC&Rs for future residents (*PDF-Bio-1*).
22. **Landscape Buffer.** The walls along Old Santa Susana Pass Road shall be set back 5 feet in order to provide a landscape buffer which will soften the appearance of the wall. Trees shall be planted within this buffer, at least one (1) tree every 35 linear feet. Shrubbery, climbing plants, vines, green walls, or berms shall also be used to soften the appearance of the wall.
23. **Tree Preservation.** Prior to the issuance of any permits, a Tree Preservation Plan shall be submitted to the Valley Project Planning Bureau for review and approval, which identifies the protection of trees where no structure, driveway, or paved areas are required. At a minimum, the following trees shall be preserved as identified in the Tree Report dated November 6, 2018:

Trees #3-#5 – Coast Live Oak (39", 17.5"-20", and 35" Bases, Fair and Good Condition)
 Tree #7-#8 – Northern California Walnut (8" and 20" Bases, Fair Condition)
 Tree #9-#10 – Coast Live Oak (36" and 40" Bases, Fair Condition)
 Tree #13 – Rubber Fig (9" Base, Fair Condition)
 Tree #14 – Deodar Cedar (35" Base, Fair Condition)
 Tree #18 – Ginkgo (12" Base, Good Condition)
 Tree #21 – English Walnut (48" Base, Fair Condition)
 Tree #32 – California Pepper (30" Base, Fair Condition)
 Trees # 61-63 – Monterey Pine (18" Bases, Fair – Poor Condition)
 Trees #64-65 – Coast Live Oak (6-10" and 15" Bases, Fair - Poor Condition)
 Tree #67, #69, #70 – Coast Live Oak (10", 6", and 14" Bases, Fair Condition)
 Tree #68 – California Pepper (22" Base, Fair Condition)
 Tree #71 & #72 – Coast Live Oak (3"-4" and 70", Fair – Poor Condition)
 Tree #75 – California Pepper (30" Base, Fair Condition)
 Tree #77 – Coast Live Oak (16" Base, Fair Condition)
 Tree #78 – Mexican Elderberry (16"-18" Base, Fair Condition)
 Trees #80-#82 – California Pepper (16"-36", Fair – Poor Conditions)
 Trees #84-#91 – California Pepper (8"-30" Bases, Fair – Poor Condition)
 Trees #92-#101 – California Pepper (8"-20" Bases, Fair – Poor Condition)
 Trees #102-#103 – Coast Live Oak (7" and 28" Bases, Fair Condition)
 Tree #104 – Mexican Elderberry (20" Base, Poor Condition)
 Tree #109 – Coast Live Oak (26" Base, Fair Condition)
 Tree #110 – California Pepper (14" Base, Fair Condition)
 Tree #112 – California Pepper (20" Base, Fair Condition)
 Trees #124-#126 – Coast Live Oak (12-14" Bases, Fair Condition)
 Tree #140 – California Pepper (15" Base, Fair Condition)
 Tree #148 – California Pepper (8" Base, Fair Condition)

Trees which are removed shall be replaced with a 1:1 ratio with native tree species, such as the trees listed on the 'Native Plants for Heavy Soils' list from the Theodore Payne Foundation for Wild Flowers and Native Plants (<https://theodorepayne.org/learn/plant-guides/>).

Sustainability

24. **MERV 13 Value Filters.** The applicant, or its successor, shall install MERV 13 value filters for all 18 new single-family homes, to the satisfaction of the Department of Building and Safety.
25. **Solar Power.** The project shall provide photovoltaic solar panels on a minimum of 20% of the total residential dwelling units (4 residential dwelling units). The remainder of the dwelling units shall be solar ready (other than the historic Wilson House). The operational photovoltaic system shall be maintained for the life of the project. Solar panels may be installed on all rooftop structures and/or parking areas with the exception of areas occupied by rooftop mechanical equipment.
26. **Electric Vehicle Parking.** The project shall include at least 20 percent (20%) of the total automobile parking spaces developed on the project site capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously

charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Of the twenty percent EV Ready Parking, five percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or five percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

27. **Greywater.** The project shall be constructed with an operable recycled water pipe system for onsite greywater use, to be served from onsite non-potable water sources such as showers, washbasins, or laundry and to be used as untreated subsurface irrigation for vegetation or for cooling equipment. The system specifics shall be required as determined feasible by DWP in consultation with DCP. The historic Wilson House shall be exempt from this requirement.
28. **Low Impact Development.** Best Management Practices (BMPs) shall prioritize in-ground infiltration such as bioswales, as feasible, as opposed to planter boxes and rain gardens. Additionally, the associated LID plan shall be revised to utilize different methods of on-site stormwater water retention on Lots 14 – 18 to ensure that that retention methods do not conflict with equestrian access to the equine keeping areas at the rear of the lot.
29. **Solar Generator.** Construction generators shall be solar-powered generators rather than temporary diesel power generators and/or gasoline power generators.

Environmental Conditions

30. **Mitigation Monitoring Program.** The project shall be in substantial conformance with the mitigation measures in the attached MMP and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact. If the project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Zone Change unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the project or the non-environmental conditions of approval.
31. **Mitigation Monitor.** During the construction phase and prior to the issuance of building permits, the applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP. The Construction Monitor shall also prepare documentation of the applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The

documentation must be signed by the applicant and Construction Monitor and be included as part of the applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two business days if the applicant does not correct the non-compliance within a reasonable time of notification to the applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

32. **Aesthetics.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
32. **Biology – Plant Species.** Invasive, exotic plant species shall be prohibited as part of the landscape plan for the Project. The invasive plants to be prohibited from use in landscaping shall include any of the plant species rated as "High" or "Moderate" in the California Invasive Plant Inventory Database, which is maintained by the California Invasive Plant Council (Cal-IPC). This prohibition will be included in the CC&Rs for future residents
33. **Biology – Channel Protection.** To avoid any incidental construction-related impacts to the potential jurisdictional channel, a solid, temporary barrier (e.g., a silt fence or equivalent) shall be installed and maintained just outside the top of the channel bank prior to the start of construction activities.
34. **Biology – Bird Breeding Season.** When feasible, any proposed clearing and grubbing of vegetation within the project limits and the generation of nuisance noise during construction activities should occur after September 15 and prior to March 15, which would be outside the typical breeding season (i.e., March 15–September 15) for most birds. If avoidance of this breeding season is not feasible, a nesting bird survey should be conducted by a qualified biologist within 2 to 3 days prior to any vegetation clearing activities to ensure that birds are not engaged in active nesting within 100 ft of the work area. If nesting birds are discovered during this survey, the biologist will identify an appropriate setback, or buffer (i.e., up to 500 ft depending on the circumstances and specific bird species) where no construction activities or other disturbances are allowed to occur until after the birds have fledged or otherwise abandoned the nest. The adverse effects of lighting on wildlife can be avoided provided the construction activities associated with the project occur during daylight hours. However, if construction must occur during nighttime hours, the amount of lighting used should be minimized and localized as much as is feasible. This temporary impact is unlikely to result in a significant impact to nocturnal wildlife in the area. If additional lighting is to be installed in the work area, this lighting should be directed downward and should not be directed outward toward any adjacent open space areas.
35. **Biology – Bat Maternity Season.** To avoid potential direct mortality to flightless young bats, tree trimming/removal activities associated with the Project shall be conducted outside the recognized bat maternity season, which occurs from April 1 through August 31 in southern California. This period also coincides with the bird nesting season of February 15 through September 1. If trees must be trimmed or removed during the bat maternity season referred to above, a preconstruction bat survey of those trees shall be conducted within 2 to 3 days prior to the trimming or removal. If any bat roosting is detected, no tree removal or trimming activities shall occur within 100 feet of the roosting location until the bats have completed their roosting activities.

36. **Biology – Roosting Bats.** To avoid potential direct mortality to roosting bats, the attic spaces of the various houses shall be examined for the presence of bats within 2 to 3 days prior to demolition of those structures. These attic spaces are the only sites identified within structures throughout the study area that could potentially support maternity roosting by large numbers of bats. If maternity-roosting bats are found, a humane eviction and exclusion shall be performed outside of the recognized bat maternity season (April 1–August 31 in southern California) to prevent potential direct impacts to roosting bats, including flightless young, and that alternate roosting structures (e.g., “bat houses”) be installed to mitigate for the loss of habitat. However, unless bats are found roosting within the attic spaces of the various residences, no extensive loss of bat day-roosting habitat is anticipated from the removal of structures within the study area.
37. **Biology – Burrowing Owls.** To avoid any potential adverse impacts to burrowing owls that may unexpectedly show up on site, a focused survey of the study area is recommended within 3 days of the start of construction activities. If no burrowing owls are found, construction can proceed immediately. If this species is present, a qualified biologist shall be present during construction activities to monitor the work and flush any birds out of the project area to ensure they are adequately protected.
38. **Biology – Tree Removal.** Non-Protected Significant Trees shall be replaced on a one-to-one (1:1) ratio to the satisfaction of the City of Los Angeles. Protected Significant Trees shall be replaced on a four-to-one 4:1 ratio to the satisfaction of the Urban Forestry Division.
39. **Cultural – Historic Preservation during Construction Activities.** The Wilson House shall be protected by cyclone-fencing, K-rails, plywood window coverings, or other means, to create a buffer from the accidental intrusion of construction equipment onto, or near, the Wilson House property. The exterior character-defining features of the Wilson House shall also be protected during tree trimming and removal activities, and future construction activities on the lot. Any damage that may occur to the Wilson House from construction or maintenance activities, shall be repaired in accordance with The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings (Kay D. Weeks and Anne E. Grimmer, revised 2017) under the supervision of a qualified Historic Architect or Architectural Historian (with experience in preparing repair and rehabilitation plans.)
40. **Cultural – Historic Preservation.** The Wilson House shall not be substantially altered or demolished, and that the resource shall retain its eligibility for listing in the in the National Register, California Register, and as a Monument. The recommended mitigation measures may avoid adverse impacts by not materially altering those physical characteristics and aspects of integrity that convey the buildings historic significance and architecture. If the recommended mitigation measure is adopted, the Project shall not have a significant effect on the historical property. The Wilson House shall be rehabilitated to serve its original use as a single family residence. Project proponents intend to use the Wilson House as a single-family residence and under CEQA they are required to follow The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings (Kay D. Weeks and Anne E. Grimmer, revised 2017.) Project proponents shall retain the services of a qualified Historic Architect or Architectural Historian (with experience in preparing rehabilitation plans) to assist in the future use and function of the building.

41. **Cultural –Archaeology.** Prior to grading, a professional Archaeologist shall be retained to observe excavations on the property for the presence of archaeological materials. Prior to grading, the areas to be monitored will be determined from consultation with the grading contractor during the pre-grade meeting. All artifacts discovered at the development site shall be inventoried and analyzed by the Project Archaeologist. If any artifacts of Native American origin are discovered, the Property Owner/Developer and Project Archaeologist shall notify the City of Los Angeles Planning Department and the appropriate local Native American tribe identified by the Native American Heritage Commission. The significance of Native American resources shall be evaluated in accordance with the provisions of the California Environmental Quality Act (CEQA) and shall consider the religious beliefs, customs, and practices of the tribe. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling. Native American artifacts that cannot be avoided or relocated at the Project site shall be prepared in a manner for curation, and the Project Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Los Angeles within a reasonable amount of time. Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner/Developer, as deemed appropriate. Once ground-altering activities have ceased or the Project Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Los Angeles Planning Department. A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Los Angeles Planning Department, shall signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the South Central Coastal Information Center (SCCIC).
42. **Cultural – Paleontological.** If any paleontological resources (e.g., plant or animal fossils) are encountered before or during grading, the Property Owner/Developer shall retain a qualified Paleontologist to evaluate unanticipated discoveries and to take appropriate measures to protect or preserve them for study. The Paleontologist shall submit a report of findings that will also provide specific recommendations regarding further measures (i.e., paleontological monitoring) that may be appropriate. Where monitoring is appropriate, the program must include, but not be limited to, the following measures: Assign a Paleontological Monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full time during earth-disturbing activities. Divert earth-disturbing activities away from the immediate area of the discovery until the Paleontological Monitor has completed salvage. If construction personnel make the discovery, the grading contractor shall immediately divert construction and notify the Paleontological Monitor of the find. Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate repository. Prepare and submit a technical report describing the identification, salvage, evaluation, and treatment of all fossils discovered during grading to the City of Los Angeles. Transfer collected specimens with a copy of the report to the depository.
43. **Noise – Walls.** A noise barrier with a minimum height of 6 ft above ground will be implemented along the perimeter of the outdoor active use areas, such as backyards, associated with the three front-row dwelling units along Topanga Canyon Boulevard/Santa Susana Avenue.

44. **Noise – Mechanical Systems.** Mechanical ventilation systems such as air conditioning are required for all proposed residential dwelling units.
45. **Noise – Building Facades.** Building façade upgrades such as double-paned windows with a minimum STC rating of 30 are required for the three front-row dwelling units along Topanga Canyon Boulevard/Santa Susana Avenue.
46. **Noise – Construction Hours of Operation.** The construction contractor shall conduct construction activities outside of the prohibited hours of construction specified in Section 41.40 of the Los Angeles Municipal Code, which prohibits construction activity (including demolition) and repair work where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling, hotel, apartment, or other place of residence between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, and between 6:00 p.m. and 8:00 a.m. on Saturday, unless the Board of Police Commissioners has authorized such use. All such activities are also prohibited on Sundays and all federal holidays.
47. **Noise – Construction Barrier.** A minimum temporary construction barrier height of 14-foot (ft) high perimeter wall shall be placed along the northern, southern, and western construction boundary such that the line-of-sight from ground-level construction equipment and sensitive receptors would be blocked and to achieve a sound level reduction of at least 13 dBA. The construction barrier may be any material that has a minimum Sound Transmission Class (STC) rating of 28. All noise barrier material types are acoustically effective if they meet this minimum STC rating. This barrier could include heavy-duty materials such as vinyl-coated polyester (VCP).
48. **Noise – Grading Equipment.** During all project site excavation and grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
49. **Noise – Stationary Equipment.** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from the most sensitive receptors nearest the project site whenever feasible.
50. **Noise – Equipment Staging.** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and most noise-sensitive receptors nearest the project site during all project construction whenever feasible.
51. **Public Services (Police – Demolition/Construction Sites).** Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
52. **Police.** Upon completion of the Project, the Devonshire Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.
53. **Traffic.** A Construction Traffic/Management Plan will be submitted to LADOT for review and approval. The bulk of the work will be conducted on site. However, if temporary lane closures

were needed it would require Street Services approval. Existing access for the site would be maintained for construction access. Deliveries of construction material will be coordinated to non-peak travel periods, to the extent possible.

54. **Tribal Cultural Resources.** Prior to commencing any ground disturbance activities including excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site, the Applicant, or its successor, shall retain and pay for archeological monitors, determined by the City's Office of Historic Resources to be qualified to identify subsurface tribal cultural resources. The archeological monitors shall observe all ground disturbance activities on the project site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archeological monitor shall be assigned to each location where the ground disturbance activities are occurring. Prior to the commencement of any ground disturbance activities at the project site, the Applicant, or its successor, shall notify any California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project that ground disturbance activities are about to commence and invite the tribes to observe the ground disturbance activities, if the tribes wish to monitor. In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by the qualified archeologist, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below: 1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning, Office of Historic Resources. 2. If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources. 3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the Applicant, or its successor, reasonably concludes that the tribe's recommendations are reasonable and feasible. 4. In addition to any recommendations from the applicable tribe(s), a qualified archeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation. 5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a

substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation. 6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by a qualified archaeologist and determined to be reasonable and appropriate. 7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above. 8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File. 9. Notwithstanding paragraph 8 above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and shall comply with the City's AB 52 Confidentiality Protocols.

55. **Wastewater Service.** Prior to the development of a new building, the capacity of the on-site sanitary sewers that would serve the building shall be evaluated based on applicable Bureau of Sanitation and California Plumbing Code standards and replacement or new sanitary sewers shall be installed on-site as necessary to accommodate proposed flows. As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the Project's wastewater flows during the construction and operation phases. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build sewer lines to a point in the sewer system with sufficient capacity. If street closures for construction are required, the Project applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.
56. **Water Service.** New on-site water mains and laterals would be installed in accordance with City Plumbing Code requirements, where necessary, to distribute water within the Project Site. As part of the building permit process, the Project Applicant shall confirm with the LADWP Water Service Organization (WSO) that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases. If the water infrastructure has insufficient capacity, then the Project Applicant shall be required to build water lines to a point in the system with sufficient capacity. If street closures for construction are required, the Project applicant shall coordinate with LADOT on a traffic control plan.

Administrative Conditions

57. **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 case file.

58. **Code Conformance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
59. **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.
60. **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.
61. **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.
62. **Building Plans.** Page one 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.
63. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
64. **Indemnification.** Applicant shall do all of the following:
 - a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion,

- based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

General Plan/Charter Findings

1. **General Plan Land Use Designation.**

The project site is located within the Chatsworth – Porter Ranch Community Plan, adopted on September 4, 1993 and recently amended on September 7, 2016 as part of the Mobility Plan 2035 update. The site is subject to the Chatsworth – Porter Ranch Community Plan Footnotes Nos. 2, 12, 13, 17, 22, and 23, which clarify that the Height District is '1', mobile home parks are consistent with the RMP Zone, that streets are shown for reference, that the area is located within the Equestrian Areas and Trails Map of the Community Plan text, and that it is the intent of the Plan that entitlements grant one of the zone designations within the corresponding zones shown on the map. The site is currently zoned A2-1 and OS-1XL, and the subject request is a Zone Change entitlement which would preserve the existing OS-1XL zone and would change the rest of the site from A2-1 to RA-1-K. Staff is recommending the inclusion of 'T' Tentative Classification Conditions, and the City Council has motioned requesting that the Department of City Planning apply a K Equine District to the subject site. As such, the recommended zone would be (T)RA-1-K, which is consistent with the Community Plan's land use, as the RA Zone classification is a corresponding zone, and complies with the Community Plan's footnotes.

2. **General Plan Text.**

The City of Los Angeles **General Plan** is a comprehensive, long-range vision for the development of the City through the declaration of purposes, policies, and programs. The General Plan consists of the Framework Element, and various Elements (Land Use, Air Quality, Health, Historic Preservation and Cultural Resources, Housing, Infrastructure Systems, Mobility, Noise, Open Space and Conservation, Public Facilities and Services, Safety, and Urban Form and Neighborhood Design). Within these Elements are various plans and documents which are incorporated by reference, for example, the Public Facilities and Services Element incorporates the Major equestrian and Hiking Trails Plan, the Public Libraries Plan, the Public Recreation Plan, and the Public Schools Plan.

The **Land Use Element** of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. The subject site is located within the Chatsworth – Porter Ranch Community Plan, adopted on September 4, 1993 and recently amended on September 7, 2016 as part of the Mobility Plan 2035 update.

The Plan is intended to promote an arrangement of land use, circulation, and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community, within the larger framework of the City; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions; contribute to a healthful and pleasant environment; balance growth and stability; reflect economic potentialities and limitations, land development and other trends; and protect investment to the extent reasonable and feasible. Of particular note are the features, objectives, and policies related to equinekeeping areas:

Objective 14. To develop and maintain equestrian trails, linkages, and bicycle facilities within the Community;

Feature Several horsekeeping areas are proposed in the northerly and westerly sections of the Community. The Plan encourages the preservation of these land uses, especially north of Chatsworth Street and west of De Soto Avenue (including the east side of De Soto Avenue) to the City/County line. Provisions shall be made for equestrian access via Brown's Canyon Wash. Horsekeeping facilities with appropriate restrictions could be provided westerly and northerly to the City/County line.

Chatsworth-Porter Ranch includes large areas of open space and natural land forms. It is one of the more rural areas of the City and supports a substantial equestrian-oriented population. It is a policy of the Plan to place a higher priority on the preservation of designated horsekeeping areas than on other uses found in the RA Zone category. Toward this end, the Plan supports the establishment of "K" Horsekeeping Supplemental Use Districts in appropriate areas in order to ensure the preservation of this equestrian lifestyle. Efforts should be made to insure compatibility between the equestrian and other uses found in the RA Zone. In all instances, the RA Zone should be encouraged to emulate the existing rural landscape, whether horsekeeping is present or not.

Service System Features:

The Plan proposes utilization and development of flood control rights-of-way by the County of Los Angeles for open space purposes and/or hiking, bicycle and equestrian trails where appropriate. This type of recreation use is also proposed for power line rights-of-way.

Programs - Public Improvements (Other Public Facilities):

1.d. Incorporate unpaved equestrian and hiking trails and/or paved bicycle trails in the channel rights-of-way.

3. Equestrian Trails and Bicycle Facilities. The Plan incorporates the Major Equestrian and Hiking Trails Plan and Mobility Plan 2035, which are Elements of the General Plan, and it incorporates the Guide to Existing and Potential Equestrian Trails, Twelfth Council District. To update the trails portion of the Plan, the continued aggressive approach to the acquisition and improvement of the trails is encouraged. The accompanying sketches, entitled "Cross Sections - Equestrian Trails and Bicycle Routes", depict several suggested means of incorporating a trail system into a street or subdivision. The trail system proposed by the Plan could be provided and maintained by various methods, including: a. Assessment districts consisting of concerned owners interested in establishing a trail system through horsekeeping areas; and b. Revenue from the equine licensing fee (Section 53.15.1 of the Los Angeles Municipal Code). It is recommended that a task force of

members from involved City departments be appointed to formulate a means of financing the development and maintenance of equestrian trails.

Future Studies: Trails. The proposed trails, trail crossings, trail stops and assembly areas, as identified in the Equestrian Areas and Trails Map, indicate areas and elements that further the desire to have a comprehensive equestrian trail system.

The Community Plan incorporates the Major Equestrian and Hiking Trails Plan and the Guide to Existing and Potential Equestrian Trails (Twelfth Council District). The project's consistency with the Major Equestrian and Hiking Trails Plan is discussed below. According to the Existing and Potential Equestrian Trails (Twelfth Council District) Plan, the subject site is located within a proposed "K" Equine keeping District and the Backbone trail system is located approximately where Bee Canyon Road exists. As conditioned, the project is consistent with the Community Plan, in that the project is designed to accommodate equestrian uses, a portion of the Backbone trail system will be constructed, and the private equestrian trails will ensure the preservation of the equestrian lifestyle by ensuring the equestrian infrastructure is constructed.

In regards to the Community Plan's General Plan Land Use Designation Map, the site has a land use designation of Very Low I Residential, with the corresponding zones of RE20 and RA. The site is currently zoned A2-1, which is more restrictive than the corresponding zones for the land use designation. The subject request is for a zone change from the A2 zone to the RA zone. The Project proposes to subdivide the site into 19 parcels, construction of 18 single-family dwellings and preservation of one (1) existing dwelling, which is consistent with the density permitted by the requested zone. The project has been conditioned to require the approval of the subject Zone Change entitlement prior to the issuance of a building permit or recordation of a final map. Therefore, both the tract map and zone change will be consistent with the land use designation.

The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land. The project site has approximately 11.92 acres of lot area, which would permit a maximum of five (5) dwelling units under the existing zone and a maximum of 29 dwelling units under the proposed zone. As shown on the tract map, the Project proposes to subdivide the project site into 19 single-family lots, which does not exceed the density of the zone requested.

South of the site is an existing 'K' Equinekeeping District overlay, and the City Council has approved a motion requesting that a 'K' Equinekeeping District be applied to the subject property. As such, the applicant's tract map has prepared for the requirements of the 'K' Equinekeeping District by providing the required grading pads, equine keeping areas, equine storage areas, and equine corral areas. Additionally a 10 foot wide vehicular access path from the horsekeeping area to the private street, on the same side of the lot as the driveway has been provided for each property. As conditioned, the project will comply with the intent of the Community Plan, in that the Backbone public trail will be constructed, the zoning will be consistent with the land use designation, and the project will continue to support equestrian uses.

3. Framework Element.

The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the Project Site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the instant request:

- Goal 3B Preservation of the City's stable single-family residential neighborhoods

- Objective 3.5 Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.

- Policy 3.5.5 Require new development in special use neighborhoods such as water-oriented, rural/agricultural and equestrian communities to maintain their predominant and distinguishing characteristics.

- Policy 3.8.6 Encourage out door areas within neighborhood districts to be lighted for night use, safety and comfort commensurate with their intended nighttime use.

- Goal 6A An integrated citywide/regional public and private open space system that serves and is accessible by the City's population and is unthreatened by encroachment from other land uses.

- Objective 6.2 Maximize the use of the City's existing open space network and recreation facilities by enhancing those facilities and providing connections, particularly from targeted growth areas, to the existing regional and community open space system.

- Policy 6.2.2. Protect and expand equestrian resources, where feasible, and maintain safe links in major public open space areas such as Hansen Dam, Sepulveda Basin, Griffith Park, and the San Gabriel, Santa Monica, Santa Susanna Mountains and the Simi Hills.
 - a. Maintain the equestrian facilities on publicly owned lands, such as Hansen Dam and the Los Angeles Equestrian Center.
 - b. Preserve, where feasible, the "Horsekeeping Supplemental Use District" ("K" District), with links to major open areas.
 - c. Support the policies and objectives of the Rim of the Valley Trail Corridor Master Plan, the Urban Greenways Plan, and the Major Equestrian and Hiking Trails Plan (and all amendments) as a

foundation for promoting and maintaining a trail system within the City.

- Goal 9b. Appropriate lighting required to (1) provide for nighttime vision, visibility, and safety needs on streets, sidewalks, parking lots, transportation, recreation, security, ornamental, and other outdoor locations; (2) provide appropriate and desirable regulation of architectural and informational lighting such as building facade lighting or advertising lighting; and (3) protect and preserve the nighttime environment, views, driver visibility, and otherwise minimize or prevent light pollution, light trespass, and glare.
- Objective 9.4 Ensure efficient and effective energy management in providing appropriate levels of lighting for private outdoor lighting for private streets, parking areas, pedestrian areas, security lighting, and other forms of outdoor lighting and minimize or eliminate the adverse impact of lighting due to light pollution, light trespass, and glare.
- Policy 9.40.1 Require lighting on private streets, pedestrian oriented areas, and pedestrian walks to meet minimum City standards for street and sidewalk lighting.
- Policy 9.40.3 Develop regulations to ensure quality lighting to minimize or eliminate the adverse impact of lighting due to light pollution, light trespass, and glare for facade lighting, security lighting, and advertising lighting, including billboards.

The Project consists of the subdivision of an 11.92 acre site into nineteen (19) single-family lots. The project requires the demolition of six (6) dwellings and various unattached garages, sheds, stables, and open sided structures. One existing dwelling, (the 'Wilson House'), will be preserved and a detached garage will be constructed for the resident. Private streets, walls, and a public horse trail will be constructed for the subdivision. The site is currently vacant but previously functioned as a cluster of single-family dwellings with accessory agricultural uses.

In regards to lighting in a rural area, although Policy 9.40.1 does encourage lighting on private streets to be consistent with City standards for streets, the site is located in a rural/agricultural portion of the San Fernando Valley which has notably less lighting than other portions of the City. Policy 3.5.5 indicates that new developments in rural/agricultural and equestrian communities should maintain their predominant and distinguishing characteristics, and requiring the preservation of equestrian uses and low-level lighting is consistent with the predominant and distinguishing characteristics.

Additionally, based on a review of nearby neighborhoods, the project has been conditioned to prohibit sports/athletic courts as an accessory use. The intent of the RA Zone is to allow single-family dwellings, home occupations, truck gardening and nurseries, and limited Agricultural uses (such as the keeping of domestic livestock, equines, poultry, and bees). However, it appears that in some communities where the RA Zone has been utilized, rear portions of the sites have been developed with tennis courts, instead of these above-mentioned low-impact rural uses. Reviewing aerial images of a neighborhood ½ mile to the east (bounded by Canoga Avenue on the west, Rinaldi Street on the North,

and Bermuda Street on the South), which has RA zoning and does not have prohibitions on tennis courts, it was found that of the 88 of homes located on three street frontages, 35 homes have had tennis courts constructed in their rear yards. This is troublesome as the courts reduce the water permeability of the site, increase the amount of area which is paved (thereby increasing ambient air temperatures), result in additional unnecessary lighting, and are inconsistent with the nearby rural/agricultural uses. Moreover, it is reasonable to assume that the construction of sports courts may impact how many properties can be effectively used for horsekeeping purposes in the future. As such, in keeping with Framework Policies 3.5.5. and 9.4, and the Community Plan policies which require that the site emulate rural uses, sports courts are prohibited.

The project, as conditioned, is consistent with the above mentioned objectives and policies, in that the area will be maintained as a single-family neighborhood, the scale is compatible with the character of the existing development to the south, the subdivision has been conditioned to require areas set aside for equestrian uses (consistent with the surrounding equestrian community), the subdivision is designed to provide a public equestrian trail along Bee Canyon Road (to connect to a larger regional trail), inappropriate accessory uses (tennis courts) have been prohibited, and the project will provide lighting which is appropriate with the rural/agricultural character. As such, the proposed zone change is consistent with these provisions in the Framework Element.

4. Housing Element.

The Housing Element 2013-2021 was adopted on December 3, 2013 and identifies the City's housing conditions and needs, and establishes the goals, objectives and policies that are the foundation of the City's housing and growth strategy. The project is consistent with several objectives and policies of the Housing Element. The plan text includes the following relevant housing objectives and policies:

Goal 1: Housing Projection and Preservation.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and among Mixed-Use Boulevards.

Objective 1.3: Forecast and plan for changing housing needs over time in relation to production and preservation needs.

Policy 1.3.5: Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan.

The state allows for ADUs to be constructed in single-family zones in order to create additional housing. In order to ensure these ADUs do not impact the development of adjacent horsekeeping facilities, the ADUs may not be located in the area reserved for equine uses and may not be located within 35 feet of pads reserved for equine uses on adjacent sites.

As conditioned, the proposed zone change for the subject property will facilitate the construction of additional housing in order to meet current and projected needs without negatively impacting equine uses. Therefore, the Zone Change is consistent with the Housing Element goals, objectives and policies of the General Plan.

5. The Mobility Element

The **Mobility Element** (renamed the Mobility Plan 2035) was adopted on September 7, 2016 and provides the policy foundation for achieving a transportation system that balances the needs of all road users and incorporates “complete streets” principles. The Mobility Plan 2035 also defines the Citywide policies regarding five goals – ensuring safe access for all users, a well-maintained and high-quality transportation system, a system which provides infrastructure for all mobility modes, a system wherein transportation data is shared collaboratively, and a system which promotes the health of community members and reduces impacts on the environment. The Mobility Plan 2035 includes the following goals, objectives and policies relevant to the instant request:

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| Goal 1 | Safety is at the foundation of a Complete Streets policy – to design and operate streets in a way that enables safe access for all users, regardless of age, ability, or transportation mode choice. Safety consistently ranks as a top priority for many in the City of Los Angeles and is an important factor in creating livable neighborhoods. People want streets to be safe, stress-free places for all ages and all modes of travel. In terms of transportation, concerns for physical safety stem from traffic speeds, roadway conflict between different modes of travel, and infrastructure. Safety is a key issue when deciding whether to walk, bike, drive, or take transit. |
| Policy 1.9 | Recreational Trail Safety: Balance user needs on the City’s public recreational trails. |
| Goal 2 | World Class Infrastructure. Infrastructure is the physical underpinning of the City’s transportation system. In the City of Los Angeles, streets are our largest public asset and play a large role in defining the City’s character. A well-maintained and connected network of streets, paths, bikeways, trails, and more provides Angelenos with the optimum variety of mode choices. This Plan establishes a Complete Streets Network of individual roads enhanced for a particular mode (pedestrians bicycles, transit, vehicles, trucks). It also focuses attention on the benefits of flexible design standards, needed future infrastructure improvements, and funding. |

- Policy 2.3 Pedestrian Infrastructure: Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.
- Goal 3 A transportation system is only useful insofar as it is accessible and convenient.
- Policy 3.1 Access for All: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement – as integral components of the City’s transportation system.

As conditioned, the project is consistent with the Mobility Plan 2035’s goals which emphasize the importance of a safe and accessible transportation system.

As originally submitted, the project proposed gates at the entrance of the subdivision. At the hearing, the representative indicated that the site was difficult to secure, as they had been experiencing issues regarding homeless encampments and as such, they wanted gates here proposed at the subdivision entrances. Additionally, letters were received from neighbors who reside in the newly constructed subdivision south of the site, voicing their support for a gated community to discourage homeless encampments, illegal dumping, and littering. It is reasonable to assume that after the completion of the project that the land will be better maintained by the residents who will inhabit the properties and the common areas which will be maintained by the Home Owners Association (HOA). As such, gates will not be needed to discourage homeless encampments, illegal dumping, and littering, as the land will be actively inhabited and maintained. Staff conducted a site visit of the property and the surrounding neighborhood and indeed it did appear that homeless encampments, illegal dumping, and littering were occurring on the subject site because it was vacant. Surrounding properties did not exhibit these same issues, as they are occupied and maintained. It is reasonable to assume that development of the site will discourage these activities from occurring in the future and therefore the gates are not needed for these purposes.

Moreover, the Chatsworth area is one of the safest communities in the City. The site is located in Reporting District 1721 of the Devonshire Division, and experienced 54 crimes in the 2018 calendar year, which is significantly less than the City average of 185 crimes per reporting district for the 2018 calendar year. As these gates are not needed to address crime, as this is one of the safer sections of the City, it is reasonable to deduce that the gates have been designed to create a ‘closed’ community and limit access. This is not in keeping with the Mobility Plan 2035 policies which encourage a connected network of streets to encourage pedestrian accessibility.

Construction of a gate at the entrance of the property would also prevent existing neighbors from accessing their property - there are at least two properties which are accessed from the unimproved Bee Canyon Road which may be affected by the subdivision if access to the community were limited by gates. These two properties appear to be land-locked (APNs 2723005019 and 2723005036) and take access from Bee Canyon Road. According to aerial images provided in the Historic Resource Report (Figure 5, page 20), it appears that a dirt road has existed in that location since at least the late 1940s and it is reasonable to assume that these parcels were subdivided prior to the City’s subdivision regulations, which were enacted in the 1960s. It is fairly common in

older parts of the City that subdivisions of land occurred and were not improved with public streets and did not provide formal access through a public or private street. A letter was received from the property owner of APN 2723005019 (10945 Old Santa Susana Pass Road mailing address) and they noted their concern regarding access, among other issues. They indicated that they have easement rights over Calle Milagros and Bee Canyon Lane and indicated that in prior discussions with the applicant, they did not agree to gated access which would control access to their ranch. The City does not have copies of these referenced easements, and as such, it is presumed that these are private easements between private property owners, and not public easements. Regardless, it is not in the City's interest to allow the construction of gates on the subject property if it would deprive another resident unimpeded access to their property.

The project has been conditioned to prohibit gates at the entrance of the subdivision, in order to promote pedestrian and motorist accessibility, and to ensure that access to existing properties are not hampered; by including these conditions, the project is brought into consistency with the Mobility Plan 2035.

In regards to equine accessibility, as conditioned, a public equestrian trail must be constructed in order to provide a portion of the trail as identified in the General Plan and Community Plan. The applicant has designed their project in anticipation of a "K" Equinekeeping District overlay being applied (requiring various equestrian improvements) in conjunction with the zone change request from an A2 zone to an RA zone.

The Mobility Plan 2035 stresses safety as a key issue for users of a mobility system and that a transportation system should be accessible and convenient. As submitted, the project illustrates a public equestrian trail along Bee Canyon Road which connects to a public trail located to the south. An equestrian trail will be constructed and reserved through easement to the north, if the site redevelops and requires discretionary approval. Exhibit A illustrates equine keeping pads on each proposed parcel, except for the historic site, and illustrates vehicular access paths from the equine keeping area to the driveway (for trailer access).

However, the map as originally submitted did not illustrate safe paths of travel from the private properties to the public trail. As such, the only means of travel would be for private property owners to ride their horses in the street or atop the sidewalk. Riding in the street for significant distances would be unsafe, as it would create a roadway conflict between horses and vehicles. Riding atop the sidewalk would also be problematic, as it creates conflicts between horses and pedestrians and the surface materials are not inherently compatible – a sidewalk is normally constructed of concrete and is finished to be relatively smooth, to improve walkability. However, horse trails are normally constructed of decomposed granite or other fine materials, as pavements and hardened materials offer poor traction for horseshoes and increase the risk of a fall. Additionally, sidewalks are usually utilized for the placement of public utilities (water, power, etc.) which is not problematic for pedestrians, as people can walk around these obstructions, but is more difficult for horses.

After the Deputy Advisory Agency (DAA) hearing on March 26, 2019, based on the community input at the hearing, the applicant provided a revised site plan illustrating a plan for equestrian access from each of the proposed properties to the public trail. It is a compromise which creates private trails for a portion of the site and makes modifications

to the proposed public trail to provide reduced distances from private properties to the public trail. The applicant proposes:

Lot 1, along the northern portion of the site, will have a gate installed along the westerly side yard wall (to open inwards or slide open so as not to obstruct the trail), in order to provide access from the equestrian pad to the northern portion of the Bee Canyon Road public trail. The DAA has incorporated this design into the approval of the tract and has further conditioned the project to require that the gate be a minimum of four (4) feet in width.

Lots 6-13, along the southeast portion of the site, will set aside five (5) feet along the rear of each property and will be improved to create a ten (10) foot private trail, to connect private properties to the southern portion of the Bee Canyon Road public trail. Gates will be located along this private trail in order to provide direct access from the equestrian pads to the private trail. The DAA has incorporated this design into the approval of the project and has further conditioned that the trail will be enclosed with six (6) foot high slumpstone or decorative masonry wall. The gates providing access to rear yards shall be a minimum four (4) feet in width.

For all other portions of the site, the applicant has recommended the use of equestrian trail street crossings which would improve equestrian safety, without the construction of additional private trails. The applicant has identified two of these crosswalk locations as being located at the terminus of A Street and Bee Canyon Road and at the T-intersection of Calle Milagros and Bee Canyon Road. The DAA has incorporated this design into the approval of the project and has further conditioned the trail crossings to meet the following specifications – the crosswalks shall be at least 6 feet in width, shall utilize high-visibility crosswalk patterns and those patterns shall be designed with paint instead of slick materials such as plastic or epoxy. Additionally, signage shall be provided at each of the crosswalk locations to notify drivers of the location of equestrian users, and these crosswalks shall be improved with Rapid Flashing Beacons which will be manually activated from push buttons located at pedestrian and equestrian heights. Curb ramps shall be located at each of the crosswalks and shall be aligned with the crosswalk to improve accessibility and street parking shall be prohibited for a distance of 20 feet adjacent to the crosswalk, to provide appropriate lines of sight from drivers to equestrians. The applicant has also proposed a break in the southern portion of the Bee Canyon Road trail, in order to provide an access point for westerly properties along Bee Canyon Road (Lots 16 and 17). The DAA has incorporated this design into the approval of the project and has further required that an additional crosswalk be located at this location.

The inclusion of the two applicant identified crosswalks will ensure equestrian safety for equestrians crossing the private streets while on the public trail. The third DAA identified crosswalk will provide safe access for equestrians on Lots 16 and 17 to be able to access the public trail. These DAA conditions of approval for VTT-74478 have been likewise incorporated into this recommendation report.

In regards to pedestrian safety, the project has been conditioned to provide five (5) foot sidewalks along all private streets within the subdivision. The map as submitted had four (4) foot sidewalks. Typically streets are constructed with sidewalks with a minimum width

of five (5) feet, as any smaller, and it impedes the ability for multiple users to use the sidewalk – such as children walking to school or residents using strollers on the sidewalk. By conditioning these different infrastructure systems (street, sidewalk, and horse trail), the project will be consistent with the intents of the Mobility Plan 2035. Safe access for pedestrian, motorists, and equestrians are provided by limiting roadway conflicts between the various modes of travel, in a way which is accessible and convenient.

6. Conservation Element

The **Conservation Element** of the General Plan was adopted on September 26, 2001 and provides the policy direction on the preservation, conservation, protection and enhancement of the city's natural resources. The Conservation Element addresses goals for a wide variety of topics – Agricultural lands, Animal Keeping areas, Archaeological and Paleontological resources, Cultural and Historical resources, Endangered Species, Equine Areas, Erosion areas, Fisheries, Forest areas, Geological Hazard areas, Habitats, Scenic Vistas, Open Space areas, and Resource Management areas. Of particular note is the chapter addressing Animal Keeping, Equine areas, and Ecological areas, and the following goals, objectives, and policies are relevant to the instant request:

- Objective 2 Retain, to the extent feasible, the last remaining agricultural features of the city as part of the city's heritage and economy.
- Policy 2.1 Continue to encourage the retention of parcels in agricultural and low density land use and zoning categories that will encourage their retention in agricultural and related uses.
- Objective 6 Retain equine oriented uses as a part of the city's heritage and for recreational, educational and economic purposes.
- Policy 6.1 Continue to encourage the establishment of new equine uses and K districts and to protect existing significant areas from encroachment.
- Policy 6.2 Establish standards and procedures for a comprehensive equine trail system, similar to the bikeways system, including provisions for protection of watershed and natural environments.
- Policy 6.3 Continue to expand and maintain trail linkages which will reinforce the viability of equine uses.
- Policy 6.4 Continue to increase funding for equine trails and facilities acquisition, construction, maintenance and equine related city activities.
- Objective 11 Preserve, protect, restore and enhance natural plant and wildlife diversity, habitats, corridors and linkages so as to enable the healthy propagation and survival of native species, especially those species that are endangered, sensitive, threatened or species of special concern.

- Policy 11.1 Continue to identify significant habitat areas, corridors and buffers and to take measures to protect, enhance and/or restore them.
- Policy 11.2 Continue to protect, restore and/or enhance habitat areas, linkages and corridor segments, to the greatest extent practical, within city owned or managed sites.
- Policy 11.3 Continue to work cooperatively with other agencies and entities in protecting local habitats and endangered, threatened, sensitive and rare species.

On May 10, 2017, the City Council adopted the Biodiversity Motion, in which Los Angeles Bureau of Sanitation was directed to oversee efforts to evaluate biodiversity in the City, develop an index to measure net loss going forward, and develop policies and projects to enhance biodiversity. Urban biodiversity consists of the flora, fauna, and ecosystems which enrich and sustain the City and nature, and the City's goal is to have a "no net loss" of biodiversity. In keeping with Objective 11 and Policy 11.3, the Department of City Planning staff coordinated with the Los Angeles Bureau of Sanitation (LASAN) Biodiversity Project coordinator to review the landscape plan in regards to biodiversity preservation. LASAN staff noted that this site was historically an alluvial floodplain with well drained, sandy loam soils, and that Coastal Sage Scrub or Riversidian-Sage Scrub plant species, Oak woodland or Riparian Woodland species, and native perennial grasses and annual wildflowers would be most appropriate in this location. In particular, the LASAN Biodiversity project coordinator noted that Coast Live Oak and Valley Oak would be appropriate selections, and given the site's location between a County Sensitive Ecological Area (to the west) and the Stoney Point Park (to the east), it was important to support east-west connectivity through the site and to reduce effects at the edge of the site. Lastly, conditions of approval have been included to ensure that all tree species are local tree species and that at least 50% of the landscape materials (ground cover, shrubs, grasses, and perennials) are to be Southern California native plant materials which are appropriate to this biome. This condition will ensure that the proposed landscape materials are supportive of native wildlife species and the local ecosystem.

In keeping with Objective 11 of the Conservation Element, the project has been conditioned to prohibit vehicular gates and pedestrian gates, as these obstructions would potentially impact the east-west connectivity of the site for wildlife. Additionally, as the site is located between a County Sensitive Ecological Area (to the west) and the Stoney Point Park (to the east), it is important that the landscaping on the site support local habitat, and as such, in tandem with the aforementioned landscaping requirement, a condition has also been applied to the site to prohibit sports courts, as these uses would limit the area for plant/landscaping restoration.

Lastly, in keeping with Objective 6, the project has been conditioned to provide a public equestrian trail which links to a regional trail plan and to provide safe equestrian circulation from private properties to the public trail, thereby reinforcing the viability of equine uses and strengthening the use of the district as a 'K' Equinekeeping District. As such, with the abovementioned conditions of approval, the project is consistent with the Objectives and Policies of the Conservation Element.

7. Public Facilities and Services Element – Major Equestrian and Hiking Trails Plan

The **Public Facilities and Services Element** of the General Plan consists of four plans which were adopted between 1968 and 1980 – the Major Equestrian and Hiking Trails Plan (Adopted 1968), Public Libraries Plan (Adopted 1968), Public Recreation Plan (Adopted 1980), and the Public Schools Plan (Adopted 1968). These four plans were consolidated when the Framework Element was adopted in 1996. Of particular note is the **Major Equestrian and Hiking Trails Plan**, and the following goals, objectives, and policies are relevant to the instant request:

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| Policy 1 | To provide a means for the promotion of horseback riding as a healthful and relaxing activity. |
| Policy 2 | To provide a guide that can be used to acquire or reserve land for a coordinated system of equestrian trails. |
| Policy 3 | To guide public and private decision makers in the development of new trails to form a system connecting City trails with County, State and Federal systems and connecting urban trails with wilderness trails. |
| Policy 4 | To provide a guide for the combination of equestrian and hiking trails where desirable. |
| Policy 5 | To illustrate the location of horse keeping districts, major concentrations of horses and to indicate how these areas relate to the trail system. |
| Policy 8 | To describe standards for the improvement of existing and proposed trails. |
| Policy 9 | To provide a guide for new trails where desirable, as segments, as separate systems, or in combination with equestrian trails. |
| Policy 11 | Routes shown on the Major Trails Plan should be only backbone trails which connect the various equestrian areas together to form a major trails system. Connections with the other city trails and the major County, State and Federal trails surrounding the City should be included. |
| Policy 13 | Trails should be used by equestrians and hikers only. Bicycles, motorcycles, and other vehicles except maintenance vehicles should be prohibited. |
| Policy 16 | Street crossings should be avoided where possible, but may be used if they are appropriately marked and controlled. |

As conditioned, the project is consistent with Major Equestrian and Hiking Trails Plan, as the construction of the Bee Canyon Road trail creates a connection to a larger identified equestrian trail and will connect with the existing trail to the south. This trail is part of the backbone trail identified in the Community Plan. Per Policy 11, an additional private trail

has been conditioned in order to provide access from the private equine keeping areas of Lots 6-13 to the public trail. Additionally, in the spirit of Policy 16, three crosswalks have been incorporated into the project in order to reduce vehicular/equestrian conflicts. The crosswalks shall be at least 6 feet in width, shall utilize high-visibility crosswalk patterns, and those patterns shall be designed with paint instead of slick materials such as plastic or epoxy. Additionally, signage shall be provided at each of the crosswalk locations to notify drivers of the location of equestrian users. Since the area is rural with minimal lighting, the crosswalks will be required to provide Rapid Flashing Beacons to provide safe crossing for equestrians during early morning or evening hours. These beacons shall be manually activated from push buttons located at pedestrian and equestrian heights. Additionally, curb ramps shall be located at each of the crosswalks and parking shall be prohibited adjacent to these crosswalks, in order to provide improved lines of sight.

As such, the project as conditioned, is consistent with the Major Equestrian and Hiking Trails Plan, a component of the Public Facilities and Services Element, in that street crossings are selectively placed and appropriated marked and a private trail will further supplement the backbone trail to provide direct access to specific properties, which will strengthen the equestrian orientation of the neighborhood and promote horseback riding through the creation of horse riding infrastructure.

8. Health and Wellness Element and Air Quality Element.

Policy 5.1, 5.6, and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases and increasing the city's resilience to climate change risks. As conditioned herein, the Project is required to provide parking spaces which would be equipped for the immediate installation and use of EV Charging Stations, as well as for future use. The Project has also been conditioned to install solar panels and an operating photovoltaic system. The installation and operation of the solar panels would help to reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and the City. Lastly, the project has been conditioned to prohibit sports courts as these uses increase the quantity of hardscape on a site, thereby reducing the permeability of the site and increasing the ambient temperature of the air, thereby contributing to "heat islands" which affect energy demand, air conditioning costs, greenhouse gases, and heat-related illness.

As conditioned, the Project would be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy. Additionally, the conditions will increase the city's resilience to climate change crisis by addressing increasing temperatures and heat related effects. The solar and EV conditions are also good zoning practice because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. As such, the Project provides service amenities to improve habitability for the residents of the Project and to minimize impacts on neighboring properties.

9. Charter Findings – City Charter Section 556 and 558 (Zone Changes)

The proposed zone change complies with Section 556 and 558 in that the zone change promotes land use regulations which are consistent with the General Plan, as noted in Findings Nos. 1 - 8 above; and with public necessity, convenience, general welfare, and good zoning practice, as noted below in Finding No. 10.

Zone Change Findings

10. Pursuant to LAMC Section 12.32. C and G., the zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.

The current application is a request to change the zone from an A2 Zone to an RA Zone with a 'K' Equinekeeping Supplemental District overlay, resulting in a site with a RA-1-K zone. The Community Plan designates the site for Very Low I Residential uses with corresponding zones of RE20 and RA. Staff is recommending the inclusion of 'T' Tentative Classification Conditions, and the City Council has motioned that the Department of City Planning apply a K Equine District overlay to the subject site. As such, the recommended zone would be (T)RA-1-K, which is consistent with the Community Plan's land use, as the RA Zone classification is a corresponding zone

i. Public Necessity: The granting of the proposed zone change will result in a project that is in conformance with the public necessity by developing additional housing on the site in a way which is consistent with the General Plan and the Chatsworth-Porter Ranch Community Plan. According to the Historic Resource Report, portions of the site were utilized as agricultural land for orchards in the 1920s through the 1940s and the land transitioned from being a 'Gentlemen's Farm' to equine uses in the 1960s. The requested zone change allows the property to continue promoting equinekeeping uses (per the K Equinekeeping overlay) while providing much needed housing on the site. Additionally, as the site is identified as a location for the public backbone horse trail (see Finding Nos. 2 and 7 for more information), the conditions which have been applied to the project will promote the public necessity by providing trail infrastructure to the larger community (backbone trail) and to the immediate neighbors (equestrian crosswalks, private trails, etc.).

ii. Convenience: The zone change will allow the development of the project, which will include improved private streets in locations where there are existing dirt and gravel roads. Staff has recommended conditions of approval for the project to prohibit gates at the entrance to ensure that neighbors located on Bee Canyon Road are able to continue accessing their properties on what was an unimproved road. Additionally, as part of the 'T' Tentative Classification Conditions, the project will be required to improve the portion of Old Santa Susana Pass Road which is adjacent to the project site with curbs, gutters, and sidewalks; thereby providing a convenience to neighbors in the vicinity.

iii. General Welfare: As previously mentioned, the zone change will allow for the development of additional housing, which will benefit the general public as the City is facing a housing shortage. Additionally development of the public backbone trail will provide recreational opportunities for the community of Chatsworth, thereby providing a general welfare to the public.

iv. Good Zoning Practices: Conditions of Approval have been recommended to ensure that good zoning practices are utilized on the subject site. The project has been prohibited from becoming a 'closed' community through the use of gates, thereby improving mobility for pedestrians and motorists. Additionally, the Community Plan places a "higher priority on the preservation of designated horsekeeping areas than on other uses found in the RA Zone category. Toward this end, the Plan supports the establishment of "K" Horsekeeping Supplemental Use Districts in appropriate areas in order to ensure the preservation of this equestrian lifestyle. Efforts should be made to insure compatibility between the equestrian and other uses found in the RA Zone. In all instances, the RA Zone should be encouraged to emulate the existing rural landscape, whether horsekeeping is present or not." As the project has been conditioned to provide equine infrastructure to ensure equestrians can safely access the site, the project is in keeping with good zoning practices by continuing to emulate the existing equinekeeping character of the community. In addition, approving the zone change classification from A2 to RA is in keeping with good zoning practices as it increases the allowable density on-site, consistent with the zoning allowed by the land use designation.

For the reasons stated above, the Zone Change request is beneficial in terms of the public necessity, convenience, general welfare, and good zoning practice, and is consistent with the General Plan.

11. Pursuant to LAMC Section 12.32 G, Findings for "T" and "Q" Classifications.

Pursuant to LAMC Sections 12.32-G,1, the current action, as recommended, has been made contingent upon compliance with "T" and "Q" Conditions and the project specific Conditions of Approval imposed herein for the proposed project. Such limitations are necessary to ensure the identified dedications, improvements, and equine infrastructure are executed to meet the public's needs, convenience and general welfare served by the required actions. The conditions ensure that roadways are built out to proper standards, required by the Mobility Element.

Environmental Findings

12. Environmental Finding. A Mitigated Negative Declaration (MND), along with mitigation measures and a Mitigation Monitoring Program (ENV-2016-3175-MND), was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgement and analysis. The records upon which this decision is based are with the Valley Project Planning Division of the Planning Department in Room 430, 6262 Van Nuys Boulevard.

13. Flood Insurance. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that the majority of the site is located within Zone X, areas determined to be outside the 0.2% annual chance floodplain. Portions of the site are located within the Santa Susana Creek, which is a concrete-lined flood control channel, this area is identified as a 100-year flood hazard area, however the flood discharge would be contained within the channel. As such, no

housing will be placed within a flood zone, and there are no flood zone compliance requirements for the project.