

December 5, 2024

Civil Design and Drafting, Inc.
C/O Imad Aboujawdah and Drew Wilson
885 Patriot Drive, Unit C
Moorpark, CA 93021

PROJECT NO. R2014-00025-(5)
VESTING TENTATIVE TRACT MAP NO. 72630
CONDITIONAL USE PERMIT NO. 201400001
OAK TREE PERMIT NO. 201400002

PROJECT SITE ADDRESS: (APN) 3247-029-017; 3247-033-004; 3247-037-017; 3247-052-003; 3247-052-004

Dear Applicant,

The Commission, by its action of **December 4, 2024**, has denied the above-referenced project. Enclosed are the Commission's Findings.

Appeals:

The applicant or any other interested persons may appeal the Commission's decision. The appeal period for this project will end at 5:00 p.m. on **December 16, 2024**. Appeals must be submitted to appeal@planning.lacounty.gov before the end of the appeal period.

For questions or for additional information, please contact Phillip Smith of the Subdivisions Section at (213) 974-6433, or psmith@planning.lacounty.gov

Sincerely,

AMY J. BODEK, AICP
Director of Regional Planning

Joshua Huntington, Supervising Regional Planner
Subdivisions Section
JH:PS

Enclosures: Findings,

CP_DATE_FILENAME

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
PROJECT NO. 2014-00025-(5)
VESTING TENTATIVE TRACT MAP NO. 072630

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly-noticed public hearing on December 4, 2024, in the matter of Project No. **2014-00025-(5)**, Vesting Tentative Tract Map No. 072630 (“TR072630”). TR072630 was considered together with Conditional Use Permit (“CUP”) No. 201400001 and Oak Tree Permit (“OTP”) No. 201400002, also referred to collectively as the “Project.” The Project was previously denied due to inactivity by the County Hearing Officer on August 6, 2024.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was held on December 4, 2024, before the Commission. Staff presented the details of the proposed project and the reasons given for the appeal. Neither the appellant nor the owner was present or available for questions. The Commission asked for details regarding the project’s incomplete status. Staff clarified that the project was denied due to inactivity and not because of its incomplete status. An LA County Department of Public Works (“DPW”) representative provided details of the clearances, easement agreements and other items that have not been completed by the applicants. The DPW representative also explained that there had been no contact with the applicant of the project since 2016. There being no further testimony, the Commission moved to sustain the Hearing Officer’s decision to deny the subdivision application due to inactivity.
3. **ENTITLEMENT REQUESTED.** The applicant, also the appellant, Imad Aboujawdah, (“appellant”) is requesting a Vesting Tentative Tract Map to create 46 single-family residential lots and one open space lot on 168.73 gross acres within the A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) Zone pursuant to Los Angeles County (“County”) Code Chapter 21.38 (Vesting Tentative Maps).
4. **RELATED ENTITLEMENT.** CUP No. 201400001 is a related request to authorize grading of 1.2 million cubic yards for a rural hillside management development on 20.47 acres pursuant to then County Code Section 22.56.215 (Hillside Management and Significant Ecological Areas - Additional Regulations), which was in effect at the time the application was filed.
5. **RELATED ENTITLEMENT.** OTP No. 201400002 is a related request for the proposed removal of 16 non-heritage oaks pursuant to current County Code Chapter 22.174 (Oak Tree Permits).
6. **LOCATION.** The Project Site is located at the intersection of Halsey Canyon Road and Burlwood Drive in the unincorporated community of Castaic within the Santa Clarita Valley Planning area (“Project Site”).

7. The Project was filed on January 7, 2014. Since the time the application was filed, LA County Planning staff ("Staff") has asked the appellant for additional materials needed to proceed with the Project. On the most recent County Subdivision Committee report dated October 25, 2016, Staff requested the following materials and revisions for the Project:
 - An Oak Tree Report;
 - Proof of secondary access to the proposed development;
 - A Revised CUP burden of proof to include a request for a density-controlled development within a Rural Hillside Management Area;
 - Clearance by County Department of Public Works ("Public Works") for parcels located in restricted use area (geological hazard area);
 - Revise lot table to include gross and net acres;
 - Indicate whether desilting basins maintained by the Homeowners' Association ("HOA") will be located within easements;
 - Information regarding the maintenance of off-site access roads;
 - Trail segments are indicated inconsistently on different sheets of the map; and
 - Line work for map is inconsistent and there is no legend included.
8. On February 16, 2023, Staff sent a Notice of Inactive Submittal courtesy email to the appellant requesting additional materials. Staff has not received the requested information or materials to enable further project evaluation.
9. On March 18, 2024, Staff contacted the appellant via phone and informed them that required materials had not been received and that the Project would be scheduled for hearing should they not be submitted by April 18, 2024. No responsive materials or revised maps were received on or after deadline specified.
10. On May 2, 2024, Staff sent a Public Meeting Notice: Denial Due to Inactivity Letter informing the appellant that the case would be scheduled before a Hearing Officer for denial due to inactivity.
11. The letter dated May 2, 2024, directed the appellant to contact Staff within 30 days for the Project to remain active.
12. The appellant has not contacted Staff and has failed to submit the required materials within the required timeframe, which was by June 16, 2024.
13. If the Project is denied, enforcement action may be taken to ensure compliance with Title 22 (Planning and Zoning) of the County Code.
14. An environmental determination has not been made, since action on the project is neither being approved nor undertaken. Therefore, pursuant to the California Public Resources Code section 15270, the California Environmental Quality Act ("CEQA") does not apply to projects which a public agency rejects or disapproves. The project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is

consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

15. On August 6, 2024, staff made a presentation to the Hearing Officer and recommended that the matter be denied due to inactivity. The Hearing Officer asked if there was verification that the letter mailed on May 2, 2024, was received and whether the letters are sent through certified mail. Staff noted that mailing letters by certified mail is not standard procedure. Staff confirmed that the letters were not returned. The Hearing Officer also asked whether the Notice of Public Hearing was emailed to the appellant. There being no further testimony, the Hearing Officer closed the public hearing and denied TR072630 due to inactivity.
16. On August 20, 2024 the appellant submitted a formal appeal of the Hearing Officer's decision to deny the application. The appeal states that they have been actively pursuing the Project application and that the proposal is a protected housing development under the Housing Accountability Act (Government Code Section 65589.5). The appeal goes on to argue that Hearing Officer's denial was premature and unpermitted under applicable law and requests additional time of one-year to pursue this application.

GENERAL PLAN AND ZONING CONSISTENCY

17. The Commission finds that the Project remains incomplete pursuant to County Code Sections 21.40.020 (Submission for Approval Required When) and 22.104.030 (Permit Required).
18. The Commission finds that the Project has not been deemed complete given missing application materials including but limited to the following: an Oak Tree Report, proof of secondary access to the proposed development, a revised CUP burden of proof to include a request for a density-controlled development, clearance by Public Works for parcels located in restricted use area (geological hazard area), revised lot table to include gross and net acres, indication whether desilting basins will be maintained by the HOA and whether located within easements, information regarding the maintenance of off-site access roads, consistent indication of trail segments on different sheets of the map, and consistent line work for the tentative map and legend. Therefore, the Commission is unable to find the Project is consistent with the applicable goals and policies of the General Plan.
19. The Commission finds that it is unable to determine the Project's consistency with the 1980 General Plan based on insufficient information provided.
20. The Commission finds that the Project has not been deemed complete given missing application materials and therefore consistency with the applicable zoning requirements remains undetermined.
21. The Commission finds that the Project has not been deemed complete given missing application materials, including incomplete CUP and other burdens of proof, and therefore consistency with all applicable zoning requirements remains undetermined.

ENVIRONMENTAL FINDINGS

22. **CEQA DETERMINATION.** The Commission finds that pursuant to the California Public Resources Code section 15270, CEQA does not apply to projects which a public agency rejects or disapproves. The Commission finds that the Project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources.

ADMINISTRATIVE FINDINGS

23. **HOUSING ACCOUNTABILITY ACT.** The Commission finds that although the Project is considered a housing development, it is not deemed complete and therefore consistency with the General Plan and Zoning remains undetermined. The Commission finds that because the Project was not deemed complete, compliance with all applicable general plan, zoning and subdivision criteria remains undetermined, and therefore subject to denial due to inactivity.

The Commission finds that the HAA limits a local government's ability to deny, down-size, or render infeasible housing development projects, both affordable and market-rate units. According to the California Department of Housing and Community Development's, Housing Accountability Act Technical Assistance Advisory published on September 15, 2020, a local agency shall not deny, down-size, or render a housing development infeasible if it complies with applicable, objective General Plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time the application was deemed complete.

The Commission finds that in this case, the Project application has never been deemed complete since 2014 due to lack of information. Furthermore, the Project has not been determined to be in compliance with the 1980 General Plan, which was in effect at the time of application filing, and applicable zoning and subdivision criteria then in effect. The Commission finds that this is due to the lack information and requested materials including among other items, the following: an Oak Tree Report, proof of secondary access to the proposed development, a revised CUP burden of proof to include a request for a density-controlled development, clearance by Public Works for parcels located in restricted use area (geological hazard area), revised lot table to include gross and net acres, indication whether desilting basins will be maintained by the HOA and whether located within easements, information regarding the maintenance of off-site access roads will be maintained, consistent indication of trail segments on different sheets of the map, and consistent line work for the tentative map and legend.

The Commission therefore finds that while the project is a housing development project as defined by HAA/SB 330, the Project was never deemed complete and has not been determined to be in compliance with applicable, objective General Plan, zoning, and subdivision standards and criteria, including design review standards. Therefore, the Project's denial due to inactivity does not conflict with the HAA and SB 330.

24. **LEGAL NOTIFICATION.** Pursuant to Sections 21.16.070 (Notice of Public hearing) and 21.16.075 (Posting), of the County Code, Staff properly notified the community of the public hearing by mail, and newspaper (The Signal), and property posting. Additionally, Staff posted the Project case materials and hearing notice on LA County Planning's website. On October 3, 2024, Staff mailed a total of 143 Notices of Public Hearing out to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site. This mailing also included 25 notices to those on the courtesy mailing list for the Castaic Canyon Zoned District and to any additional interested parties.

25. **PUBLIC COMMENT.** To date staff have received seven correspondences pertaining to the project. Six of emails are in opposition to the project in support of staff's recommendation of denial, the other is a request for more information.

26. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Subdivisions Section, LA County Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

A. The application for the proposed Project is incomplete and information is inadequate to determine the feasibility of the project design, consistency with the General Plan, or whether approval of the map would be in the public interest and therefore is authorized to disapprove, or deny, the tentative tract map.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the CEQA pursuant to State CEQA Guidelines section 15270.
2. Denies the appeal and upholds the Hearing Officer's decision to deny **VESTING TENTATIVE TRACT MAP NO. 072630** due to inactivity.

ACTION DATE: December 4, 2024

Vote: Concurring: Dissenting: Abstaining: Absent, 5:0:0:0

Concurring: O'Connor, Duarte-White, Hastings, Louie, and Moon

JH:EGA:PS

c: Each Commissioner

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION

PROJECT NO. 2014-00025-(5)

CONDITIONAL USE PERMIT NO. 201400001

OAK TREE PERMIT NO. 201400002

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly-noticed public hearing on December 4, 2024, in the matter of Project No. **2014-00025-(5)** for the appeal of the Hearing Officer’s decision for Conditional Use Permit (“CUP”) No. 201400001 and Oak Tree Permit (“OTP”) No. 201400002. The CUP and OTP were considered together with Vesting Tentative Tract Map No. 072630 (“TR072630”). The CUP, OTP and TR072630 are collectively referred to as the “Project.” The Project was previously denied due to inactivity by the County Hearing Officer on August 6, 2024.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was held on December 4, 2024, before the Commission. Staff presented the details of the proposed project and the reasons given for the appeal. Neither the appellant nor the owner was present or available for questions. The Commission asked for details regarding the project’s incomplete status. Staff stated that the project was denied due to inactivity and not because of its incomplete status, and staff also called on an LA County Department of Public Works (“DPW”) representative to provide details of the clearances, easement agreements, and other items that have not been completed by the applicants. The DPW representative also stated that there had been no contact with the applicant of the project since 2016. There being no further testimony, the Commission moved to sustain the Hearing Officer’s decision to deny the subdivision application due to inactivity.
3. **ENTITLEMENT REQUESTED.** The applicant and appellant, Imad Aboujawdah, (“appellant”) requests a CUP for on-site project grading of more than 100,000 cubic yards (“cy”) (1.2 million cy proposed) pursuant to then section 22.56.217(“Hillside Management Areas-Additional Regulations”)Additionally, because most of the project site (77 percent) is composed of slopes between 25 and 50 percent or greater, and the project includes a proposed number of dwelling units that exceeds the low-density threshold of 13 units within a Rural Hillside Management Area, the project also includes a request for a Hillside Management CUP. This is pursuant to then County Code Section 22.56.215 (Hillside Management and Significant Ecological Areas – Additional Regulations), which was in effect at the time the application was filed.
4. **ENTITLEMENT REQUESTED.** OTP No. 201400002 is a request to remove a total of 16 non-heritage oak trees pursuant to current County Code Chapter 22.174 (Oak Tree Permits).
5. **RELATED ENTITLEMENT.** TR072630 is a related request to create 46 single-family residential lots and one open space lot on 168.73 gross acres within the A-2-2 (Heavy

Agricultural – Two Acre Minimum Required Lot Area) Zone pursuant to County Code Chapter 21.38 (Vesting Tentative Maps).

6. **LOCATION.** The Project is located at the intersection of Hasley Canyon Road and Burlwood Drive in the unincorporated community of Castaic within the Santa Clarita Valley Planning Area (“Project Site”).
7. The Project was filed on January 7, 2014. Since the time the application was filed, LA County Planning Staff (“Staff”) has asked the appellant for additional materials needed to proceed with the Project. On the most recent County Subdivision Committee report dated October 25, 2016, Staff requested the following materials and revisions for the Project:
 - An Oak Tree Report
 - Proof of secondary access to the proposed development
 - A Revised CUP burden of proof to include a request for a density-controlled development within a Rural Hillside Management Area
 - Clearance by County Department of Public Works for parcels located in restricted use area (geological hazard area)
 - Revise lot table to include gross and net acres
 - Indicate whether desilting basins maintained by the Homeowners’ Association (“HOA”) will be located within easements,
 - Information regarding the maintenance of off-site access roads,
 - Trail segments are indicated inconsistently on different sheets of the map
 - Line work for the map is inconsistent and there is no legend included
8. On February 16, 2023, Staff sent a Notice of Inactive Submittal courtesy email to the appellant requesting additional materials. Staff has not received the requested information or materials to enable further project evaluation.
9. On March 18, 2024, Staff contacted the appellant via phone and informed them that required materials had not been received and that the Project would be scheduled for hearing should they not be submitted by April 18, 2024. No responsive materials or revised maps were received on or after the deadline specified.
10. On May 2, 2024, Staff sent a Public Meeting Notice: Denial Due to Inactivity Letter informing the appellant that the case would be scheduled before a Hearing Officer for denial due to inactivity.
11. The letter dated May 2, 2024, directed the appellant to contact Staff within 30 days for the Project to remain active.
12. The appellant has not contacted Staff and has failed to submit the required materials within the required timeframe, which was by June 16, 2024.
13. If the Project is denied, enforcement action may be taken to ensure compliance with Title 22 (Planning and Zoning) of the County Code.

14. An environmental determination has not been made, since action on the project is neither being approved nor undertaken. Therefore, pursuant to the California Public Resources Code section 15270, the California Environmental Quality Act (“CEQA”) does not apply to projects which a public agency rejects or disapproves. The project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
15. On August 6, 2024, staff made a presentation to the Hearing Officer and recommended that the matter be denied due to inactivity. The Hearing Officer asked if there was verification that the letter mailed on May 2, 2024, was received and whether the letters are sent through certified mail. Staff noted that mailing letters by certified mail is not standard procedure. Staff confirmed that the letters were not returned. The Hearing Officer also asked whether the Notice of Public Hearing was emailed to the appellant, Staff later verified that the letter was not emailed. There being no further testimony, the Hearing Officer closed the public hearing and denied Vesting Tentative Tract Map No. 072630 the subdivision due to inactivity.
16. On August 20, 2024 the appellant submitted a formal appeal of the Hearing Officer’s decision to deny the application. The appeal states that they have been actively pursuing the Project application and that the proposal is a protected housing development under the Housing Accountability Act (Government Code Section 65589.5). The appeal goes on to argue that Hearing Officer's denial was premature and unpermitted under applicable law and requests additional time of one-year to pursue this application.

GENERAL PLAN AND ZONING CONSISTENCY

17. The Commission finds that the Project as a whole remains incomplete pursuant to County Code Sections 21.40.020 (Submission for Approval Required When) and 22.104.030 (Permit Required).
18. The Commission finds that the Hearing Officer or Director may deny an application such as a CUP and OTP, without a public hearing pursuant to County Code Section 22.222.100 (Denial of Inactive Application).
19. The Commission finds that the Project has not been deemed complete given missing application materials including among other items, the following: an Oak Tree Report, proof of secondary access to the proposed development, a revised CUP burden of proof to include a request for a density-controlled development, clearance by County Department of Public Works for parcels located in restricted use area (geological hazard area), revised lot table to include gross and net acres, indication whether desilting basins will be maintained by the Homeowners’ Association (“HOA”) and whether located within easements, information regarding the maintenance of off-site access roads, consistent indication of trail segments on different sheets of the map, and consistent line work for the tentative map and legend. Therefore, the Commission

is unable to find the Project is consistent with the applicable goals and policies of the General Plan remains undetermined.

20. The Commission finds that it is unable to determine the Project's consistency with the 1980 Los Angeles County General Plan and the zoning code based on insufficient information provided.
21. The Commission finds that the Project has not been deemed complete given missing application materials and therefore consistency with the applicable zoning requirements remains undetermined.
22. The Commission finds that the Project has not been deemed complete given missing application materials, including incomplete CUP and other burdens of proof, and therefore consistency with all applicable zoning requirements remains undetermined.

ENVIRONMENTAL FINDINGS

23. **CEQA DETERMINATION.** The Commission finds that an environmental determination has not been made, since action on the project is neither being approved nor undertaken. Therefore, the Commission finds that pursuant to the California Public Resources Code section 15270, the California Environmental Quality Act ("CEQA") does not apply to projects which a public agency rejects or disapproves. The Commission finds that the project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

ADMINISTRATIVE FINDINGS

24. **HOUSING ACCOUNTABILITY ACT.** The Commission finds that although the Project is considered a housing development, it is not deemed complete and therefore consistency with the General Plan and Zoning remains undetermined. The Commission finds that because the Project was not deemed complete, compliance with all applicable general plan, zoning and subdivision criteria remains undetermined, and therefore subject to denial due to inactivity.

The Commission finds that the HAA limits a local government's ability to deny, down-size, or render infeasible housing development projects, both affordable and market-rate units. According to the California Department of Housing and Community Development's, Housing Accountability Act Technical Assistance Advisory published on September 15, 2020, a local agency shall not deny, down-size, or render a housing development infeasible if it complies with applicable, objective General Plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time the application was deemed complete.

The Commission finds that in this case, the Project application has never been deemed complete since 2014 due to lack of information. Furthermore, the Project has not been

determined to be in compliance with the 1980 General Plan, which was in effect at the time of application filing, and applicable zoning and subdivision criteria then in effect. The Commission finds that this is due to the lack information and requested materials including among other items, the following: an Oak Tree Report, proof of secondary access to the proposed development, a revised CUP burden of proof to include a request for a density-controlled development, clearance by County Department of Public Works for parcels located in restricted use area (geological hazard area), revised lot table to include gross and net acres, indication whether desilting basins will be maintained by the Homeowners' Association ("HOA") and whether located within easements, information regarding the maintenance of off-site access roads, consistent indication of trail segments on different sheets of the map, and consistent line work for the tentative map and legend.

The Commission therefore finds, that while the HAA and SB 330 apply as the project is a housing development project, the Project has not been determined to be in compliance with applicable, objective General Plan, zoning, and subdivision standards and criteria, including design review standards. Therefore, the Project's denial due to inactivity does not conflict with the HAA and SB 330.

25. LEGAL NOTIFICATION. Pursuant to Sections 21.16.070 (Notice of Public Hearing) and 21.16.075 (Posting) of the County Code, the community was properly notified of the public hearing by mail, newspaper (The Signal), and property posting for the appeal of the Hearing Officer's decision. Additionally, the request for appeal of the Project was noticed and case materials were available on LA County Planning's website. On October 3, 2024, Staff mailed a total of 143 Notices of the Public Hearing out to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site. This mailing also included 25 notices to those on the courtesy mailing list for the Castaic Canyon Zoned District and to any additional interested parties.

26. LOCATION OF DOCUMENTS. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Subdivisions Section, LA County Planning.

27. PUBLIC COMMENT. To date staff have received seven correspondences pertaining to the project. Six of emails are in opposition to the project in support of staff's recommendation of denial, the other is a request for more information.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION FINDS AND CONCLUDES THAT:

- A. The proposed Project information is inadequate to determine the feasibility of the project design, general plan consistency or whether approval of the map would be in the public interest and therefore is authorized to disapprove, or deny, the conditional use permit and oak tree permit.

PROJECT NO. 2014-00025-(5)
CONDITIONAL USE PERMIT NO. 201400001
OAK TREE PERMIT NO. 201400002

EXHIBIT C
FINDINGS
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THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the CEQA pursuant to State CEQA Guidelines section 15270.
2. Denies the appeal and upholds the Hearing Officer's decision to deny **CONDITIONAL USE PERMIT NO. 201400001** and **OAK TREE PERMIT NO. 201400002** due to inactivity.

ACTION DATE: December 4, 2024

Vote: Concurring: Dissenting: Abstaining: Absent, 5:0:0:0

Concurring: O'Connor, Duarte-White, Hastings, Louie, and Moon

JH:EGA:PS

c: Each Commissioner