

**SUPPLEMENTAL
REPORT TO THE HEARING OFFICER**


DATE ISSUED: October 21, 2024
HEARING DATE: October 22, 2024 AGENDA ITEM: 3
PROJECT NUMBER: 96-044-(5)
PERMIT NUMBER(S): Conditional Use Permit (“CUP”) Modification No.
RPPL2019002028

SUPERVISORIAL DISTRICT: 5
PROJECT LOCATION: North of the Antelope Valley Freeway (SR-14) and
Soledad Canyon Road, between Shadow Pines
Boulevard and Agua Dulce Canyon
OWNER/APPLICANT: Spring Canyon Recovery Acquisition LLC
INCLUSIONARY HOUSING ORDINANCE (“IHO”): The Project is not subject to the IHO.
CASE PLANNER: Marie Pavlovic, Senior Planner
mpavlovic@planning.lacounty.gov

SUPPLEMENTAL MATERIAL

This supplemental memo provides correspondence from the Santa Clarita Organization for Planning and the Environment (“SCOPE”) which staff received today (Exhibit A).

Report
Reviewed By: 
Joshua Huntington, AICP, Supervising Regional Planner

Report
Approved By: 
Susan Tae, AICP, Assistant Deputy Director

LIST OF ATTACHED EXHIBIT

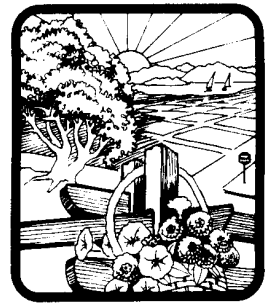
Exhibit A	Public comment received from SCOPE.
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SCOPE

Santa Clarita Organization for Planning and the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



10-21-24

Honorable Hearing Officer, Diane Temple
Mare Pavlovic, Planner,
Amy Bodek, Executive Director,
Los Angeles Dept. of Regional Planning Dept.
300 W. Temple St.
Los Angeles, CA 90012

Re: Agenda Item 3 October 22nd Hearing Officer Hearing related to Spring Canyon
Development, Tract # 48086, Project Number 96-044, in Canyon Country

Submitted Via email to: abodeck@planning.lacounty.gov, dtemple@planning.lacounty.gov,
jhuntington@planning.lacounty.gov, mpavlovic@planning.lacounty.gov

Honorable Ms. Temple:

SCOPE is a 35-year-old planning and conservation organization founded to focus on issues in the Santa Clarita Valley included but not limited to the Santa Clara River, water supply and wildlife corridors which are at issue in this project. We first worked on this proposal in early 2000 and were involved with the last amendment approval made on June 25th, 2019 the materials from which are inexplicably omitted from the hearing materials.

The Los Angeles Regional Planning Department is considered changes to the above-named tract at a noticed public hearing on August 27th that was continued to Oct. 22nd. We submitted a comment at that time which we include again here. (attached) That comment letter is not listed under the section describing comments. We asked at that time that issues brought up in that correspondence be addressed in a timely manner before the next hearing.

Though the posting for this hearing refers to archival information regarding this project on the old website, neither required tract extensions or any other information after June 25th, 2019, the date of the amendment approval for this project, were listed or posted. No recent information regarding actions taken by the department in the last 5 years was available on line.

We therefore made a public records request and through that process found that in fact this vt map should have expired. (see attached hearing officer decision). It does not comply with Title 21 (Subdivision Ordinance), Section 21.38.050 (regarding Expiration) ¹

¹ “An approved or conditionally approved vesting tentative map for a tract or for a minor land division shall be effective for the periods of time as provided for in Sections 21.40.180 and 21.48.120, respectively, of this Title 21.” Since this Project relates to a tentative map, Section 21.40.180 applies, of which Subsection 21.40.180.B states, in part: “The hearing officer may grant one or more extensions to the terms of approval of a tentative map.”

Further, we note that this project was first approved with a certified EIR in 2004. We therefore assert that the project tract map has expired under state law. A new application must be made rather than once again trying to revise conditions.² There is good reason for this. Many circumstances have changed including GHG reporting requirements, prohibitions and requirements for building in this Very High Severity Fire Hazard Zone, the current endangered species listing for the Southern California Mountain Lion (this project would make a much needed wildlife corridor virtually unusable) and the Crotch's Bumble Bee which may be present, but for which no surveys were done.

Significant New Information

The endangered species listings constitute a significant change to this project which is in designated mountain lion territory. This is the next discretionary hearing.

We were very involved in the 4th amendment June 25th, 2019 approval, having negotiated with the developer and the 5th district Supervisor's office to reach conditions that would address some of our issues. So, we are not sure what is being approved at this hearing. Indeed, conditions and mitigation to implement the conditions approved in that amendment were approved by the Board of Supervisors on June 25th 2019, so we don't really understand the purpose of this hearing. Why are you having to re-state all the previous amendment approvals? Is there a dispute over what was previously approved?

Is there a new Addendum? If so, please clarify this and post and provide the addendum to us and the public. Is this a change based on the 2019 addendum? If so, we believe that addendum is inadequate to approve any additional changes for the reasons stated above.

In addition to this major problem, we assert that the 2004 EIR is insufficient to address changed circumstances regarding climate change, especially in the area of wildfire. The project is fully located in a Very High Fire Severity Zone, and recent major fires have completely burned through this area and destroyed houses in the adjacent tract. These issues were not addressed in the addendum. Further, changes to the climate, in the form of rising temperatures and its effect on water supply and fire need to be addressed.

² **California Code, Government Code - GOV § 66452.6** Current as of January 01, 2023 | Updated by [FindLaw Staff](#) (a)(1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 24 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way that abut the boundary of the property to be subdivided and that are reasonably related to the development of that property, each filing of a final map authorized by [Section 66456.1](#) shall extend the expiration of the approved or conditionally approved tentative map by 48 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with [Section 65864](#)) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

Further, illegal extensions of this project would seem to not be consistent with the County's 2012 General Plan update requiring a greenbelt around the City of Santa Clarita and the recent approval of the County's Climate Action Plan.

Objections to the 2019 approval that were not addressed at that time

Environment

This project will allow destruction of the County's most significant holly leaf cherry woodland. It was our understanding during the approval of the previous EIR, that this woodland would be preserved. We request that the success of the holly-leaf cherry forest be ensured by soil testing, a baseline survey and a land bank be established as mitigation for the loss of this rare woodland.

The project also encompasses the last viable wildlife crossing under Hwy 14. The project will virtually eliminate the usefulness of this corridor. The City of Santa Clarita has now purchased Bee Canyon for open space on the south side of the freeway, making this corridor even more important. With the increased public support and scientific scrutiny of the importance of maintaining wildlife corridors, it is imperative that this issue be re-visited.

The fourth amendment project review should have been conducted as a "revised map" rather than an amended map in order to ensure that new information would be included and could be addressed with appropriate mitigation measures. While it seems that this is in fact the purpose of this hearing and the revised conditions are now being added to the map, why wasn't the process conducted in the prescribed manner the first time? Where are the remainder unlisted conditions?

We continue oppose any delay in the implementation of required benefits and mitigations for this project. If the proponent cannot afford to comply with the duly advertised and publicly reviewed requirements of this tract map then it shouldn't be built without the public having the opportunity to object. Condition # 33, fourth amendment, which states that the developer is granted permission to record multiple maps BUT requires that "each final map to record **shall** (emphasis added) comply on its own, or in combination with previously recorded maps with the open space requirements of the General Plan, the Zoning Ordinance and the Conditional Use permit..." It does NOT say that conditions can be delayed because the developer prefers to record all the final maps at once.

Sewer Upgrades not completed or funded.

In a 2012 sewer agreement included in the hearing packet the following statement is made: *"The Shadow Pines Sewer Lift Station (SPSLS) is currently owned and operated by the Newhall County Water District (NCWD). NCWD has been in discussions with the City of Santa Clarita and the County to transition ownership of the lift station and force main to the City, and operation of the facility to the County. Per review by the County, the lift station does not meet the County's current design standards. The City and the County have requested that the Lift station be upgraded to the current County design standards, prior to the lift station being transferred. The County provided a comment letter to NCWO identifying the elements of the lift station that do not meet current County design criteria. NCW~ and the developer are currently reviewing the feasibility of implementing these improvements as a part of the Spring Canyon project. Upgrades to SPSIS will be required in order to accommodate the development. The extent of the upgrades will ultimately be determined by the owner of the lift station."*

This sewer section is now owned by Santa Clarita Water Agency. The lift station is not built, nor has it been funded.

Changes to conditions

While we concur with the added conditions where they conform to the June 25th 2019 Conditions of Approval, we do not believe that the mitigation for tree loss is complete. We ask, and indeed believe that it MUST conform to that approval in all details listed in items 48 through 51.

Concluding Comments

We concur with and include here by reference all concerns raised in the Oct. 17th MRCA letter submitted on this project.

In our Public Records request, we asked for, but have not yet received:

1. All inter office memos and emails or any correspondence or other documentation regarding this project since the June 25th, 2019 approval date (none provided yet)

We asked that these documents be provided well in advance of the Oct. 22nd hearing so that we could make timely and relevant comments. Many items were provided, but the above has not yet been provided. We ask that this hearing be continued until all items requested in our PRA are provided.

Thank you in advance for your time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynne Plambeck".

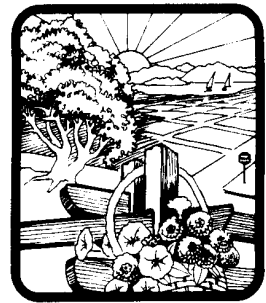
Lynne Plambeck
President

SCOPE

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POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



8-25-24

Honorable Hearing Officer, Steven Jareb
Mare Pavlovic, Planner,
Amy Bodek, Executive Director,
Los Angeles Dept. of Regional Planning Dept.
300 W. Temple St.
Los Angeles, CA 90012

Re: Agenda Item 5 Aug 27th Hearing Officer Hearing related to Spring Canyon Development,
Tract # 48086, Project Number 96-044, in Canyon Country

Submitted Via email to: abodeck@planning.lacounty.gov, sjareb@planning.lacounty.gov,
jhuntington@planning.lacounty.gov, mpavlovic@planning.lacounty.gov

Honorable Mr. Jareb:

The Los Angeles Regional Planning Department is considering changes to the above-named tract at a noticed public hearing on August 27th that is proposed for continuation to Oct. 22nd. We submit this comment in an abundance of caution, and request that the extension be granted. In the meantime, we ask that issues brought up in this correspondence be addressed in a timely manner before the next hearing.

Though the posting for this hearing refers to archival information regarding this project on the old website, neither required tract extensions or any other information after June 25th, 2019, the date of the amendment approval for this project, is listed or posted. No recent information regarding actions taken by the department in the last 5 years is available on line. We were told by a planning department staff person that the Department is no longer posting department actions to the website so that actions can be reviewed by the public and that a public information request would have to be made. We have made that request, but much of the information has not yet been provided.

We were very involved in the 4th amendment June 25th, 2019 approval, having negotiated with the developer and the 5th district Supervisor's office to reach conditions that would address some of our issues. So, we are not sure what is being approved at this hearing. Indeed, conditions and mitigation to implement the conditions approved in that amendment were approved by the Board of Supervisors on June 25th 2019, so we don't really understand the purpose of this hearing.

Is there a new Addendum? If so, please clarify this and post and provide the addendum to us and the public. Is this a change based on the 2019 addendum? If so, we believe that addendum is inadequate to approve any additional changes.

Your agenda notice also is unclear as to how the previously approved 2019 conditions are to be changed. Please provide that information so that the public can make timely comments on this project.

We note that this project was first approved with a certified EIR in 2004. We therefore assert that the project tract map has expired and no further extensions can be approved.¹

In addition to this major problem, we assert that the 2004 EIR is insufficient to address changed circumstances regarding climate change, especially in the area of wildfire. The project is fully located in a Very High Fire Severity Zone, and recent major fires have completely burned through this area and destroyed houses in the adjacent tract. These issues were not addressed in the addendum. Further, changes to the climate, in the form of rising temperatures and its effect on water supply and fire need to be addressed.

Further illegal extensions of this project would seem to not be consistent with the County's 2012 General Plan update requiring a greenbelt around the City of Santa Clarita and the recent approval of the County's Climate Action Plan.

Objections to the 2019 approval that were not addressed at that time:

Environment

This project will allow destruction of the County's most significant holly leaf cherry woodland. It was our understanding during the approval of the previous EIR, that this woodland would be preserved. We request that the success of the holly-leaf cherry forest be ensured by soil testing, a baseline survey and a land bank be established as mitigation for the loss of this rare woodland.

The project also encompasses the last viable wildlife crossing under Hwy 14. The project will virtually eliminate the usefulness of this corridor. The City of Santa Clarita has now purchased Bee Canyon for open space on the south side of the freeway, making this corridor even more important. With the increased public support and scientific scrutiny of the importance of maintaining wildlife corridors, it is imperative that this issue be re-visited.

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The fourth amendment project review should have been conducted as a “revised map” rather than an amended map in order to ensure that new information would be included and could be addressed with appropriate mitigation measures.

We continue oppose any delay in the implementation of required benefits and mitigations for this project. If the proponent cannot afford to comply with the duly advertised and publicly reviewed requirements of this tract map then it shouldn't be built without the public having the opportunity to object. Condition # 33, fourth amendment, which states that the developer is granted permission to record multiple maps BUT requires that “each final map to record **shall** (emphasis added) comply on its own, or in combination with previously recorded maps with the open space requirements of the General Plan, the Zoning Ordinance and the Conditional Use permit...” It does NOT say that conditions can be delayed because the developer prefers to record all the final maps at once.

We appreciate that the hearing officer is asked to delay this hearing until Oct. 22nd, but we ask that these issues be addressed in the meantime.

In Our Public Records request, we asked for, but have not yet received:

1. Any time extensions granted for this project. (only an extension to August 2019 was provided)
2. All records including Subdivision committee meeting reports, minutes and review sheets for all meetings since the June 25th 2019 approval. (It was stated that none occurred)
3. A List of changes and/or modifications proposed to be made to the existing conditions of approval with tracked changes from previous conditions of approval. (Not provided)
4. Any new changes, permits or other approvals, administrative or otherwise, that have been granted to the project since the June 25th 2019 approval. (none provided)
5. All inter office memos and emails or any correspondence or other documentation regarding this project since the June 25th, 2019 approval date (none provided yet)
6. Any updated CEQA documentation (none provided)

We ask that these documents be provided well in advance of the Oct. 22nd hearing so that we can make timely and relevant comments.

Thank you in advance for your time.

Sincerely,



Lynne Plambeck
President



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Richard J. Bruckner
Director

October 19, 2016

SUSAN CHIVARATANOND
350 SOUTH GRAND AVENUE, 25TH FLOOR
LOS ANGELES, CA 90071-1503

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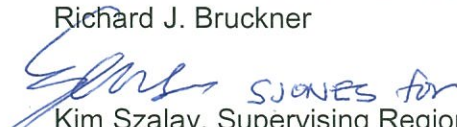
**REGARDING: PROJECT NO 90115
VESTING TENTATIVE TRACT MAP 48086
NORTH OF THE ANTELOPE VALLEY FREEWAY AND SOLEDAD
CANYON ROAD**

Hearing Officer Alex Garcia by his action of September 6, 2016 has **APPROVED** your request for a time extension in which to record a final map for the above-referenced revised tentative map. This action extends the expiration date of your tentative map from August 3, 2016 to August 3, 2017.

If this tentative map does not record before the expiration date, no further extension of time will be granted pursuant to the provisions of Title 21 (Subdivision Ordinance) of the Los Angeles County Code. A written request for an extension of time must be submitted in person in this office on or before the new expiration date. In addition, the request must be accompanied by the appropriate fee.

For questions or for additional information, please contact Kim Szalay of the Land Divisions Section at (213) 974-6433, or by email at kszalay@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

 *Szalay for*
Kim Szalay, Supervising Regional Planner
Land Divisions Section

RJB:KKS:ad



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

August 22, 2018

Susan Chivaratanon
Mayer Brown LLP
350 S. Grand Avenue, 25th Floor
Los Angeles, CA 90071-1503

**REGARDING: PROJECT NO. 90115-(5)
VESTING TENTATIVE TRACT MAP NO. 48086
NO OF ANTELOPE VALLEY FWY & SOLEDAD CANYON RD
BTWN SHADOW PINES BLVD & AGUA DULCE CANYON RD
SOLEDAD ZONED DISTRICT
TIME EXTENSION/RENEWAL APPROVAL**

Hearing Officer, Gina Natoli, by her action of August 21, 2018, has **APPROVED** your request for a time extension in which to record a final map for the above-referenced vesting tentative tract map. This action extends the expiration date of your tentative map from August 3, 2018 to August 3, 2019. This is the sixth discretionary time extension.

If this tentative map does not record before the expiration date, no further extension of time will be granted pursuant to the provisions of Title 21 (Subdivision Ordinance) of the Los Angeles County Code. When an additional time extension is available, a written request for an extension of time must be submitted in person in this office on or before the new expiration date. In addition, the request must be accompanied by the appropriate fee.

The Hearing Officer's decision to approve a time extension pursuant to the subdivision map act is not appealable. The Hearing Officer's decision to deny a time extension pursuant to the subdivision map act is appealable by the subdivider and is subject to a 15 day appeal period. **Such appeals must be delivered in person.**

Appeals:

To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Time Extension/Renewal Approval

August 22, 2018

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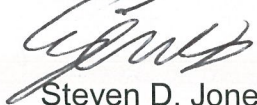
For questions or for additional information, please contact Steven Jones of the Land Divisions Section at (213) 974-6433, or by email at sdjones@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Amy J. Bodek, AICP

Director



Steven D. Jones, Acting Supervising Regional Planner

Land Divisions Section

AJB:SDJ:lc