

**LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING**

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION  
AND ORDER**

**PROJECT NO. 04-035-(1)  
TENTATIVE TRACT MAP NO. 060973  
~~ENVIRONMENTAL ASSESMENT NO. RPPL2021002622~~**

**RECITALS**

1. **HEARING DATE(S).** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly-noticed public hearing on October 9, 2024, after it was continued without opening the public hearing on August 7, 2024, in the matter of Project No. **04-035-(1)**, consisting of ~~Vesting~~ Tentative Tract Map No. 060973 (“TR060973”). TR060973 was considered together with Conditional Use Permit (“CUP”) No. RCUP-200800169, and Oak Tree Permit (“OTP”) No. RPPL2021002541, ~~and Environmental Assessment No. RPPL2021002622~~. TR060973, CUP, and OTP are referred to collectively as the “Project Permits”. The Commission previously conducted a duly-noticed hearing on TR060973 and CUP on October 17, 2012, December 12, 2012, and March 13, 2013.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT REQUESTED.** The subdivider, Juanita & Arturo Barrera (“subdivider”), requests TR060973 dated August 31, 2021, to authorize the creation of 10 residential lots on 12.35 gross acres (10.5 net acres) (“Project”) in the unincorporated community of Hacienda Heights pursuant to Los Angeles County Code (“County Code”) Chapter 21.40 (Tentative Maps). The Project was deemed complete on January 11, 2011, and subject to the provisions applicable at that time.
4. **RELATED ENTITLEMENT.** The CUP is a related request to develop within a non-urban hillside management area pursuant to then Section 22.56.215 (Hillside Management and Significant Ecological Areas-Additional Regulations) of the County Code in effect in the year 2011, and for over-height retaining walls within required yards pursuant to current County Code Section 22.110.070 (Fences and Walls) in the A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) zone.
5. **RELATED ENTITLEMENT.** The OTP is a related request to authorize the encroachment of nine non-heritage oak trees pursuant to current County Code Chapter 22.174 (Oak Tree Permits).
6. **LOCATION.** The Project is located at 2027 Vallecito Drive and 2342 Via Cielo within the Hacienda Heights Zoned District and East San Gabriel Valley Planning Area (“Project Site”) and partially within a Very High Fire Hazard Severity Zone.

7. **PREVIOUS ENTITLEMENTS.** Previous entitlements on the Project Site include Site Plan Review No. RPPL2021010715 to add a second-floor addition to an existing single-family residence on proposed Lot No. 6, Tentative Parcel Map No. 21084 to create four single-family lots on 4.21 acres that was approved on December 11, 1990 and expired on December 12, 1997, Tentative Tract Map No. 46010 to create six single-family lots on 7.86 acres that was approved on November 13, 1990 and expired on November 13, 1995, and Tentative Tract Map No. 2421 that was adopted by Ordinance No. 5122 on May 25, 1948 and became effective on June 21, 1948.
  
8. **ENTITLEMENTS REQUESTOR.** Unless otherwise apparent from the context, subdivider or successor in interest (“subdivider”) shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
  
9. **LAND USE DESIGNATION.** The Project Site is located within the N2 (Non-Urban 2 – 0.3 to 1.0 Dwelling Units per Net Acre) land use category of the 1978 Hacienda Heights Community Plan (“1978 Community Plan”) Land Use Policy Map, a component of the General Plan, then in effect at the time the Project was deemed complete. The Project Site is currently designated RL10 (Rural Lands 10 - Maximum One Dwelling Unit Per 10 Acres) under the East San Gabriel Valley Area Plan (“ESGVAP”). The Project was deemed complete on January 11, 2011, prior to the June 21, 2011, effective date of the updated Hacienda Heights Community Plan (“2011 Community Plan”). Since the Project was deemed complete prior to the effective date of the 2011 Hacienda Heights Community Plan and subsequent ESGVAP, the Project is subject to the land use and policies outlined within the 1978 Community Plan.
  
10. **ZONING.** The Project Site is located in the Hacienda Heights Zoned District and is currently zoned A-1-1.

**11. SURROUNDING LAND USES AND ZONING.**

\*The Project Is analyzed under the 1978 Community Plan. Surrounding land use policy are listed as currently in effect under the ESGVAP.

LOCATION	APPLICABLE LAND USE POLICY*	ZONING	EXISTING USES
SUBJECT PROPERTY	<del>RL10 previously Non-Urban 2</del>	<del>A-1-1</del>	<del>Two detached single-family residences (“SFRs”) and detached garages</del>
NORTH	RL10	A-1-1	Single-family residences (“SFRs”)
EAST	H5 (Residential 5 - 0-5 Dwelling Units Per Acre)	R-1-20,000 (Single-Family Residence - 20,000 Square Feet	SFRs

		Minimum Required Lot Area)	
SOUTH	RL10	A-1-1	SFRs
WEST	RL10	A-1-1	SRFs

**12. PROJECT AND SITE PLAN DESCRIPTION.**

A. Existing Site Conditions

The Project Site is 12.35 gross acres (10.5 net acres) in size and consists of three lots. The Project Site is irregular in shape with slopes that range from 0 to 25% slopes to over 50%, and is developed with two existing SFRs and detached garages that will remain, on Lot Nos. 6 and 10, respectively. The Project Site has a total of 29 oak trees (none are heritage oaks) scattered throughout. Currently access to existing SFR on proposed Lot No. 6 is from Vallecito Drive, and access to the SFR on proposed Lot No. 10 is from Via Cielo.

B. Site Access

The Project Site is accessible via Vallecito Drive, a 60-foot-wide limited secondary highway on the County Master Plan of Highways to the south; the Project Site is also accessible via a 24-foot-wide access driveway from Via Cielo, a 24-foot-wide private driveway. Lot No. 6 will have access directly from Vallecito Drive, and the remaining lots will have access via an internal 40-foot-wide private driveway and fire lane from Vallecito Drive that includes a circular fire truck turnaround at the west of the Project Site. Access for the SFR on proposed Lot No. 10 will change from Via Cielo to the new internal 40-foot-wide private driveway and fire lane. A 24-foot-wide emergency-only private driveway and fire lane connects the fire truck turnaround to Via Cielo, where there will be a gate and Knox box for emergency access. No gate is proposed at the main entrance to the private driveway and fire lane from Vallecito Drive.

C. Tentative Map

Tentative Tract No. 060973 and Exhibit "A" Map dated August 31, 2021, depicts 10 residential lots to accommodate eight new building pads on 12.35 gross acres (10.5 net acres). The two existing SFRs and detached garages will remain on proposed Lot Nos. 6 and 10. The 10 proposed lots range in size from approximately one gross acre (43,889 gross square feet) to 2.1 gross acres (92,959 gross square feet). Each lot provides a buildable pad area that ranges in size from 7,746 to 13,841 square feet. All the buildable pads combined total approximately 2.46 acres (106,932 square feet). All areas outside of the buildable pads on each lot are designated as protected open space, meeting the minimum 70% net area requirement for a non-urban hillside management project. The Project includes a total of eight acres (351,201 square feet) of protected open space (76.7% of the net Project area).

The Project includes 176.22 feet of public street frontage only for Lot No. 6 only, along Vallecito drive, a 60-foot-wide limited secondary highway. The Project includes a request

to waive the street frontage requirement because only Lot No. 6 will have public street frontage. All other lots will front and have ingress/egress from the internal 40-foot-wide paved private driveway and fire lane connected to Vallecito Drive.

This 40-foot-wide private driveway and fire lane includes a 20-foot-wide fire lane and a fire truck turnaround at the west end of the Project. A 24-foot-wide emergency-only private driveway and fire lane connects the fire truck turnaround to Via Cielo, where there is a gate and Knox box for emergency access. No gate is proposed at the main east end of the private driveway and fire lane (between the Project and Vallecito Drive). The 40-foot-wide private driveway and fire lane has also been designed to accommodate parking on one side in certain areas, outside of the interior 20-foot-wide fire lane, as depicted on the tentative map. The 40-foot-wide private driveway and fire lane is supported by various retaining walls, which are proposed within the front yard setback areas that vary from one foot to 15 feet in height. Portions of the retaining wall that will be six or more feet in height will be screened with vegetation and trees along Lot Nos. 7, 8 and 10.

The Project Site has a total of 29 non-heritage oak trees located throughout the property and nine of them will be encroached upon by proposed grading, development of a building pads, and development of the private driveway and fire lanes. There are no heritage oak trees on the Project Site and no oak tree removals are proposed.

Project grading includes a total of approximately 22,200 cubic yards (“cy”) of earthwork, including 11,100 cy of cut and 11,100 cy of fill to be balanced onsite.

D. Affordable Housing

The Project does not include an affordable component, nor include a density bonus or request for incentives/waivers; therefore, a housing permit is not required. Furthermore, the Project is not subject to the Inclusionary Housing Ordinance (“IHO”) as it was deemed complete in 2011, prior to the effective date of the ordinance on December 10, 2020.

E. Internal Circulation

Internal circulation and access for the Project will be provided by a private driveway and fire lane system with a paved width of 40 feet and access from Vallecito Drive. The private driveway and fire lane provides a circular fire truck turnaround at the west end of the Project. A 24-foot-wide gated emergency-only private driveway and fire lane connects the fire truck turnaround to Via Cielo, where there is a Knox box for emergency access. No gate is proposed at the main east end of the private driveway and fire lane (between the Project and Vallecito Drive).

F. Open Space

All areas outside of the buildable pads are designated as open space. Each lot includes protected open space area of a minimum 70% net area requirement for a non-urban

hillside management project, and the Project as a whole provides a total of eight acres (351,201 square feet) of open space (756.7% of the net Project area).

G. Oak Trees

There are 29 oak trees scattered throughout the Project Site. None of the oak trees within the Project Site are heritage oak trees. Due to grading and development, the Project would result in the encroachment into the protected zone of nine oak trees. These include:

Lot Number	Oak Tree Number	Notes
Lot No. 1	22	none
Lot No. 2	19	none
Lot No. 4	24, 25, 29, 30	none
Lot No. 5	23	none
Lot No. 6	8	none
Lot No. 7	7, 9	Oak Tree No. 9 died in 2012

13. **CEQA DETERMINATION.**

Prior to the Commission's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, LA County Planning staff determined that a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project. These mitigation measures address impacts to the areas of Biological Resources, Cultural Resources, Noise, and Tribal Cultural Resources. No other significant impacts were identified.

The areas of environmental impact found to be less than significant with project mitigation incorporated include the following:

- **Biological Resources** mitigation includes pre-construction surveys and follow-up protective measures to reduce potential impacts to potentially occurring special status wildlife species to less than significant.
- **Cultural Resources** mitigation includes monitoring and protocols to follow if cultural resources are identified during grading activities.
- **Noise** mitigation includes the requirement to use adequate mufflers and noise barriers to reduce potential noise levels at sensitive uses from the Project's stationary construction equipment to below the County's noise standard.
- **Tribal Cultural Resources** mitigation includes the requirement for a Native American Monitor/Consultant prior to the commencement of Project-related ground disturbing

activities and protocols to be followed if tribal cultural resources are identified during grading activities.

14. **COMMUNITY OUTREACH.** On June 10, 2023, the subdivider performed public outreach through an open house at the existing SFR on Lot No. 10 to discuss the project scope and concerns with the surrounding neighbors. The meeting was attended by 12 neighbors and four letters in support of the project were collected.

The subdivider at the time, also previously performed public outreach on July 14, 2008 through an open house at the existing SFR on Lot No. 10 to present the project and answer questions from the community. This meeting was attended by 10 community members.

15. **PUBLIC COMMENTS.** ~~Reserved~~ On August 6, 2024, Staff received one letter in opposition of the Project. The letter expressed concerns regarding due process notice provisions, vested rights, significant and unmitigable biological impacts, the flooding and runoff, and additional concerns of legal compliance.

On September 23, 2024, staff received a NOI Response Comment Letter from the Los Angeles County Sanitation Districts with comments regarding the sewerage service.

16. **AGENCY RECOMMENDATIONS.**

- A. The Los Angeles County Subdivision Committee, consisting of LA County Planning and County Departments of Public Works (“Public Works”), Fire, Parks and Recreation, and Public Health recommended Tentative Tract Map No. 060973 and Exhibit “A” dated August 31, 2021, clearance to public hearing with conditions.

17. **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 (Hacienda Heights Highlander), and property posting. Additionally, the Project notice and case materials were posted on LA County Planning's website. On June 27, 2024, a total of 81 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as nine notices to those on the courtesy mailing list for the Hacienda Heights Zoned District and to any additional interested parties.

After the August 7, 2024, public hearing, LA County Planning staff mailed out 89 updated postcards and Notice of Intent notices, ran an updated newspaper advertisement on the Hacienda Heights Highlander and updated site posting on 2342 Via Cielo and 2047 Vallecito Drive. All noticing materials noted the updated hearing date of October 9, 2024, and a comment period starting from September 6, 2024, and ending on 12 p.m. on October 8, 2024.

**GENERAL PLAN CONSISTENCY FINDINGS**

18. **LAND USE POLICY.** The Commission finds that the Project is consistent with the goals and policies of the 1978 Community Plan because the Non-Urban 2 land use designation is intended for low density residential, into which this Project falls. The Commission further finds that the Project promotes the preservation of open space and local oak trees while providing the opportunity for new residential lots.

19. **GOALS AND POLICIES.** The Commission finds that the Project is consistent with the following goals and policies of the 1978 Community Plan:

*Goal 1 – Preserve the community as a predominantly single-family bedroom area.*

The Project will create a total of 10 residential lots within the A-1-1 zone that will allow for the development of detached single-family residential units in a similar development pattern existing in the neighborhood.

*Goal 5 – Minimize the alteration of the natural hillsides.*

The Project will minimize grading on the natural hillsides by maintaining two existing residential pads in its location. The Project will create 10 new residential lots and grade only eight new building pads. The proposed pads utilize flatter areas of the hillsides to minimize grading.

*Land Use Policy 8 – Require underground utilities and the unobtrusive placement of service boxes for all new developments.*

The Project is required to underground utilities by Public Works.

*Land Use Policy 9 – Encourage architectural styles and design which are compatible with the natural landscape in hillside areas.*

The retaining walls along the new private driveway and fire lane will be screened with vegetation and trees in a way that will blend in with the existing hillside in a similar pattern to the surrounding hillsides.

*Environmental Resource Management Policy 1 – In areas where slope exceeds 30 percent, residential density shall not exceed one unit per acre.*

The Project density does not exceed one unit per acre. Each residential lot will be at least one gross acre. The residential lots will range in size from one gross acre (43,889 gross square feet) to 2.1 gross acres (92,959 gross square feet) in size.

*Environmental Resource Management Policy 2 – In non-urban areas, preserve drainage courses in their natural state to the greatest extent possible consistent with public safety and welfare.*

No alteration of drainage courses is proposed.

#### **SUBDIVISION AND ZONING CODE CONSISTENCY FINDINGS**

20. **PERMITTED USE IN ZONE.** The Commission finds that the Project is consistent with the A-1-1 zoning classification as single-family homes are permitted in such zone pursuant to current County Code Section 22.16.030 (Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W) and grading within a hillside management area is permitted with a CUP pursuant to then Chapter 22.56.215 (Hillside Management and Significant Ecological Areas-Additional Regulations) ordinance in effect in 2011 when the Project was deemed complete.
21. **HILLSIDE MANAGEMENT AREA.** The Commission finds that the Project is consistent with then Section 22.56.215 (Hillside Management and Significant Ecological Areas-Additional Regulations) in effect in the year 2011, which requires a minimum of 70% net area of the project as open space and a maximum density of 10 dwelling units. The density potential is calculated within slope categories of 0 to 25%, 25 to 50%, and 50% plus. Based on the Project's slope density analysis that depicts slopes 0 to 25% (eight acres), 25 to 50% (four acres), and over 50% (0.30 acres), the subject property yields a maximum of 10 dwelling units.
22. **AREA.** The Commission finds that the Project is consistent with the standards identified in current County Code Section 22.110.130 (Required Area and Width). The Project provides the minimum required area of one gross acre as required in the A-1-1 zone.
23. **FRONTAGE.** The Commission finds that the Project is authorized to waive the minimum frontage requirement of 40 feet and 50 feet per County Code Section 21.24.300 (Minimum Frontage) for Lot Nos. 1 through 5 and 7 through 10, per County Code Section 21.52.1010 (Modification or Waiver of Provisions in this Title Authorized When). Lot No.6 will provide approximately 100 feet of street frontage on Vallecito Drive. All other lots will have frontage along the internal private driveway and fire lane to allow for a design with less grading due to existing topography.
24. **REQUIRED YARDS.** The Commission finds that the Project is consistent with the standards identified in current County Code Section 22.16.050 (Development Standards for A-1 and A-2) because the proposed building pads allow for future residential structures to provide the required yard setbacks of 20 feet in the front, five feet on the side, and 15 feet for the rear yard. The front, side and rear yard location is determined on the orientation of the lot to the internal driveway and fire lane for Lot Nos. 1 through 5 and 7 through 10 as these lots do not



front Vallecito Drive. Compliance with required yards will be verified prior to building permit issuance.

25. **FENCES AND WALLS.** The Commission finds that the Project is consistent with the standard identified in current County Code Section 22.110.070 (Fences and Walls) which requires retaining walls within required yards to not exceed six feet in height, as modified by the related CUP. The Project includes retaining walls along the internal private driveway and fire lane in heights ranging from one foot to 15 feet in height. The portions of the retaining walls that are over six feet in height will be screened by vegetation and trees, along Lot Nos. 7, 8, and 10. The CUP allows retaining walls over six feet in height that will be set back more than 20 feet from Vallecito Drive.
26. **GRADING.** The Commission finds that the Project is consistent with the standard identified in County Code Section 21.40.040 (Items Required for Tract Maps). The Exhibit "A" Map dated August 31, 2021, depicts the grading limits and earthwork proposed, which totals approximately 22,200 cy, including 11,100 cy of cut and 11,100 cy of fill to be balanced on site. Grading will take place within hillside management areas with slopes greater than 25%. Retaining walls along these graded areas will be screened with trees.
27. **PARKING.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces) for SFRs because each dwelling unit will be required to develop a two-car garage as required. The building pad depicted in the related CUP Exhibit "A" includes an area for a two-car garage. Compliance with parking will be verified prior to building permit issuance.
28. **TREE PLANTING.** The Commission finds that the Project is not subject to the standards identified in current County Code Chapter 22.126 (Tree Planting Requirements) and Section 21.32.160 (Street Tree Planting). The Project was deemed complete in 2011, prior to the adoption of tree planting requirements in 2013 and 2019, respectively. The Project is subject to then County Code Section 21.32.195 (On-Site Trees), which at the time the Project was deemed complete, required one front yard tree for each lot. The Project will also plant additional trees along the over-height portions of the proposed retaining wall along the private driveway and fire lane.
29. **IMPROVEMENTS.** The Commission finds that the Project is consistent with County Code Sections 21.52.010 (Modification or Waiver of Provisions in this Title Authorized When) and 21.52.010 (Modifications to Access and Frontage Requirements). New residential lots will have frontage on the internal private driveway and fire lane that will be 40 feet wide, that is similar to portions of Vallecito Drive. Each residential lot will be similar in shape and orientation to that of residential lots that front public streets.

30. **INCLUSIONARY UNITS.** The Commission finds that the Project is exempt from the IHO because the Project was deemed complete in 2011, prior to the effective date of IHO on December 10, 2020.

#### **TENTATIVE TRACT MAP SPECIFIC FINDINGS**

31. **The Commission finds that the map is consistent with the goals and policies of the General Plan.** The Project would result in the creation of a total of 10 residential lots that will be a minimum of one gross acre in size. This will allow for the existing neighborhood pattern of single-family dwelling units to be developed. The project was deemed complete on January 11, 2011, and is consistent with the applicable goals and policies of the General Plan.
32. **The Commission finds that the design or improvement of the proposed subdivision is consistent with the goals and policies of the General Plan.** The Project will preserve 76.7% of the Project Site as protected open space that will allow for the natural hillsides to be preserved. The interior private driveway and fire lane will reduce project grading amount. The Project has an approved hydrology study which addresses flooding and runoff through small-scale best management practices.
33. **The Commission finds that the site is physically suitable for the type of development.** The Project Site can accommodate the 10 new residential lots of which eight will have a new building pad developed. The Project will maintain existing SFRs on proposed Lot Nos. 6 and 10. The Project will provide 76.7% of natural and disturbed open space.
34. **The Commission finds that the site is physically suitable for the proposed density of development.** The N2 land use category and A-1-1 zoning together with the then Hillside Management Areas Ordinance, allow for a maximum of 10 units. The Project is creating a total of 10 new residential lots. The Project also has sufficient area to provide more than the required 70% of open space.
35. **The Commission finds the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The Project includes mitigation measures that will require the submittal of biological resources studies and monitoring of potential impacts to wildlife and habitat. The Project will also maintain the 29 existing oak trees and encroach only when necessary. Potential impacts to biological resources were evaluated through various onsite habitat assessments and natural resource data bases, and none of the 18 potentially occurring species were identified onsite. The Project also includes mitigation measures that require additional surveys and project monitoring for the potentially occurring species onsite.

36. **The Commission finds that the design of the subdivision or type of improvements is not likely to cause serious public health problems.** The Project provides necessary internal access to all new residential lots, will preserve open space areas, and maintain the existing 29 oak trees.
37. **The Commission finds that the design or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.** The Project has public easements that have been reviewed and will not conflict with allowing for the public to traverse the Project Site. The Project will record a covenant to preserve 76.7% of the Project Site as open space. These open space areas will be located throughout the Project Site, including within each residential lot.
38. **The Commission finds that the design, location of, and access to each lot of the subdivision, and the subdivision as a whole, subject to the Project Permit conditions, are consistent with applicable regulations adopted by the State Board of Forestry and Fire Protection, pursuant to sections 4290 and 4291 of the Public Resources Code, and are supported by the MND, if applicable, and the Administrative Record for this Project.** The Project provides an internal private driveway and fire lane that includes a Fire Truck turnaround and emergency access driveway to Via Cielo. County Fire Department will have access to the gated driveway at the Via Cielo emergency access driveway through a Knox Box.
39. **The Commission finds that structural fire protection and fire suppression services will be available for the subdivision through the County Fire Department.** The Project will install three public fire hydrants, include an internal fire lane that connects to Vallecito Drive and an emergency access driveway to Via Cielo, that will create two points of access in the case of an emergency.

#### **ENVIRONMENTAL FINDINGS**

40. After consideration of the MND and the MMRP, together with the comments received during the public review process, the Commission finds on the basis of the whole record before it that there is no substantial evidence that the Project as conditioned will not have a significant effect on the environment, and further finds that the MND reflects the independent judgment and analysis of the Commission. The Project will mitigate to less than significant potential impacts to the Project's Biological Resources, Cultural Resources, Noise, and Tribal Cultural Resources. Mitigation measures include requirements for field surveys prior to grading and provide protocols to follow incase cultural or tribal resources are found.
41. The Commission finds that the MMRP, prepared in conjunction with the MND, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Project provides mitigation measures for potential impacts to Biological Resources, Cultural Resources, Noise and Tribal Cultural Resources,

including the submittal of wildlife surveys prior to the commencement of grading. The mitigation measures also require for an on-site monitor to be present in case tribal cultural resources are found.

42. The Commission finds that the subdivider is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code. The Project has an MND.

#### **ADMINISTRATIVE FINDINGS**

43. **HOUSING ACCOUNTABILITY ACT.** The Commission finds that the Project is considered a housing development that is consistent with the General Plan and Zoning and would not have a specific adverse impact upon public health or safety as described in the tentative map, and environmental findings.

44. **PUBLIC MEETINGS.** The Commission finds that pursuant to SB330, the number of publicly held meetings since January 1, 2020, do not exceed the five-meeting limit. ~~Four~~ Five meetings occurred on the following dates:

- Three Subdivision Committee Meetings were held on March 18, 2021, July 15, 2021, and October 7, 2021.
- Regional Planning Commission Hearing held on August 7, 2024, and October 9, 2024.

45. **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, 13<sup>th</sup> 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 Commission finds that the map is consistent with the goals and policies of the General Plan.
- B. The Commission finds that the design or improvement of the proposed subdivision is consistent with the goals and policies of the General Plan.
- C. The Commission finds that the site is physically suitable for the type of development since the Project complies with all development standards of the A-1-1 zoning.
- D. The Commission finds that the site is physically suitable for the proposed density of development since the Project is consistent with the General Plan, within the maximum

allowable density, and complies with all development standards of the prescribed A-1-1 zoning.

- E. The Commission finds the design of the subdivision, or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- F. The Commission finds that the design of the subdivision or type of improvements is not likely to cause serious public health problems since sewage disposal, storm drainage, fire protection, and geologic and soils factors.
- G. The Commission finds that Project Site is has topographical conditions that affect the design and that a waiver of street frontage will allow for a reduction in grading amounts while still providing sufficient Internal access and fire safety access.
- H. The Commission finds design, location of, and access to each lot of the subdivision, and the subdivision as a whole, subject to the Project Permit conditions, are consistent with applicable regulations adopted by the State Board of Forestry and Fire Protection, pursuant to sections 4290 and 4291 of the Public Resources Code, and are supported by the MND, if applicable, and the Administrative Record for this Project.
- I. The Commission finds the structural fire protection and fire suppression services will be available for the subdivision through the County Fire Department.

**THEREFORE, THE REGIONAL PLANNING COMMISSION:**

1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the MND and that the MND reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; certifies that it considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Commission that there is no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and
2. Approves **TENTATIVE TRACT MAP NO. 060973**, subject to the attached conditions.

**ACTION DATE: ~~August 7, 2024~~ October 9, 2024**

JSH:EGA:ACB

~~7/25~~9/26/2024

**LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING**

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3. **ENTITLEMENT REQUESTED.** The permittee, Juanita & Arturo Barrera (“Permittee”), requests a CUP to develop within a non-urban hillside management area pursuant to then Section 22.56.215 (Hillside Management and Significant Ecological Areas - Additional Regulations) in effect in the year 2011, and for over-height retaining walls within required yards pursuant to current County Code Section 22.110.070 (Fences and Walls) in the A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) zone.
4. **ENTITLEMENT REQUIRED.** The OTP is a request to authorize the encroachment of nine non-heritage oak trees pursuant to current County Code Chapter 22.174 (Oak Tree Permits).
5. **RELATED ENTITLEMENT.** TR060973 dated August 31, 2021, is a related request to authorize the creation of 10 residential lots on 12.35 gross acres pursuant to County Code Chapter 21.40 (Tentative Maps).
6. **LOCATION.** The Project is located at 2027 Vallecito Drive and 2342 Via Cielo within the Hacienda Heights Zoned District and East San Gabriel Valley Planning Area (“Project Site”) and partially within a Very High Fire Hazard Severity Zone.

7. **PREVIOUS ENTITLEMENTS.** Previous entitlements on the Project Site include Site Plan Review No. RPPL2021010715 to add a second-floor addition to an existing single-family residence on proposed Lot No. 6, Tentative Parcel Map No. 21084 to create four single-family lots on 4.21 acres that was approved on December 11, 1990 and expired on December 12, 1997, Tentative Tract Map No. 46010 to create six single-family lots on 7.86 acres that was approved on November 13, 1990 and expired on November 13, 1995, and Tentative Tract Map No. 2421 that was adopted by Ordinance No. 5122 on May 5, 25,1948 and became effective on June 21, 1948.
  
8. **LAND USE DESIGNATION.** The Project Site is located within the N2 (Non-Urban 2 - 0.3 to 1.0 Dwelling Units per Net Acre) land use category of the 1978 Hacienda Heights Community Plan ("1978 Community Plan") Land Use Policy Map, a component of the General Plan, then in effect at the time the Project was deemed complete. The Project Site is currently designated RL10 (Rural Lands 10 - Maximum One Dwelling Unit Per 10 Acres) under the East San Gabriel Valley Area Plan ("ESGVAP"). The Project was deemed complete on January 11, 2011, prior to the June 21, 2011 effective date of the updated Hacienda Heights Community Plan ("2011 Community Plan") Since the Project was deemed complete prior to the effective date of the 2011 Hacienda Heights Community Plan and subsequent ESGVAP, the Project is subject to the land use and policies outlined within the 1978 Community Plan.
  
9. **ZONING.** The Project Site is located in the Hacienda Heights Zoned District and is currently zoned A-1-1.

**10. SURROUNDING LAND USES AND ZONING**

\*The Project Is analyzed under the 1978 Community Plan. Surrounding land use policy are listed as currently in effect under the SGVAP.

LOCATION	APPLICABLE LAND USE POLICY*	ZONING	EXISTING USES
NORTH	RL10	A-1-1	Single-family residences ("SFRs")
EAST	H5 (Residential 5: 0-5 Dwelling Units Per Acre)	R-1-20,000 (Single-Family Residence - 20,000 Square Foot Required Lot Area)	SFRs
SOUTH	RL10	A-1-1	SFRs
WEST	RL10	A-1-1	SRFs

**11. PROJECT AND SITE PLAN DESCRIPTION.**

A. Existing Site Conditions

The Project Site is 12.35 gross (10.5 net acres) in size and consists of three lots. The Project Site is irregular in shape with slopes that range from 0 to 25% slopes to over 50% and is developed with two existing SFRs and detached garages that will remain on Lot Nos. 6 and 10, respectively. The Project Site has a total of 29 oak trees (none are heritage oaks) scattered throughout. Currently access to existing SFR on proposed Lot No. 6 is from Vallecito Drive, and access to the SFR on proposed Lot No. 10 is from Via Cielo.

**B. Site Access**

The Project Site is accessible via Vallecito Drive, a 60-foot-wide limited secondary highway on the County Master Plan of Highways, to the south; the Project Site is also accessible via a 24-foot-wide access driveway from Via Cielo, a 21-foot-wide private driveway. Lot No. 6 will have access directly from Vallecito Drive, and the remaining lots will have access via an internal 40-foot-wide private driveway and fire lane from Vallecito Drive that includes a circular fire truck turnaround at the west of the Project Site. Access for the SFR on proposed Lot No. 10 will change from Via Cielo to the new internal 40-foot-wide private driveway and fire lane. A 24-foot-wide emergency-only private driveway and fire lane connects the fire truck turnaround to Via Cielo, where there will be a gate and Knox box for emergency access. No gate is proposed at the main entrance to the private driveway and fire lane from Vallecito Drive.

**C. Site Plan**

The Exhibit "A" Map dated August 31, 2021, depicts 10 residential lots to accommodate eight new building pads on 12.35 gross acres (10.5 net acres). The two existing SFRs and detached garages will remain on proposed Lot Nos. 6 and 10. The 10 proposed lots range in size from approximately one gross acre (43,889 gross square feet) to 2.1 gross acres (92,959 gross square feet). Each lot provides a buildable pad area that ranges in size from 7,746 to 13,841 square feet. All the buildable pads combined total approximately 2.46 acres (106,932 square feet). All areas outside of the buildable pads on each lot are designated as protected open space, meeting the minimum 70% net area requirement for a non-urban hillside management project. The Project includes a total of eight acres (351,201 square feet) of protected open space (76.7% of the net Project area).

The Project includes 176.22 feet of public street frontage only for Lot No. 6 only, along Vallecito drive, a 60-foot-wide limited secondary highway on the County Master Plan of Highways. The Project includes a request to waive the street frontage requirement because only Lot No. 6 will have public street frontage. All other lots will front, and have ingress/egress from the internal 40-foot-wide paved private driveway and fire lane connected to Vallecito Drive.



This 40-foot-wide private driveway and fire lane includes a 20-foot-wide fire lane and fire truck turnaround at the west end of the Project. A 24-foot-wide emergency-only private driveway and fire lane connects the fire truck turnaround to Via Cielo, where there is a gate and Knox box for emergency access. No gate is proposed at the main east end of the private driveway and fire lane (between the Project and Vallecito Drive). The 40-foot-wide private driveway and fire lane has also been designed to accommodate parking on one side in certain areas, outside of the interior 20-foot-wide fire lane, as depicted on the tentative map. The 40-foot-wide private driveway and fire lane is supported by various retaining walls, which are proposed within the front yard setback areas that vary from one foot to 15 feet in height. Portions of the retaining wall that will be six or more feet in height will be screened with vegetation and trees along Lot Nos. 7, 8 and 10.

The Project Site has a total of 29 non-heritage oak trees located throughout the property and nine of them will be encroached upon by proposed grading, development of a building pads, and development of the private driveway and fire lanes. There are no heritage oak trees on the Project Site and no oak tree removals are proposed.

Project grading includes a total of approximately 22,200 cubic yards (“cy”) of earthwork, including 11,100 cy of cut and 11,100 cy of fill to be balanced onsite.

D. Affordable Housing

The Project does not include an affordable component, nor include a density bonus or requests for incentives/waivers, therefore a housing permit is not required. Furthermore, the Project is not subject to the Inclusionary Housing Ordinance (“IHO”) as it was deemed complete in 2011, prior to the effective date of the ordinance on December 10, 2020.

E. Internal Circulation

Internal circulation and access for the Project will be provided by a private driveway and fire lane system with a paved width of 40 feet and access from Vallecito Drive. The private driveway and fire lane provides a circular fire truck turnaround at the west end of the Project. A 24-foot-wide gated emergency-only private driveway and fire lane connects the fire truck turnaround to Via Cielo, where there is a Knox box for emergency access. No gate is proposed at the main east end of the private driveway and fire lane (between the Project and Vallecito Drive).

F. Open Space

All areas outside of the buildable pads are designated as protected open space. Each lot includes protected open space area of a minimum 70% net area requirement for a non-urban hillside management project, and the Project as a whole provides a total of eight acres (351,201 square feet) of open space (756.7% of the net Project area).

G. Oak Trees

There are 29 oak trees scattered throughout the Project Site. None of the oak trees within the Project Site are heritage oak trees. Due to proposed grading and development, the Project would result in the encroachment into the protected zone of nine oak trees. These include:

Lot Number	Oak Tree Number	Notes
Lot No. 1	22	none
Lot No. 2	19	none
Lot No. 4	24, 25, 29, 30	none
Lot No. 5	23	none
Lot No. 6	8	none
Lot No. 7	7, 9	Oak Tree No. 9 died in 2012

12. **CEQA DETERMINATION.**

Prior to the Commission’s public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (“CEQA”), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, LA County Planning staff determined that a Mitigated Negative Declaration (“MND”) was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program (“MMRP”) prepared for the Project. These mitigation measures address impacts to the areas of Biological Resources, Cultural Resources, Noise, and Tribal Cultural Resources. No other significant impacts were identified.

The areas of environmental impact found to be less than significant with project mitigation incorporated include the following:

- **Biological Resources** mitigation includes pre-construction surveys and follow-up protective measures to reduce potential impacts to potentially occurring special status wildlife species to less than significant.
- **Cultural Resources** mitigation includes monitoring and protocols to follow if cultural resources are identified during grading activities.
- **Noise** mitigation includes the requirement to use adequate mufflers and noise barriers to reduce potential noise levels at sensitive uses from the Project’s stationary construction equipment to below the County’s noise standard.
- **Tribal Cultural Resources** mitigation includes the requirement for a Native American Monitor/Consultant prior to the commencement of Project-related ground disturbing

activities and protocols to be followed if tribal cultural resources are identified during grading activities.

13. **COMMUNITY OUTREACH.** On June 10, 2023, the Permittee performed public outreach through an open house at the existing SFR on Lot No. 10 to discuss the project scope and concerns with the surrounding neighbors. The meeting was attended by 12 neighbors and four letters in support of the project were collected.

The subdivider at the time, also previously performed public outreach, on July 14, 2008, through an open house at the existing SFR on Lot No. 10 to present the project and answer questions from the community. This meeting was attended by 10 community members.

14. **PUBLIC COMMENTS.** ~~Reserved~~ On August 6, 2024, Staff received one letter in opposition of the Project. The letter expressed concerns regarding due process notice provisions, vested rights, significant and unmitigable biological impacts, the flooding and runoff, and additional concerns of legal compliance.

On September 23, 2024, staff received a NOI Response Comment Letter from the Los Angeles County Sanitation Districts with comments regarding the sewerage service.

15. **AGENCY RECOMMENDATIONS.**

- A. Los Angeles County Subdivision Committee, consisting of LA County Planning and County Departments of Public Works (“Public Works”), Fire, Parks and Recreation, and Public Health: Recommended Tentative Tract Map No. 060973 and Exhibit “A” dated August 31, 2021, clearance to public hearing with conditions.

16. **LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 (Public Hearing Procedure), of the County Code, the community was ~~properly~~ notified of the public hearing by mail, newspaper (Hacienda Heights Highlander), and property posting. Additionally, the Project notice and case materials were posted on LA County Planning's website. On June 27, 2024, a total of 81 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as nine notices to those on the courtesy mailing list for the Hacienda Heights Zoned District and to any additional interested parties.

After the August 7, 2024, public hearing, LA County Planning staff mailed out 89 updated postcards and Notice of Intent notices, ran an updated newspaper advertisement on the Hacienda Heights Highlander and updated site posting on 2342 Via Cielo and 2047 Vallecito Drive. All noticing materials noted the updated hearing date of October 9, 2024, and a comment period starting from September 6, 2024, and ending on 12 p.m. on October 8, 2024.

**GENERAL PLAN CONSISTENCY FINDINGS**

17. **LAND USE POLICY.** The Commission finds that the Project is consistent with the goals and policies of the 1978 Community Plan because the Non-Urban 2 land use designation is intended for low density residential, into which this Project falls. The Commission further finds that the Project promotes the preservation of open space and local oak trees while providing the opportunity for new residential lots.

18. **GOALS AND POLICIES.** The Commission finds that the Project is consistent with the following goals and policies of the 1978 Community Plan:

*Goal 1 – Preserve the community as a predominantly single-family bedroom area.*

The Project will create a total of 10 residential lots within the A-1-1 zone that will allow for the development of detached single-family residential units in a similar development pattern existing in the neighborhood.

*Goal 5 – Minimize the alteration of the natural hillsides.*

The Project will minimize grading on the natural hillsides by maintaining two existing residential pads in its location. The Project will create 10 new residential lots and grade only eight new building pads. The proposed pads utilize flatter areas of the hillsides to minimize grading.

*Land Use Policy 8 – Require underground utilities and the unobtrusive placement of service boxes for all new developments.*

The Project is required to underground utilities by Public Works.

*Land Use Policy 9 – Encourage architectural styles and design which are compatible with the natural landscape in hillside areas.*

The retaining walls along the new private driveway and fire lane will be screened with vegetation and trees in a way that will blend in with the existing hillside in a similar pattern to the surrounding hillsides.

*Environmental Resource Management Policy 1 – In areas where slope exceeds 30 percent, residential density shall not exceed one unit per acre.*

The Project density does not exceed one unit per acre. Each residential lot will be at least one gross acre. The residential lots will range in size from one gross acre (43,889 gross square

feet) to 2.1 gross acres (92,959 gross square feet) in size.

*Environmental Resource Management Policy 2 – In non-urban areas, preserve drainage courses in their natural state to the greatest extent possible consistent with public safety and welfare.*

No alteration of drainage courses is proposed.

### **SUBDIVISION AND ZONING CODE CONSISTENCY FINDINGS**

19. **PERMITTED USE IN ZONE.** The Commission finds that the Project is consistent with the A-1-1 zoning classification as single-family homes are permitted in such zone pursuant to current County Code Section 22.16.030 (Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W) and grading within a hillside management area is permitted with a CUP pursuant to then Chapter 22.104 (Hillside Management Areas) ordinance in effect in 2011 when the Project was deemed complete.
20. **AREA.** The Commission finds that the Project is consistent with the standards identified in current County Code Section 22.110.130 (Required Area and Width). The Project provides the minimum required area of one gross acre as required in the A-1-1 zone.
21. **HILLSIDE MANAGEMENT AREA.** The Commission finds that the Project is consistent with then Section 22.56.215 (Hillside Management and Significant Ecological Areas-Additional Regulations) in effect in the year 2011, which requires a minimum of 70% net area of the project as open space and a maximum density of 10 dwelling units. The density potential is calculated within slope categories of 0 to 25%, 25 to 50%, and 50% plus. Based on the Project's slope density analysis that depicts slopes 0 to 25% (eight acres), 25 to 50% (four acres), and over 50% (0.30 acres), the subject property yields a maximum of 10 dwelling units.
22. **FRONTAGE.** The Commission finds that the Project is authorized to waive the minimum frontage requirement of 40 feet and 50 feet per County Code Section 21.24.300 (Minimum Frontage) for Lot Nos. 1 through 5 and 7 through 10, per County Code Section 21.52.1010 (Modification or Waiver of Provisions in this Title Authorized When). Lot No.6 will provide approximately 100 feet of street frontage on Vallecito Drive. All other lots will have frontage along the internal private driveway and fire lane to allow for a design with less grading due to existing topography.
23. **REQUIRED YARDS.** The Commission finds that the Project is consistent with the standards identified in current County Code Section 22.16.050 (Development Standards for A-1 and A-2) because the proposed building pads allow for future residential structures to provide the

required yard setbacks of 20 feet in the front, five feet on the side, and 15 feet for the rear yard. The front, side and rear yard location is determined on the orientation of the lot to the internal driveway and fire lane for Lot Nos. 1 through 5 and 7 through 10 as these lots do not front Vallecito Drive. Compliance with required yards will be verified prior to building permit issuance.

24. **FENCES AND WALLS.** The Commission finds that the Project is consistent with the standard identified in current County Code Section 22.110.070 (Fences and Walls) which requires retaining walls within required yards not exceed six feet in height, as modified by the related CUP. The Project includes retaining walls along the internal private driveway and fire lane in heights ranging from one foot to 15 feet in height. The portions of the retaining walls that are over six feet in height will be screened by vegetation and trees, along Lot Nos. 7, 8 and 10. The CUP allows retaining walls over six feet in height that will be setback more than 20 feet from Vallecito Drive.
25. **GRADING.** The Commission finds that the Project is consistent with the applicable standards identified in the then Section 22.56.215 (Hillside Management and Significant Ecological Areas-Additional Regulations) of the County Code in effect in the year 2011. The Exhibit "A" Map dated August 31, 2021, depicts the grading limits and earthwork proposed, which is a total of approximately 22,200 cubic yards of earthwork, including 11,100 cy of cut and 11,100 cy of fill to be balanced on site. Grading will take place within hillside management areas that slopes greater than 25%. Retaining walls along these graded areas will be screened with trees.
26. **PARKING.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces) for SFRs because each dwelling unit will be required to develop a two-car garage as required. The building pad depicted in the Exhibit "A" includes an area for a two-car garage. Compliance with parking will be verified prior to building permit issuance.
27. **TREE PLANTING.** The Commission finds that the Project is consistent with the standards identified in current County Code Chapter 22.126 (Tree Planting Requirements) and Section 21.32.160 (Street Tree Planting). The Project was deemed complete in 2011, prior to the adoption of tree planting requirements 2013 and 2019, respectively. The Project must comply with the requirement of one street tree for every 50 feet of street frontage. The Project will plant additional trees along the over-height portions of the proposed retaining wall along the private driveway and fire lane.
28. **INCLUSIONARY UNITS.** The Commission finds that the Project is exempt from the IHO because the Project was deemed complete in 2011, prior to the effective date of IHO on December 10, 2020.

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OAK TREE PERMIT NO. RPPL2021002541  
~~ENVIRONMENTAL ASSESSMENT NO. RPPL2021002622~~

**CONDITIONAL USE PERMIT FINDINGS**

29. **The Commission finds that the proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.** The Project will create 10 residential lots that will be accessed by a 40-foot-wide private driveway and fire lane, from Vallecito Drive, a 60-foot-wide Limited Secondary Highway on the County Master Plan of Highways. A 24-foot-wide private driveway and fire lane will connect the internal 40-foot-wide driveway system to Via Cielo. This emergency access driveway will be gated on Via Cielo and include a Knox box to be used for future firefighting purposes. The Project will provide street improvements to Vallecito Drive and dedicate 20 feet of additional right-of-way. All residential lots, except Lot No. 6, will take access from the interior private driveway and fire lane that will reduce the amount of grading needed for the Project Site and continue the existing development pattern in the surrounding community; Lot No. 6 will take direct access from Vallecito Drive. The residential lots propose single-family residential pads that are consistent with the applicable land use and zoning and are consistent with the surrounding neighborhood pattern. The proposed grading will include retaining walls that will have trees planted in front of them along the areas over the height of six feet. The Project has an approved hydrology study which addresses flooding and runoff through small-scale, best management practices.
30. **The Commission finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** The Project will create 10 residential lots that will be a minimum of one gross acre in size and provide sufficient area to provide required covered parking spaces for future residential homes. The proposed building pads depict an area for covered parking and a driveway that connects the residential lot to the internal private driveway and fire lane. All areas outside the building pads will be protected open space and required to be recorded as restricted use area on the final map. The building pads allow for future residential structures to provide the required yard setbacks of 20 feet in the front, five feet on the side, and 15 feet for the rear yard, to be verified prior to building permit issuance. The necessary retaining walls to support the private driveway and fire lane will be over six feet in height in certain places to retain necessary slopes. The Project was deemed complete on January 11, 2011, and is consistent with the applicable development standards. The Project will also provide 76% of natural and disturbed open space.

31. **The Commission finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** The Project is accessed by Vallecito Drive and an internal 40-foot-wide private driveway and fire lane that includes a circular fire truck turnaround at the west side of the Project Site. A 24-foot-wide emergency-only private driveway and fire lane connects the fire truck turnaround to Via Cielo, where there is a gate and Knox box for emergency access. No gate is proposed at the east end of the private driveway and fire lane (between the Project and Vallecito Drive).

### **SUPPLEMENTAL HILLSIDE MANAGEMENT CUP FINDINGS**

32. **The Commission finds that the proposed project is located and designed so as to protect the safety of current and community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard.** The Project Site is not in a liquefaction hazard zone and risks associated with liquefaction would be unlikely. The geotechnical report determined existing slopes on the Project Site should remain stable, and proposed slopes would remain stable under normal conditions with project conditions and engineering recommendations. Potential erosion and sedimentation can be reduced with implementation of the Best Management Practices for erosion control found in the Los Angeles County 2014 Low Impact Development Standards Manual. The Project has an approved hydrology study which addresses flooding and runoff through small-scale, best management practices.

33. **The Commission finds that the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area.** The Project MMRP includes measures that require surveys of special-status species prior to construction, including grading. The Project will also preserve 76.7% of the Project Site as protected open space and maintain the open space area. The 29 existing oak trees throughout the Project Site will remain and only nine oak trees will be encroached upon through grading. Potential impacts to biological resources were evaluated through various on-site habitat assessments and natural resource databases, and none of the 18 potentially occurring species were identified onsite. The Project also includes mitigation measures that require additional surveys and project monitoring for the potentially occurring species onsite.

34. **The Commission finds that the proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan.** The Project is located within the N2 land use category that is intended for residential uses and is near commercial areas that provide necessary services and facilities.



35. **The Commission finds that the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents.** The Project will screen over-height retaining walls with trees and vegetation that will help the Project blend in with neighboring development. The building pads are separated and not clustered, in a pattern similar to existing developed residential lots in the community. The grading follows natural contours and the existing topography allowing the development to better blend within the Project Site.
36. **The Commission finds that the approval of the proposed dwelling units exceeding the number permitted by the low-density threshold for the proposed development in nonurban is based on the ability to mitigate problems of public safety, design and/or environmental considerations.** The Project's low density is 1.8 units and the Project will develop a maximum of 10 lots and create eight new residential pads. The proposed lots and residential pads are designed to minimize impacts to existing oak trees, blend grading with existing topography, and reduce grading amounts by providing an internal 40-foot-wide internal private driveway and fire lane. All areas outside of the internal access system and residential pads will be protected open space that will allow the continual use by existing wildlife, vegetation and oak trees. The fuel modification clearance around structures along with the emergency driveway to Via Cielo will provide additional wildfire safety measures.

#### **OAK TREE PERMIT FINDINGS**

37. **The Commission finds that the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Title 22 regulations, if any, on the subject property.** The Project contains a total of 29 oak trees scattered throughout the Project Site. Project grading will encroach into the protected zone of nine oak trees. No oak trees will be removed or relocated. All oak trees, including the ones that will be encroached on, will be maintained. Grading footprint is outside of the dripline of 20 of the 29 oak trees.
38. **The Commission finds that the removal or relocation of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.** The Project will not remove or relocate any oak trees. All oak trees will remain and be maintained.
39. **The Commission finds that the oak trees will not be removed or relocated.** The Project Site will be graded and developed with eight new building pads. The necessary grading will encroach into the protected zone of nine non-heritage oak trees and not necessitate the removal of any oak trees. All oak trees are to remain.

### ENVIRONMENTAL FINDINGS

40. After consideration of the MND and MMRP, together with the comments received during the public review process, the Commission finds on the basis of the whole record before it that there is no substantial evidence that the Project as conditioned will not have a significant effect on the environment, and further finds that the MND reflects the independent judgment and analysis of the Commission. The Project will mitigate to less than significant potential impacts to the Project's Biological Resources, Cultural Resources, Noise, and Tribal Cultural Resources. Mitigation measures include requirements for field surveys prior to grading and provide protocols to follow in the case that cultural or tribal resources are found.
41. The Commission finds that the MMRP, prepared in conjunction with the MND, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Project provides mitigation measures for potential impacts to Biological Resources, Cultural Resources, Noise and Tribal Cultural Resources, including the submittal of wildlife surveys prior to the commencement of grading. The mitigation measures also require for an on-site monitor to be present in case tribal cultural resources are found.
42. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code. The Project has an MND.

### ADMINISTRATIVE FINDINGS

43. **PUBLIC MEETINGS.** The Commission finds that pursuant to SB330, the number of publicly held meetings since January 1, 2020, do not exceed the five-meeting limit. ~~Four~~ Five meetings occurred on the following dates:
- Three Subdivision Committee Meetings were held on March 18, 2021, July 15, 2021, and October 7, 2021.
  - Regional Planning Commission Hearing held on August 7, 2024, and October 9, 2024.
44. **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 proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The proposed project is located and designed so as to protect the safety of current and community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard.
- F. The proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area.
- G. The proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan.
- H. The Project demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents.
- I. The Project exceeds the density permitted by the low-density threshold for the proposed development in nonurban hillsides.
- J. The proposed use will be accomplished without endangering the health of the remaining trees subject to County Code Title 22 regulations, if any, on the subject property.

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K. The proposed project will not remove or relocate oak trees.

**THEREFORE, THE REGIONAL PLANNING COMMISSION:**

1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the MND and that the MND reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; certifies that it considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Commission that there is no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and
2. Approves **CONDITIONAL USE PERMIT NO. RCUP-200800169** and **OTP NO. RPPL2021002541**, subject to the attached conditions.

**ACTION DATE:** ~~August 7, 2024~~ October 9, 2024

JSH:EGA:ACB  
7/259/26/2024