



Local Agency Formation Commission
for the County of Los Angeles

NOTE ALTERNATE ROOM LOCATION

**LOCAL AGENCY FORMATION COMMISSION
SPECIAL MEETING AGENDA**

Wednesday, October 24, 2012
9:00 a.m.

ROOM 374-A

Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles 90012

Commission
Jerry Gladbach
Chair

Richard H. Close
Donald L. Dear
Margaret Finlay
Tom LaBonge
Gloria Molina
Henri F. Pellissier
David Spence
Zev Yaroslavsky

Alternates

Lori Brogin
Lillian Kawasaki
Don Knabe
Paul Krekorian
Gerard McCallum
Judith Mitchell

Staff

Paul A. Novak, AICP
Executive Officer

June D. Savala
Deputy
Executive Officer

Amber De La Torre
Doug Dorado
Michael Henderson
Alisha O'Brien
Patricia Wood

80 South Lake Avenue
Suite 870
Pasadena, CA 91101
Phone: 626-204-6500
Fax: 626-204-6507

www.lalafco.org

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The entire agenda package and any meeting related writings or documents provided to a majority of the Commissioners after distribution of the agenda package, unless exempt from disclosure pursuant to California Law, are available at the LAFCO office and at www.lalafco.org.

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIR GLADBACH**
3. **DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)**
4. **SWEARING-IN OF SPEAKER(S)**
5. **CONSENT ITEMS**

All matters are approved by one motion unless held by a Commissioner or member(s) of the public for discussion or separate action.

6. PUBLIC HEARING(S)

- a. Annexation No. 2011-22 to the City of Santa Clarita (North Copperhill).
(Continued from the October 10, 2012 Meeting).

7. **PROTEST HEARING(S)**

8. **OTHER ITEMS**

9. **COMMISSIONERS' REPORT**

Commissioners' questions for staff, announcements of upcoming events and opportunity for Commissioners to briefly report on their LAFCO-related activities since last meeting.

10. **EXECUTIVE OFFICER'S REPORT**

Executive Officer's announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting.

11. **PUBLIC COMMENT**

This is the opportunity for members of the public to address the Commission on items not on the posted agenda, provided that the subject matter is within the jurisdiction of the Commission. Speakers are reminded of the three-minute time limitation.

12. **FUTURE MEETINGS**

November 14, 2012
November 28, 2012
December, 12, 2012
January 9, 2013
February 13, 2013

13. **FUTURE AGENDA ITEMS**

Items not on the posted agenda which, if requested, will be referred to staff or placed on a future agenda for discussion and action by the Commission.

14. **ADJOURNMENT MOTION**

Supplemental Staff Report

October 24, 2011

Agenda Item No. 6.a.

Annexation No. 2011-22 to the City of Santa Clarita (North Copperhill)

Commission Meeting of October 10, 2012

This item was presented to the Commission at your meeting of October 10, 2012 (a copy of the original staff report is attached). After discussion of this annexation at your October 10th meeting, the Commission continued it to today's special meeting (October 24, 2011). This continuance was to allow time for a meeting of City and County representatives with LAFCO, and for a report back addressing issues raised by a property-owner with a vesting tentative map but no final map from the County.

A letter from Hunt C. Braly (representing a property-owner, Daniel Singh) was submitted to LAFCO on the afternoon of Tuesday, October 9th (a copy of the letter is attached). Staff provided copies of the letter to all Commissioners at your October 10th Commission meeting.

On March 1, 2005, the Los Angeles County Board of Supervisors approved Vesting Tentative Tract Number 52829. This tract and property is owned by Daniel Singh, and it is located within the larger affected territory that is proposed to be annexed into Santa Clarita pursuant to Annexation No. 2011-12, also known as North Copperhill.

In the testimony by Mr. Singh and his counsel on October 10th, and in Mr. Braly's October 9th letter to the Commission, Mr. Singh requested that the Commission impose a "condition" on the annexation that would allow Mr. Singh to record his final map for Tract 52829 with the County within 9-12 months of the Commission action.

The Executive Officer and LAFCO legal counsel informed the Commission that the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 limits the powers of LAFCO in the area of land use and specifically provides that annexations may not be conditioned upon "terms and conditions" that "directly land use, property development, or subdivision requirements" This advice is based upon Sections 56886 and 56375 (a) (6) of this governing act (copies of state law provisions are attached for your convenience).

A representative of the City of Santa Clarita testified at the October 10th Commission meeting. He stated that delay of the annexation proceedings at LAFCO would be detrimental to the City because there has been considerable work on this annexation, for more than a year, and that there is a substantial property-tax transfer (approximately \$1.3 million) associated with this annexation. In order for the City of Santa Clarita to receive the tax transfer associated with the annexation in the next fiscal year, starting on July 1, 2013, LAFCO must submit the final approval to the State Board of Equalization (SBE) no later than December 1, 2012. If the submittal to SBE occurs after December 1, 2012, the property tax transfer of \$1.3 million would not occur until the next fiscal year, starting on July 1, 2014.

In a discussion with staff, the Commission determined that the December 1st deadline with SBE could still be met if two special meetings were scheduled. Based upon a review of available meeting dates, the Commission decided to continue this public hearing to a special meeting on October 24th and to set the protest hearing at a special meeting on November 28th, 2012. The Commission then directed LAFCO staff to convene a meeting of representatives of the City of Santa Clarita, County of Los Angeles, and Mr. Singh to facilitate a discussion of the issues involving Tract 52829.

Staff's Meeting of October 17, 2012

On Wednesday, October 17th, 2012, LAFCO staff convened a meeting with representatives of the County of Los Angeles (staff of the Departments of Public Works and Regional Planning), the City of Santa Clarita (staff of the Departments of Community Development and Public Works), Mr. Singh and his legal counsel, and LAFCO legal counsel.

In that meeting, it was reported that the City of Santa Clarita and Mr. Singh had reached conceptual agreement on a pre-annexation agreement negotiated between the City and Mr. Singh relative to Tract 52829. As presented to LAFCO staff at the meeting, this proposed agreement between the City and the Developer entails the following, all subject to the approval of the City Council:

- The City would provide Mr. Singh with a reasonable period in which to record the final map in the City of Santa Clarita, consistent with the conditions in the original County approval of Tract 52829;
- The final map would have to conform to the original County approval, unless otherwise agreed to by the City and Mr. Singh;
- The City and Mr. Singh were working cooperatively to establish in their agreement the exact date by which the final map must record with the City;
- Should Mr. Singh not record the final map with the City by the agreed-upon deadline, and if Mr. Singh still wished to develop his property, he would be required to file a new map to comply with the General Plan and other land use requirements of the City of Santa Clarita.

In the meeting, and although the City and Mr. Singh had reach conceptual agreement, City representatives emphasized, and the developer's representatives understood, that the pre-annexation agreement negotiated with the City staff is subject to notice requirements and the approval of the Santa Clarita City Council (tentatively scheduled for November 13, 2012).

Conclusions

Because State limits the authority of LAFCOs to imposing terms and conditions that regulate land use and subdivision requirements, staff believes that the proposed pre-annexation agreement between the City of Santa Clarita and Mr. Singh is the appropriate mechanism to address the issues raised by the Developer at your October 10th Commission meeting. The effect of annexation to a city on pending tract maps is provided in the Subdivision Map Act. If there is a final map filed before the effective date of annexation, the County's map approval governs in the territory even after it is annexed to the City. If, however, there is not a final map recorded, following annexation to the City, it is the City's land use procedures that govern that tract map (see Government Code Section 66413, a copy of which is attached). In conversations with staff of other LAFCOs, it was determined that a pre-annexation agreement between a landowner and a city has been utilized to address similar situations in other counties when the City is willing to work with the developer who has a pending map that will not be ready to record before the annexation occurs.

Given the two-week period between the Commission's regular meeting and this special meeting on October 24th, there was relatively little time to convene the meeting amongst all involved parties. Staff would like to express its appreciation to the representatives of the City of Santa Clarita, the County of Los Angeles, and to Mr. Singh, all of whom worked diligently to schedule the meeting on October 17th, as well as their sincere efforts to resolve this matter.

Other than the rescheduling of the public hearing and the protest hearing dates, staff's original recommendation in its report provided to the Commission on October 10th is unchanged.

Recommended Action:

1. Re-open the public hearing and receive further testimony on the matter;
2. There being no further testimony, close the public hearing;
3. Adopt the Resolution Making Determinations Approving "Annexation 2011-22 to the City of Santa Clarita (North Copperhill)"; and
4. Pursuant to Government Code Section 57002, set the special commission meeting of November 28, 2012 at 9:00 a.m., as the date for Commission protest proceedings.

Staff Report

October 10, 2012

Agenda Item No. 6.a.

Annexation No. 2011-22 to the City of Santa Clarita (North Copperhill)

This is a proposal requesting annexation of approximately 2,473 acres of inhabited territory to the City of Santa Clarita. The applicant of record is the City of Santa Clarita, having initiated the request through the adoption of a resolution of application, Resolution No. 11-73, on August 23, 2011.

Related Jurisdictional Changes: The related jurisdictional changes as a result of this request include: detachment from County Lighting and Maintenance District 1687 and withdrawal from the County Public Library, County Road District No. 5, and County Lighting District LLA-1, Unincorporated Zone, and annexation of the northerly 1295 acres of the 2473 acres to Greater Los Angeles County Vector Control District.

Background: The proposed annexation consists of established neighborhoods and undeveloped land. There are 3,181 homes, a shopping center, three County parks, three elementary schools, two County probation camps, and publicly-owned open space.

Purpose of the Request: The City of Santa Clarita previously conducted an annexation survey of the affected territory. The City states that approximately 87% of the residents were in support to the annexation to the city. The property owners cite that the quality of services provided by the City and the desire for local government representation are the reason for the annexation. The City supports the annexation proposal to promote sound planning and orderly growth, and to prove a logical extension of the City's physical boundaries and urban service area. Annexation would allow residents to vote in City elections and fully participate in municipal activities.

Location: The affected territory is generally located East of San Francisquito Canyon Road, south of the Angeles National Forest boundary, north of the City of Santa Clarita boundary limit, and west of Bouquet Canyon Road.

Factors For Consideration Pursuant to Government Code Section 56668:

- 1. Population and Growth:*** The affected territory has approximately 9,543 residents. Three tract maps have been tentatively approved by the County, which would add another 132 homes to the area.
- 2. Registered Voters/Landowners:*** As of November 29, 2011, the County Registrar Recorder - County Clerk certified that there were 6,028 registered voters residing within the affected territory. There are 3,285 landowners.

3. **Topography:** The topography of the affected territory is a mixture of hills and canyons. The drainages include Seco Canyon, Haskell Canyon, and Plum Canyon.
4. **Zoning, Present and Future Land Use:** The affected territory consists of developed and vacant land. The current land use designations are: HM, N2, O-P, P, U1, U2, U3, and W. The current zoning designations are: A-A-1, A-A-1 DP, A-2-1, A-2-2, C-2 DP, R-1-500, R-1-7000, R-1-10000 DP, RPD-1-3.0U, RPD-50003.5U, RPD-5000-4U, RPD-5000-4.5U, RPD-6000-4U, RPD-6000-5.9U, and RPD-10000-1.9U. The current land use will continue without change.
5. **Surrounding Land Use:** Land use north of the subject territory is national forest, east is rural agricultural, south is developed residential, and west is rural residential.
6. **Pre-zoning and Conformance with the General Plan:** Pursuant to the requirements of Government Code Section 56375(a)(7), Pre-Zoning Ordinance No. 11-15, was adopted by the Santa Clarita City Council on October 5, 2011. The pre-zoning designation of the affected territory is in conformance with the City of Santa Clarita General Plan.
7. **Regional Transportation and General Plan Consistency:** The proposal is not expected to have any effect on the Regional Transportation Plan. With regards to the requirements of Government Code Section 65080, the affected territory is consistent with the *City of Santa Clarita General Plan*.
8. **Assessed Value, Tax Transfer:** The total assessed value of land for Assessor roll year 2011 is \$449,633,438. The per capita valuation is estimated at \$47,117. All agencies have adopted a property tax transfer resolution.
9. **Governmental Services and Control, Availability and Adequacy:** Government Code Section 56668(b) states that the Commission is to consider, “the need for organized community services: the present cost and adequacy of governmental services and controls in the area; probable future needs for those service and controls; probable effect of the...annexation... and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.”

Municipal Service	Current Service Provider	Proposed Service Provider
Animal Control	County	Same
Fire and Emergency Medical	Consolidated Fire Protection Dist.	Same
Flood Control	County	Same
Library	County Library	City of Santa Clarita
Park and Recreation	County	City of Santa Clarita
Planning	County	City of Santa Clarita
Police	County Sheriff	Same- under contract with County Sheriff
Road Maintenance	County	City of Santa Clarita
Solid Waste	County-Private hauler	City of Santa Clarita-Private hauler
Street Lighting	County	City of Santa Clarita
Water	Newhall County Water District, Santa Clarita Water Division, and Valencia Water Company	Same
Wastewater	Santa Clarita Valley Sanitation District	Same

The County will continue to provide animal control and flood control to the annexation area. Upon approval of the annexation request, the City of Santa Clarita will provide library services, park and recreation, planning, road maintenance, and street lighting services. The City will continue to provide adequate services and maintain current service levels. Enhanced service levels will be financed through city general fund revenues or developer fees.

There are no changes in fire and emergency medical, police, water, and wastewater service providers and in levels of service. Solid waste service is currently provided by the County through contract with a private hauler; upon approval of the annexation the City of Santa Clarita will provide service through contract with a private hauler. No change in service level is anticipated.

The County manages several special assessment districts within the proposed annexation area, including County Road Maintenance District No. 5, County Public Library, County Lighting and Maintenance District 1687, and County Lighting District LLA-1, Unincorporated Zone. As part of this annexation request, the affected territory will be detached from these special assessment districts and the City of Santa Clarita will assume responsibility for funding and providing the services. The following special district assessments would be applied upon annexation: Open Space Preservation District - \$29 per single-family residence per year, Stormwater Facility Maintenance District- \$23 per single-family residence per year, Landscape Maintenance District \$60 per single-family residence per year, and Street Light Maintenance District - \$73 per single-family residence per year.

There are no alternative courses of action, other than having the territory remain unincorporated with the County continuing to provide municipal services.

- 10. Effects on Agricultural and Open-Space Lands:** There will be no adverse effect to agricultural or open-space lands as a result of approval of this annexation request. The affected territory involves residential and vacant land that is not used for agricultural purposes, and does not change any open-space designations.
- 11. Boundaries and Lines of Assessment:** The boundaries of this territory have been clearly defined and correspond to lines of assessment or ownership. This proposal does not create any new islands of unincorporated territory.
- 12. Effects of the Proposal on Adjacent Areas and the County:** The proposal will have no adverse effect on adjacent areas, or mutual social and economic interests, or on the local governmental structure of the County. The alternative action would be that the proposed annexation area would remain within the jurisdiction of the County, thereby maintaining the current status.
- 13. Conformity with Policies on Planned and Orderly Growth:** Staff finds that the annexation proposal is in conformance with the County and City's policies on planned and orderly growth.
- 14. Sphere of Influence:** The proposed annexation area is within the City's Sphere of Influence.
- 15. Timely Availability of Water Supplies:** The affected territory is within Newhall County Water District, Santa Clarita Water Division, and Valencia Water Company Littlerock Creek Irrigation District. There is no change in water service.
- 16. Regional Housing Needs:** The proposed annexation has no impact on the achievement of a fair share of regional housing needs of the City or County. The County and City have agreed to a Regional Housing Needs Assessment (RHNA) allocation transfer of 31 very low income, 20 low income, 21 moderate income, and 52 above moderate income units from the County to the City.
- 17. Environmental Justice:** The proposal will have no adverse effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.
- There are no disadvantaged unincorporated communities in the vicinity of the affected territory.
- 18. Comments from Affected Agencies:** LAFCO received comments from all the affected agencies with regards to this proposal. No significant issues were noted.

19. Correspondence: No correspondence was received either in support of or in opposition to the annexation request.

20. CEQA: The Negative Declaration adopted by the City of Santa Clarita on August 23, 2011 is adequate for consideration of this proposal.

Conclusion: Staff recommends approval of this annexation request. The annexation is a logical and reasonable extension of the City of Santa Clarita boundary.

Recommended Action:

1. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Adopt the Resolution Making Determinations Approving “Annexation 2011-22 to the City of Santa Clarita (North Copperhill)”.
4. Pursuant to Government Code Section 57002, set November 14, 2012 at 9:00 a.m., as the date for Commissions protest proceedings.

RESOLUTION NO. 2012-00 RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING
"ANNEXATION NO. 2011-22 TO THE CITY OF SANTA CLARITA
(NORTH COPPERHILL)"

WHEREAS, the City of Santa Clarita (the "City") adopted a resolution of application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission"), pursuant to, Part 3, Division 3, Title 5, of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the City, and detachment of same said territory from County Road District No. 5 and County Lighting and Maintenance District 1687 and withdrawal from County Lighting District LLA-1, Unincorporated Zone, and annex the northerly 1295 acres of the 2473 acres to Greater Los Angeles County Vector Control District, all within the County of Los Angeles (County); and

WHEREAS, the proposed annexation consists of approximately 2473 acres of inhabited territory and is assigned the following distinctive short form designation: "Annexation No. 2011-22 to the City of Santa Clarita (North Copperhill)"; and

WHEREAS, a description of the boundaries and map of the proposal are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein; and

WHEREAS, the principal reason for this annexation is that the City reports that a majority of residents within the affected territory desire the services provided by the City and local government representation. The City supports the annexation proposal to promote sound planning and orderly growth, and to provide a logical extension of the City's physical boundaries and urban service area; and

WHEREAS, the Executive Officer has reviewed the proposal and submitted to the Commission a report, including his recommendations therein; and

WHEREAS, on October 24, 2012, after being duly and properly noticed, this proposal came on for hearing at which time this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, acting in its role as a responsible agency with respect to Annexation No. 2011-22 pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15096, certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the proposed project and the Negative Declaration adopted by the City, as lead agency, and has determined that the document adequately addresses the environmental impacts of the proposed project. The Commission finds that it has complied with the requirements of CEQA with respect to the process for a responsible agency, and hereby adopts by reference the environmental findings previously adopted by the lead agency in connection with its approval of the project.
2. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.

3. The affected territory consists of 2473 acres, is inhabited, and is assigned the following short form designation:

"Annexation No. 2011-22 to the City of Santa Clarita (North Copperhill)"

4. Annexation No. 2011-22 to the City of Santa Clarita (North Copperhill) is hereby approved, subject to the following terms and conditions:
 - a. Annexation of the affected territory described in Exhibits "A" and "B" to the City.
 - b. Detachment of the affected territory from County Road Maintenance District No. 5.
 - c. Withdrawal of affected territory from County Lighting and Maintenance District 1687.
 - d. Withdrawal of affected territory from the County Public Library System.
 - e. Exclusion of affected territory from County Lighting District LLA-1, Unincorporated Zone.
 - f. Annexation of the northerly 1295 acres of the 2473 acres to Greater Los Angeles County Vector Control District.
 - g. Payment of Registrar Recorder/County Clerk and State Board of Equalization fees.

- h. Upon the effective date of the annexation, all right, title, and interest of the County, including but not limited to, the underlying fee title or easement where owned by the County, in any and all sidewalks, trails, landscaped areas, street lights, property acquired and held for future road purposes, open space, signals, storm drains, storm drain catch basins, local sanitary sewer lines, sewer pump stations and force mains, water quality treatment basins and/or structures, and water quality treatment systems serving roadways and bridges shall vest in the City.
- h. Upon the effective date of the annexation, the City shall be the owner of, and responsible for, the operation, maintenance, and repair of all of the following property owned by the County: public roads, adjacent slopes appurtenant to the roads, street lights, traffic signals, mitigation sites that have not been accepted by regulatory agencies but exist or are located in public right-of-way and were constructed or installed as part of a road construction project within the annexed area, storm drains and storm drain catch basins within street right-of-way and appurtenant slopes, medians and adjacent property.

- i. Upon the effective date of the annexation, the City shall do the following: (1) assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, storm drain catch basins, appurtenant facilities (except regional Los Angeles County Flood Control District (LACFCD) facilities for which LACFCD has a recorded fee or easement interest and which have been accepted into the LACFCD system), site drainage, and all master plan storm drain facilities that are within the annexation area and are currently owned, operated and maintained by the County ; (2) accept and adopt the County of Los Angeles Master Plan of Drainage (MPD), if any, which is in effect for the annexation area. Los Angeles County Public Works Department (LACPW) should be contacted to provide any MPD which may be in effect for the annexation area. Deviations from the MPD shall be submitted to the Chief Engineer of LACFCD/Director of LACPW for review to ensure that such deviations will not result in diversions between watersheds and/or will not result in adverse impacts to LACFCD's flood control facilities; (3) administer flood zoning and Federal Emergency Management Agency floodplain regulations within the annexation area; (4) coordinate development within the annexation area that is adjacent to any existing flood control facilities for which LACFCD has a recorded easement or fee interest, by submitting maps and proposals to the Chief Engineer of LACFCD/Director of LACPW, for review and comment.

- j. The City agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
 - k. The effective date of the annexation shall be the date of recordation.
 - l. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the City.
 - m. The regular County assessment roll shall be utilized by the City.
 - n. The territory will not be taxed for existing bonded indebtedness of the City.
 - o. Except to the extent in conflict with a through n, above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.
5. Pursuant to Government Code Section 57002, the Commission hereby sets the protest hearing for November 28, 2012 at 9:00 a.m. and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.
- 6 The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882.

PASSED AND ADOPTED this 24th day of October 2012.

MOTION:

SECOND:

AYES:

NOES:

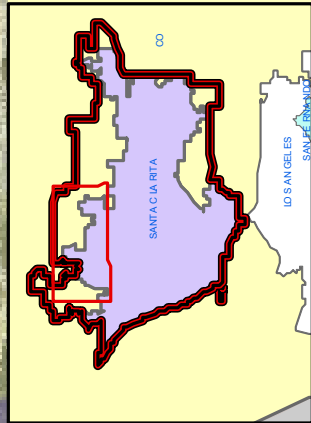
ABSTAIN:

ABSENT:

MOTION PASSES:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

Paul A. Novak, AICP
Executive Officer



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LAFCO

October 10, 2012

**City of Santa Clarita
Annexation No. 2011-22
(North Copperhill)**



- City of Santa Clarita
Unincorporated County Territory
Annexation No. 2011-22 Santa Clarita
"North Copperhill"
Annexation to Greater Los Angeles County
Vector Control District
Current Northern Boundary of Greater
Los Angeles County Vector Control District
Sphere of Influence of Santa Clarita

APNs	APNs
2812045506	3244031800
2812045507	3244031801
2812046001-036	3244034019
2812047003-009	3244034271
2812047012-015	3244035003
2812047018-023	3244035007-008
2812047040-046	3244035146
2812047048	3244035270
2812047050	3244035901-902
2812047052	3244109002-040
2812047055	3244110001-012
2812047059	3244110016-053
2812048001-055	3244114001-032
2812049001-033	3244115001-073
2812050001-058	3244117001-021
2812050001-059	3244118001-058
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2812050401-023	3244119025
2812050402	3244119054
2812050501-036	3244119058-062
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2812050903-032	3244122008-036
2812050934-036	3244122031-034
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2812063001-019	3244124001-002
2812063023-013	3244124900-901
2812063035-067	3244125001-019
2812063036-072	3244125001-013
2812064001-066	3244126016-027
2812064001-075	3244126032-033
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2812065030-046	3244127014
2812066001-010	3244127017-021
2812066015-029	3244127024-026
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2813010003	3244127901-905
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3244031013	3244129025-047
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3244031271-273	3244137001-045
3244031275-276	3244141001-004
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	3244141019

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APNs

3244 142 001 .038	3244 144 003
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3244 143 002 .032	3244 144 106 .110
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3244 152 016	3244 152 016
3244 152 019	3244 152 019
3244 152 061 .038	3244 152 061 .038
3244 152 063 .038	3244 152 063 .038
3244 152 068 .038	3244 152 068 .038
3244 152 069 .038	3244 152 069 .038
3244 152 070 .038	3244 152 070 .038
3244 153 001 .032	3244 153 001 .032
3244 153 030 .032	3244 153 030 .032
3244 153 270	3244 153 270
3244 154 001 .034	3244 154 001 .034
3244 155 001 .018	3244 155 001 .018
3244 156 001 .018	3244 156 001 .018
3244 156 016 .031	3244 156 016 .031

APNs

3244 169 001	029
3244 170 001	029
3244 171 001	031
3244 171 033	046
3244 171 048	
3244 178 001	068
3244 178 011	024
3244 178 027	028
3244 178 037	041
3244 178 044	057
3244 178 060	061
3244 179 001	017
3244 179 020	033
3244 180 001	029
3244 189 004	
3244 190 001	033
3244 190 027	047
3244 190 049	050
3244 191 001	012
3244 191 017	068
3244 191 022	036
3244 191 025	031
3244 192 001	015
3244 193 001	042
3244 194 001	042

HUNT C. BRALY *Attorney at Law*

25152 Springfield Court/Suite 100/ Valencia, CA 91355-1071/ Phone: (661) 287-3611 / FAX: (661) 291-1292

October 9, 2012

VIA FACSIMILE (626) 204-6507

AND E-MAIL [pnovak@lalafco.org]

Paul Novak, Executive Director

Los Angeles County Local Agency Formation Commission

80 South Lake Avenue, Suite 870

Pasadena, CA 91101

HAND DELIVERY @ HEARING

Paul Novak, Executive Director

Los Angeles County Local Agency Formation Commission

500 W. Temple Street

Los Angeles, CA 90012

Re: VTTM 52829 APN 3244-035-008, 3244-035-003, and 3244-035-007
City of Santa Clarita Annexation 2011-22 North Copperhill Annexation
LAFCO Board Meeting October 10, 2012

Dear Mr. Novak:

This firm represents Vesting Tentative Tract Map 52829 (VTTM 52829), which is comprised of APNs 3244-035-008, 3244-035-003, and 3244-035-007; and, was approved by Los Angeles County as a Vested Tentative Tract Map on March 1, 2005 (Exhibit 1) for the construction of 98 single family homes on 74.76 acres (Exhibit 2). Since that approval everybody who is involved in the development process, including LAFCO, is aware of the real estate depression which has occurred in Los Angeles County and in fact throughout California and many other states.

In late 1998 a Subdivision Application was submitted to Los Angeles County for the subject property. The Subdivision Application included a request for approval of VTTM 52829, a Zone Change 99-020-(5) and a Conditional Use Permit 99-020-(5). On March 19, 2003 the LA County Planning Commission approved the Subdivision Application after three public hearings were held (Exhibit 3). On March 1, 2005 the LA County Board of Supervisors approved the Subdivision Application which includes VTTM 52829. From the time the Application was submitted to the time it was approved in 2005 by the Board of Supervisors approximately \$300,000 was incurred in expenses.

On or about November 1, 2011, LAFCO submitted its first notice to VTTM 52829 of the City of Santa Clarita's interest in annexing No. 2011-22 (North Copperhill) which includes the area in which VTTM 52829 is located (Exhibit 4). Between March 2005 and November 2011 more than \$280,000 has been invested in meeting conditions for approval to record a Final Map.

Paul Novak, Executive Director
Los Angeles County Local Agency Formation Commission
October 9, 2012
Page 2 of 3

Due to economics affecting the real estate industry, the process of finalizing VTTM 52829 has taken much longer than usual or than was expected. VTTM 52829 was submitted to the Department of Regional Planning for review and comment by LA County Fire on June 29, 2007 (Exhibit 5). The improvement plans were prepared and submitted to Los Angeles County for Hydrology, Drainage and Storm Water on January 29, 2008 (Exhibit 6), Grading on February 5, 2007 (Exhibit 7), and Street on April 23, 2007 (Exhibit 8). We received comments and plan check corrections from the Planning Department (a small sample is attached as Exhibits 9 and 10) since submitting the improvement plans and are in the process of making the requested changes. From the Applicant's previous experience with the County, it is anticipated recordation of VTTM 52829 can be accomplished in approximately 9 months.

VTTM 52829 has spent more than \$280,000 to prepare the necessary plans for the Final Map to be able to be recorded. This includes completing the necessary water infrastructure plan for the Santa Clarita Water Company which will cost approximately \$30,000.

VTTM 52829 is not the focus of this Annexation by the City of Santa Clarita. In fact according to the Staff Report, 2,373 acres are being annexed including 3,181 existing homes, a neighborhood shopping center, 3 county parks, several elementary schools, existing open space with approximately 9,543 existing residents. The Report states that 132 homes in 3 tract maps have been approved, but that no further development is expected since this area is basically built out (Item 6 Page 4). The Report fails to clearly state the impact this Annexation would have on VTTM 52829. While it indicates that the annexation will not result in any development, it then goes on to say, "Additional homes may be allowed on those open spaces appropriate for development such as the three tentative tract maps that have been approved by the County. Such development is currently allowed and would not be encouraged or impeded by the potential annexation."

Unfortunately, this does not clearly state the impact of this Annexation on VTTM 52829. The owners of the property have had numerous meetings with the City of Santa Clarita to discuss the impacts and how the project could proceed. While the City has been friendly and cooperative, they have some different standards than the County. As a result, we understand that once this property is annexed, the owners will have to submit a new development application and basically start over, losing a substantial investment of time and resources in excess of 10 years and half a million dollars.

The approved VTTM 52829 and the hundreds of thousands of dollars spent to complete that project will be to a large degree wasted. Beyond these losses, VTTM 52829 stands to lose 50% to 70% of its value, as entitled land constructively rendered vacant/unentitled by virtue of the application of City ordinances to this project so near the terminus of meeting all conditions for

Paul Novak, Executive Director
Los Angeles County Local Agency Formation Commission
October 9, 2012
Page 3 of 3

approval with the County, will cause significant losses going forward beyond that of the sums already expended. The City has indicated that this project will have to be significantly redesigned, which would most likely include building two separate clusters with separate ingress and egress points. This would include now connecting to Urbandale Street, which was the basis of significant neighborhood concern when VTTM 52829 was originally approved and was left as a cul de sac with no connection to the existing street. As a result, the owners of the property face grave uncertainty over whether or not they can even obtain approval from the City of Santa Clarita for an economically viable project.

The property owners understand that to approve this Annexation without including its property would create an island which LAFCO would not approve. However, considering that the Staff Report makes it clear that the purpose of this Annexation is not to negatively impact the development of this property, it is reasonable to allow the property owners to have the opportunity to continue to finalize its VTTM 52829 and record a final map with the County. They have spent too much time, energy and money not to be given this reasonable opportunity and instead be forced to start over and design a new unknown project to comply with the City of Santa Clarita's different standards.

As a result, we respectfully request that if LAFCO approves Annexation 2011-12 to the City of Santa Clarita, that LAFCO place a condition to allow the owners of VTTM 52829 until November 1, 2013 to record its final map. If it has not been able to do so by that date, then this property must proceed with development within the City of Santa Clarita.

VTTM 52829 believes it will incur damages in the millions of dollars if it is not permitted time to record its final map with the County. Representatives will be in attendance at the Public Hearing on October 10 to further discuss this matter.

Thank you for your consideration of our concerns and our request.

Very truly yours,


HUNT C. BRALY, ESQ.

HCB/db
cc: Jeff Hogan, Planning Manager, City of Santa Clarita
Clients

Notice of Determination

TO:
☒ Los Angeles Environmental Findings
 12400 E. Imperial Hwy., #1101
 Norwalk, CA 90650



FROM:
 Department of Regional Planning
 Los Angeles County
 320 W. Temple St., 13th Floor
 Los Angeles, CA 90012

SUBJECT

Filing Notice of Determination in compliance with Sec. 21152 of the Public Resources Code.

Project Title:	Zone Change Case No. 99-020-15, Vesting Tentative Tract Map No. 52829 and Conditional Use Permit Case No. 99-020-15		
State Clearinghouse Number:	2002101134	Lead Agency Contact:	Ramon Cordova rcordova@planning.lacounty.gov Phone: (213) 974-6433
Project Location:	Terminus of Urandale Avenue and Frankwood Drive, Canyon Country, Newhall Zoned District, Los Angeles County		
Project Description:	To change zoning from A-2-2 (Heavy Agricultural-Two Acre Minimum Required Lot Area) to A-2-1 (Heavy Agricultural-One Acre Minimum Required Lot Area) and R-1-7,000 (Single Family Residential-7,000 Square Feet Minimum Required Lot Area), to create 85 single family lots, one open space lot, one park lot and two landscape lots on 75.0 gross acres; and a conditional use permit to ensure compliance with nonurban and urban hillside management area requirements, and allow a density controlled development.		

FILED

This is to advise that the

Board of Supervisors

has approved the above described project on

March 1, 2005

and made the following determinations

FEB 10 2009

1	The project <input type="checkbox"/> will <input checked="" type="checkbox"/> will not have a significant effect on the environment.	DEAN C. LORAN REGISTERED PROFESSIONAL ENGINEER L. ANTERBERRY DEPUTY
2	<input type="checkbox"/> An Environmental Impact Report was prepared for this project, pursuant to CEQA provisions. <input checked="" type="checkbox"/> A Negative Declaration was prepared for this project, pursuant to CEQA provisions.	
3	Mitigation measures <input checked="" type="checkbox"/> were <input type="checkbox"/> were not made a condition of approval for this project.	
4	A statement of Overriding Considerations <input type="checkbox"/> was <input checked="" type="checkbox"/> was not adopted for this project.	
5	Findings <input checked="" type="checkbox"/> were <input type="checkbox"/> were not made pursuant to the provisions of CEQA.	

This shall certify that the final EIR, with comments and responses and record of project approval, or the Negative Declaration is available to the general public at the Los Angeles County Department of Regional Planning, 320 W Temple St., Los Angeles, CA 90012.

Susan Tse

February 3, 2009

Susan Tse, AICP

Signature

Date

Supervising Regional Planner

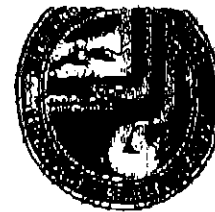
09 0033183

THIS NOTICE WAS POSTED

ON FEB 10 2009

UNTIL MAR 13 2009

REGISTRAR-RECORDED/COUNTY CLERK



CERTIFIED-RECEIPT
REQUESTED

March 24, 2003

Dentec Holdings, Inc.
1843 Business Center Drive
Duarte, California 91010

Gentlemen:

**SUBJECT: ZONE CHANGE 99-020-(5)
 CONDITIONAL USE PERMIT 99-020-(5)
 VESTING TENTATIVE TRACT MAP 52829-(5)**

A public hearing on Zone Change 99-020-(5), Conditional Use Permit 99-020-(5) Tree and Vesting Tentative Tract Map 52829 was held before the Regional Planning Commission on December 5, 2001, February 20, 2002, April 10, 2002, June 5, 2002 and September 4, 2002.

After considering the evidence presented, the Regional Planning Commission, in its action on March 19, 2003, recommended that the Board of Supervisors approve the requested Zone Change, and approved the Conditional Use Permit and Vesting Tentative Tract Map in accordance with Los Angeles County Code Title 22 (Zoning Ordinance) and the Subdivision Map Act. The change of zone is currently pending. The conditional use permit and the vesting tentative tract map are not effective until the change of zone is adopted by the Board of Supervisors. All entitlements will be submitted to the Board of Supervisors for review in conjunction with the Board public hearing on the Zone Change.

The action on the conditional use permit and vesting tentative tract map authorize:

- (a) the development of the subject property in compliance with hillside management design review and density controlled development criteria
- (b) the subdivision of the 75.06 acre project site into 95 single-family lots, 1 park lot, 1 open space lot and 2 landscape lots.

Exhibit 3.

LAFCO

Local Agency Formation Commission For The County Of Los Angeles

COMMISSION MEMBERS

JERRY GLADWICH
CHAIR

DONALD L. DEAR
FIRST VICE CHAIR

HERNANDEZ PULSIFER
SECOND VICE CHAIR

RICHARD H. CLOSE
MARGARET FINLAY
TOM LABONGE
GLORIA MOLINA
DAVID SPENCER
ZBY VARGOLAWSKY

ALTERNATE COMMISSION MEMBERS

LORI BROOKIN
LILLIAN KAWASAKI
DON KNAKE
PAUL KREKORIAN
GERARD McCALLUM
JUDITH MITCHELL

STAFF

PAUL A. NOVAK, AICP
EXECUTIVE OFFICER

JUNE D. SAVILLA
DEPUTY
EXECUTIVE OFFICER

AMBER DE LA TORRE
TAMARA DONLOW
DOUG DORADO
ALISHA O'BRIEN
SERA WIRTH

November 1, 2011

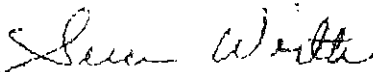
William Fujioka
Chief Executive Officer
County of Los Angeles
CEO-Office of Unincorporated Area Services
500 West Temple Street
Hall of Administration, Room 713
Los Angeles, CA 90012

RE: Notice to Subject/Interested Agencies
City of Santa Clarita Annexation No. 2011-22 (North Copperhill)

Notice is hereby given that an application for the proposed annexation listed above has been received by the Local Agency Formation Commission for the County of Los Angeles. The application involves approximately 2,473 ± acres of inhabited, unincorporated county territory. The proposal area is generally located east of San Francisquito Canyon Road, south of the Angeles National Forest boundary, north of the City of Santa Clarita boundary limit, and west of Bouquet Canyon Road.

Enclosed are copies of the application for the proposal, map, and legal description for your review. Please submit any comments regarding this proposal to LAFCO by November 30, 2011. Should you have any questions regarding this proposal, please contact this office at (818) 254-2454.

Sincerely,



Sera Wirth
Senior Government Analyst

Enc:

Roba

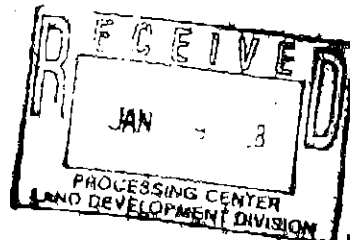
2011 NOV - 4 PM 3:50

Exhibit 4

**DRAINAGE CONCEPT/HYDROLOGY STUDY
&
SUSMP**

FOR

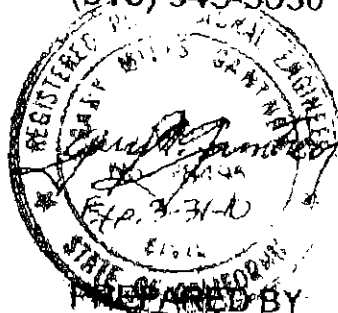
TRACT 52829



PREPARED FOR:

DENTEC HOLDINGS, INC.

Attention: Daniel Singh
10365 W. Jefferson Blvd
Culver City, CA 90232
(310) 945-3030



**HYDROLOGY STUDY
DRAINAGE CONCEPT/STORM WATER QUALITY PLAN**

IS CONCEPTUALLY APPROVED

APPROVED BY: *[Signature]* RCE NO. 62363 DATE 02/14/08

CHECKED BY: *[Signature]* DATE 02/14/08

LAND DEVELOPMENT DIVISION

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS

**PLANNING
ASSOCIATES
AND
SUBDIVISIONS**

ENGINEERING CORPORATION

PAAS ENGINEERING CORPORATION

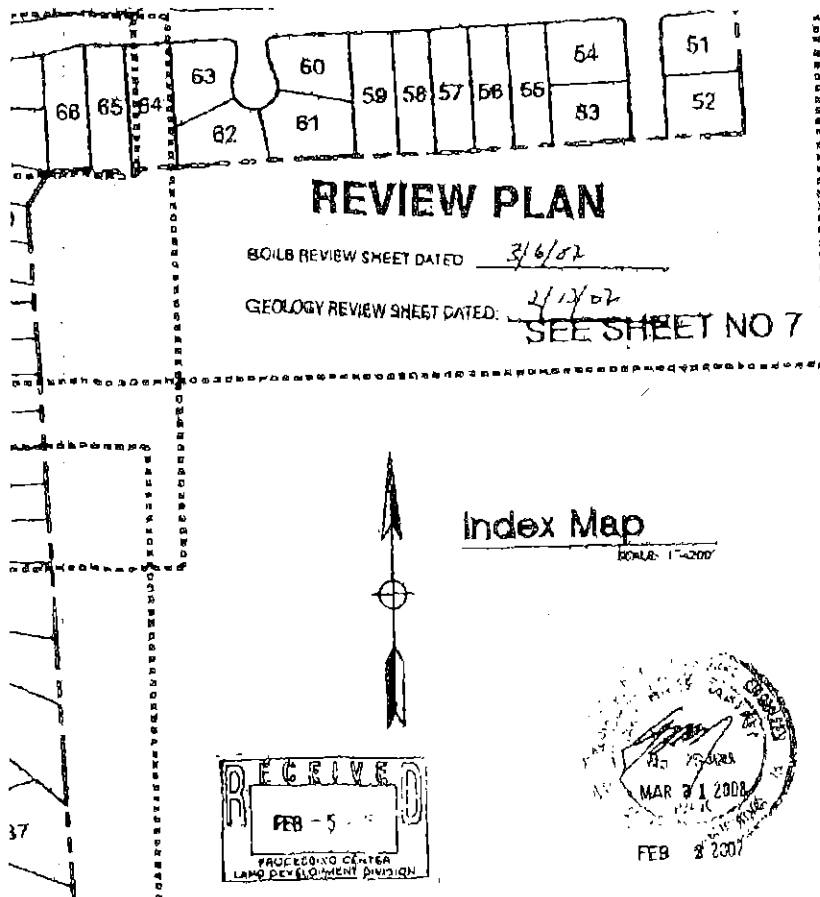
10365 W. JEFFERSON BLVD., CULVER CITY, CA 90232 (310) 945-3034 x21

[Signature]
Gary M. Gantrey, PE

RCE 28495, Expires 3-31-08

1-24-08

Date



WDID #

GPC# 52829-00R1

ROUGH GRADING PLAN

FOR

SOMERSET SUMMIT, TRACT MAP NO. 52829

LOCATED IN THE UNINCORPORATION TERRITORY OF THE COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

OWNER/DEVELOPER:

DENTEC HOLDINGS INC.

10365 WEST JEFFERSON BOULEVARD
CULVER CITY, CALIFORNIA 90232

DESIGNED BY:	DATE:	SCALE:	REVIEWED BY:	Proj. No.
	August 25, 2006	1" = 40'		SHEET 1 OF 9 SHEETS

Exhibit 7

CONSTRUCTION NOTES

CONSTRUCT STREET IMPROVEMENTS PER TYPICAL CROSS SECTION ON SHEET

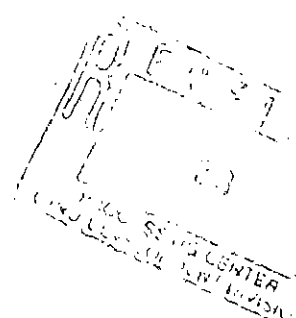
CONSTRUCT CATCH BASIN AND LOCAL DEPRESSION PER STORM DRAIN PLANS.

CONSTRUCT CURB RAMP PER A.P.W.A. STD. PLAN 111-2, CASE A, TYPE 2.

CONSTRUCT 6" CONCRETE CURB AND 18" GUTTER PER A.P.W.A. STD. PLAN 120-1, A2-G.

CONSTRUCT 4 P.C.C. SIDEWALK PER A.P.W.A. STD. PLAN 112-1 (SEE GENERAL NOTES 9 & 10 - SHEET 1)

CONSTRUCT 3 1/2" THICK A.C. PAVEMENT CONSISTING OF C2 AR 4000 FINISH COURSE OVER 2" B AR 8000 BASE COURSE ON 6" MIN. CRUSHED AGGREGATE BASE (SEE GENERAL NOTE #7-SHEET 1)



CURVE DATA (THIS SHEET ONLY)

C	D	R	L	T
C18	1600.26	25.00'	39.28'	25.01'
C19	1599.74	25.00'	39.26'	24.99'
C21	644.52	330.00'	208.81'	108.03'
C22	1003.78	330.00'	325.20'	177.18'
C23	297.40	500.00'	145.99'	73.52'
C48	218.30	520.00'	111.44'	55.94'
C49	218.30	480.00'	102.87'	51.63'
C68	218.30	500.00'	107.16'	53.79'

include in full plan

"B" STREET (OFFSITE)

FROM STA. 32+00.00 TO STA. 34+28.22

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

P.A.A.S. ENGINEERING

10365 WEST JEFFERSON BLVD.

CULVER CITY, CA 90232

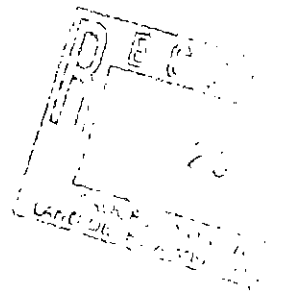
Ph. (310) 945-3034

TRACT NO. 52829

SHEET 6 OF 12

EXHIBIT 8 A

APR 22 2007 2:32PM 156024



"B" STREET OFFSITE

FROM STA. 1+00.00 TO STA. 12+50.00

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

P.A.A.S. ENGINEERING

10365 WEST JEFFERSON BLVD.

CULVER CITY, CA 90232

Ph. (310) 945-3034

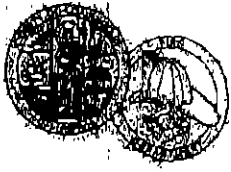
TRACT NO. 52829

SHEET 3 OF 12

Apr 22, 2007 J. Storm

10EN14150 (Eng Improvement Plans) Street 14150 st OFFSITE day

Exhibit B B



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

APPLICANT

Shirley S. Shaver
Civil Engineer

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 52829

Map Date: February 14, 2008 - Exhibit A

C.U.P. 99-020

Vicinity: Newhall North

- ☐ FIRE DEPARTMENT HOLD on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- ☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
- ☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- ☒ Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- ☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- ☒ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- ☒ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angelino Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- ☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- ☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- ☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- ☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- ☐ The Fire Department has no additional requirements for this division of land.

Comments: This project is on HOLD until a response is received from the Fire Department Planning Section. No gates are allowed for the development.

By Inspector:

San C. Padilla

Date: April 9, 2008

Land Development Unit - Fire Prevention Division - (323) 890-4243, Fax (323) 890-9783

EXHIBIT A



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Compton, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. TR 52829

Tentative Map Date February 14, 2008 - Exhibit A

Revised Report yes

- ☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
- ☒ The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 1 hour, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☐ The required fire flow for private on-site hydrants is gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- ☒ Fire hydrant requirements are as follows.
- Install 2 public fire hydrant(s) Upgrade / Verify existing public fire hydrant(s).
- Install private on-site fire hydrant(s).
- ☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated fire wall.
- ☒ Location: As per map on file with the office
- ☐ Other location:
- ☒ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
- ☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
- ☐ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.
- ☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.
- ☐ Upgrade not necessary. If existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments:

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector James C. Padilla

Date April 9, 2008

Land Development Unit - Fire Prevention Division - (323) 890-4243, Fax (323) 890-9783

Exhibit 10



Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-8443

PROJECT NO. R2007-00339-(5)
CONDITIONAL USE PERMIT CASE NO. 200700030-
(3)

RPC/HO CONSENT DATE	CONTINUE TO
AGENDA ITEM	7
PUBLIC HEARING DATE	July 2, 2007

APPLICANT Saugus Union School District		OWNERS Saugus Union School District		REPRESENTATIVE PAAS Engineering	
REQUEST Conditional Use Permit: To authorize grading and construction of a new access road and utilities for a public elementary school and to excavate 280,000 cubic yards of soil from an adjacent site (APN 3244-035-003, 3244-035-007, 3244-035-008) to the public school site (APN 3244-035-901).					
LOCATION/ADDRESS Northerly of the terminus of Urbandale Avenue and westerly of the terminus of the Franwood Avenue (APN 3244-035-901) ACCESS Access to the site is via Wellston Drive to the north and south and Franwood Avenue to the east and west.				ZONED DISTRICT Newhall Zoned District COMMUNITY Saugus EXISTING ZONING A-2-2 (Heavy Agricultural 2 acres required) Zone	
SIZE 30 acres	EXISTING LAND USE Vacant and an elementary school		SHAPE Irregular	TOPOGRAPHY hilly	
SURROUNDING LAND USES & ZONING					
North: A-2-1 (Heavy Agricultural 1 acre required) / Single-family and vacant			East: City of Santa Clarita / Single-family and vacant		
South: City of Santa Clarita / Single-family and a park			West: R-1-7000 (Single Family 7,000 square feet required) A-2-1, A-2-2, & City of Santa Clarita / Single-family, DWP right-of-way, multi-family, and vacant		
GENERAL PLAN	DESIGNATION		MAXIMUM DENSITY	CONSISTENCY	
Santa Clarita Valley Area Plan	U2 & HM		U2: 3.4 to 6.8 units per ac. HM 0-25% slope: 2 to .5 units per ac.	See Staff Analysis	
ENVIRONMENTAL STATUS Mitigated Negative Declaration of Environmental Impact determination pursuant to per the California Environmental Quality Act (CEQA) adopted by the Saugus Union School District.					
DESCRIPTION OF SITE PLAN The site plan depicts the grading construct a new access road (the extension of Franwood Drive and the construction of Wellston Drive) and utilities for a public elementary school and to excavate 280,000 cubic yards of soil from an adjacent site to the public school site. Access to the site is from Wellston Drive to the north and south and Franwood Drive to the east and west.					
KEY ISSUES - Satisfaction of Section 22.58.040 of the Los Angeles County Code Title 22, Conditionals Use Permit Burden of Proof requirements.					

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON					
RPC HEARING		RPC ACTION DATE		RPC RECOMMENDATION	
MEMBERS VOTING AYE		MEMBERS VOTING NO		MEMBERS ABSTAINING	
STAFF RECOMMENDATION (PRIOR TO HEARING)					
SPEAKERS		PETITIONS		LETTERS	
(O)	(F)	(O)	(F)	(O)	(F)

(O) = Opponents (F) = In Favor

EXHIBIT 12

HUNT C. BRALY *Attorney at Law*

25152 Springfield Court/Suite 100/ Valencia, CA 91355-1071/ Phone: (661) 287-3611 / FAX: (661) 291-1292

TELECOPIER TRANSMITTAL SHEET

DATE: October 9, 2012

TO: Paul Novak, Executive Director

COMPANY: Los Angeles County Local Agency Formation Commission

FAX NUMBER: (626) 204-6507

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MESSAGE: Please review.

Hard Copy to Follow: Yes (X) Via Hand Delivery at the hearing 10/10/2012

Signature of Sender: _____

Debbie Brozovich
Debbie Brozovich

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Guide to the
**CORTESE-KNOX-HERTZBERG
LOCAL GOVERNMENT
REORGANIZATION ACT OF 2000**

Prepared by
Assembly Committee on Local Government
Honorable Cameron Smyth, Chair

November 2011

Disqualification of members

56336. Each commission may adopt regulations with respect to disqualification of members or alternates from participating in the review of a proposal. In the absence, however, of those regulations, Section 56332 or 56335 shall apply. The representation by a member or alternate of a city or district shall not disqualify, or be cause for disqualification of, the member or alternate from acting on a proposal affecting the city or the district, and any regulation providing for the disqualification of a city or district representative for that reason is null and void.

City, county, and special district members may serve while holding office

56337. A city, county, or district officer may serve as a member of the commission while holding office as a city, county, or district officer. If a member who is a city, county, or district officer ceases to be an officer of a city, county, or district during his or her term, his or her membership on the commission shall be considered vacant.

CHAPTER 3. POWERS

LAFCO powers and duties

56375. The commission shall have all of the following powers and duties subject to any limitations upon its jurisdiction set forth in this part:

To review and approve, conditionally approve, modify, or disapprove proposals

(a)(1) To review and approve *** with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, consistent with written policies, procedures, and guidelines adopted by the commission.

To initiate certain proceedings

(2) The commission may initiate proposals by resolution of application for any of the following:

- (A) The consolidation of a district, as defined in Section 56036.
 - (B) The dissolution of a district.
 - (C) A merger.
 - (D) The establishment of a subsidiary district.
 - (E) The formation of a new district or districts.
 - (F) A reorganization that includes any of the changes specified in subparagraph (A), (B), (C), (D), or (E).
- (3) A commission may initiate a proposal described in paragraph (2) only if that change of organization or reorganization is consistent with a recommendation or conclusion of a study prepared pursuant to Section 56378, 56425, or 56430 and the commission makes the determinations specified in subdivision (b) of Section 56881.

Disapproval limitation

(4) A commission shall not disapprove an annexation to a city, initiated by resolution, of contiguous territory that the commission finds is any of the following:

- (A) Surrounded or substantially surrounded by the city to which the annexation is proposed or by that city and a county boundary or the Pacific Ocean if the territory to be annexed is substantially

developed or developing, is not prime agricultural land as defined in Section 56064, is designated for urban growth by the general plan of the annexing city, and is not within the sphere of influence of another city.

(B) Located within an urban service area that has been delineated and adopted by a commission, which is not prime agricultural land, as defined by Section 56064, and is designated for urban growth by the general plan of the annexing city.

(C) An annexation or reorganization of unincorporated islands meeting the requirements of Section 56375.3.

(5) As a condition to the annexation of an area that is surrounded, or substantially surrounded, by the city to which the annexation is proposed, the commission may require, where consistent with the purposes of this division, that the annexation include the entire island of surrounded, or substantially surrounded, territory.

Conditions regulating land use prohibited

(6) A commission shall not impose any conditions that would directly regulate land use density or intensity, property development, or subdivision requirements.

Prezoning requirement

(7) The decision of the commission with regard to a proposal to annex territory to a city shall be based upon the general plan and prezoning of the city. When the development purposes are not made known to the annexing city, the annexation shall be reviewed on the basis of the adopted plans and policies of the annexing city or county. A commission shall require, as a condition to annexation, that a city prezone the territory to be annexed or present evidence satisfactory to the commission that the existing development entitlements on the territory are vested or are already at build-out, and are consistent with the city's general plan. However, the commission shall not specify how, or in what manner, the territory shall be prezoned.

Annexation greater than 10 acres; contiguous disadvantaged unincorporated community

(8)(A) Except for those changes of organization or reorganization authorized under Section 56375.5, and except as provided by subparagraph (B), a commission shall not approve an annexation to a city of any territory greater than 10 acres, or as determined by commission policy, where there exists a disadvantaged unincorporated community that is contiguous to the area of proposed annexation, unless an application to annex the disadvantaged unincorporated community to the subject city has been filed with the executive officer.

No application required

(B) An application to annex a contiguous disadvantaged community shall not be required if either of the following apply:

(i) A prior application for annexation of the same disadvantaged community has been made in the preceding five years.

ballot upon the issues of annexation and district reorganization or incorporation and district reorganization.

No direct land use regulation

56886. Any change of organization or reorganization may provide for, or be made subject to one or more of, the following terms and conditions. If a change of organization or reorganization is made subject to one or more of the following terms and conditions in the commission's resolution making determinations, the terms and conditions imposed shall constitute the exclusive terms and conditions for the change of organization or reorganization, notwithstanding the general provisions of Part 5 (commencing with Section 57300). However, none of the following terms and conditions shall directly regulate land use, property development, or subdivision requirements:

Payments

(a) The payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of any city, county, or district.

Taxes, charges, and assessments

(b) The levying or fixing and the collection of any of the following, for the purpose of providing for any payment required pursuant to subdivision (a):

- (1) Special, extraordinary, or additional taxes or assessments.
- (2) Special, extraordinary, or additional service charges, rentals, or rates.
- (3) Both taxes or assessments and service charges, rentals, or rates.

Bonds, contracts, and other obligations

(c) The imposition, exemption, transfer, division, or apportionment, as among any affected cities, affected counties, affected districts, and affected territory of liability for payment of all or any part of principal, interest, and any other amounts which shall become due on account of all or any part of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of any city, county, district, or any improvement district within a local agency, and the levying or fixing and the collection of any (1) taxes or assessments, or (2) service charges, rentals, or rates, or (3) both taxes or assessments and service charges, rentals, or rates, in the same manner as provided in the original authorization of the bonds and in the amount necessary to provide for that payment.

(d) If, as a result of any term or condition made pursuant to subdivision (c), the liability of any affected city, affected county, or affected district for payment of the principal of any bonded indebtedness is increased or decreased, the term and condition may specify the amount, if any, of that increase or decrease which shall be included in, or excluded from, the outstanding bonded indebtedness of that entity for the purpose of the application of any statute or charter provision imposing a limitation upon the

2011

Subdivision Map Act

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improvements specified in subdivision (a), or would otherwise require reprocessing or resubmittal of a permit or approval, including, but not limited to, a final recorded map, a vesting tentative map, or a tentative map, as a result of the transportation improvements specified in subdivision (a) not being constructed.

[Added, Chapter 739, Statutes of 2003]

66412.9 Agricultural exemptions

This division shall not apply to leases of agriculturally zoned land to nonprofit organizations for the purpose of operating an agricultural labor housing project on the property if all of the following conditions apply:

- (1) The property to be leased shall not be more than five acres.
- (2) The lease shall be for not less than 30 years.
- (3) The lease shall be executed prior to January 1, 2017.

[Added, Chapter 447, Statutes of 2009]

66413. Effect of annexation to city on tentative and final maps

- (a) When any area in a subdivision as to which a final map has been finally approved by a board of supervisors and filed for record pursuant to this division is thereafter annexed to a city, the final map and any agreements relating to the subdivision shall continue to govern the subdivision.
- (b) When any area in a subdivision or proposed subdivision as to which a tentative map or vesting tentative map has been filed but a final map has not been finally approved, or as to which a parcel map is required by this division or local ordinance but the final act required to make the parcel map effective has not been taken, is annexed to a city, all procedures and regulations required by this division or by local ordinance of the annexing city shall be deemed to commence as of the effective date of the annexation and the map shall comply with the requirements of any applicable ordinance of the city to which the area is annexed.

[Amended, Chapter 613, Statutes of 1986]

66413.5 Tentative map approval by a newly incorporated city

- (a) When any area in a subdivision or proposed subdivision as to which a tentative map meeting the criteria of this section has been approved by a board of supervisors is incorporated into a newly incorporated city, the newly incorporated city shall approve the final map if it meets all of the conditions of the tentative map and meets the requirements and conditions for approval of final maps as provided in Article 4 (commencing with Section 66456), and other requirements of this division.
- (b) When any area in a subdivision or proposed subdivision as to which a vesting tentative map meeting the criteria of this section has been approved by a board of supervisors is incorporated into a newly incorporated city, the newly incorporated city shall approve the final map and give effect to the vesting tentative map as provided in Chapter 4.5 (commencing with Section 66498.1), if the final map meets all of the conditions of the vesting tentative map and meets the requirements and conditions for approval of final maps as provided in Article 4 (commencing with Section 66456), Chapter 4.5 (commencing with Section 66498.1), and other requirements of this division.