

DEPARTMENT OF  
CITY PLANNING

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LOS ANGELES, CA 90012-4801

AND

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VAN NUYS, CA 91401

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INFORMATION  
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**SAN GABRIEL-VERDUGO MOUNTAINS SCENIC PRESERVATION SPECIFIC PLAN  
PROJECT PERMIT COMPLIANCE REVIEW**

Mailing Date: June 24, 2014

Last Day to Appeal: July 9, 2014

Gary Novotny (Owner)  
/ Hope Investments, LLC.  
8800 Wentworth St.  
Sunland, CA 91040

**CASE NO DIR-2014-2194-SPP**

CEQA: ENV-2014-2195-CE

Location: 8700 Wentworth St.

Council District: 7 - Fuentes

Area Planning Commission: North Valley

Neighborhood Council: Sunland - Tujunga

Plan Area: Sunland - Tujunga - Lake View

Terrace - Shadow Hills - East La Tuna Canyon

Plan Land Use: Very Low I Residential

Zone: A2-1

District Map: 207B189

Legal Description: Tract West Portion of

Tujunga Ranch, Portion of Lot 26, Arb 5

Pursuant to Section 11.5.7 C of the Los Angeles Municipal Code and Section 5 of the **San Gabriel Verdugo Mountains Scenic Preservation Specific Plan** (Ordinance 175,736), as the designee of the Director of Planning, I hereby:

**Approve with Conditions** a Project Permit Compliance Review for an **11'-8" high support structure for a 638 square-foot photovoltaic ground-mounted solar array**, as an accessory use to an existing single-family dwelling on a 69,928 square-foot lot in the A2-1 zone. The subject site is not located in a K-District, within 500 feet of a designated Scenic Highway, or within a Prominent Ridgeline Protection Area.

The project is Categorically Exempt from environmental review pursuant to Article III, Section 1, Class 3 Category 6 of the City of Los Angeles CEQA Guidelines.

The project approval is subject to the attached Conditions of Approval and based upon the attached Findings:

## CONDITIONS OF APPROVAL

### A. ADMINISTRATIVE CONDITIONS

1. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
2. **Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
3. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
4. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
5. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
6. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
7. **Expiration.** In the event that this grant is not utilized within **three years** of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
8. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

**B. BUILDING & SITE CONDITIONS.**

1. **Building Plans.** The use and development of the subject property shall be in substantial conformance with the Plans labeled **Exhibit A (1 page)**, stamped and dated June 23, 2014, attached to the subject case file, except as modified by this action.
2. **General Development Standards, Oak Trees.** No oak trees four inches or more in diameter, as measured four and one-half feet above the ground level at the base of the tree, shall be removed, cut down, moved, or damaged by grading or construction on lots 20,000 square feet or larger
3. **Prohibited Plant Materials.** The following plant materials shall be prohibited on-site, including palm trees:

Prohibited Plant Materials. The following plant materials shall be prohibited within the Plan area for all new Projects:			
<i>Acacia</i>	green wattle	<i>Erodium cicutarium</i>	storksbill
<i>Ailanthus altissima</i>	tree of heaven	<i>Erodium cygnorum</i>	storksbill
<i>Arundinaria pygmaea</i>		<i>Erodium malacoides</i>	storksbill
<i>Arundo donax</i>	Giant reed	<i>Erodium moschatum</i>	storksbill
<i>Atriplex semibaccata</i>	Australia saltbush	<i>Eucalyptus globulus</i>	blue gum
<i>Avena spp.</i>	wild oats	<i>Lolium perenne</i>	Perennial ryegrass
<i>Brassica spp (non-native)</i>	mustard	<i>Malva parvifolia</i>	Cheeseweed
<i>Bromus rubens</i>	Red brome	<i>Pennisetum</i>	fountain grass
<i>Centranthus ruber</i>	Jupiter's beard	<i>Ricinus communis</i>	castor bean
<i>Cyperus sempervirens</i>	Italian cypress	<i>Robinia pseudoacacia</i>	Black locust
<i>Cortaderia jubata</i>	Pampas grass	<i>Schinus molle</i>	California pepper
<i>Cortaderia sellowiana</i>	Pampas grass	<i>Schinus terebinthefolius</i>	Brazilian pepper
<i>Cytisus canariensis</i>	Canary Island broom	<i>Spartium junceum</i>	Spanish broom
<i>Cytisus scoparius</i>	Scotch broom	<i>Tamarix sp.</i>	salt cedar
<i>Cytisus spachianus (Genista racemosa)</i>	broom	<i>Vulpia megalura</i>	Foxtail fescue
<i>Erodium botrys</i>	storksbill	<b><u>Palm trees</u></b>	<b><u>Palm</u></b>

**OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION**

All terms and conditions of this Director's Determination shall be complied with before the use may be established. This authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination. If such privileges are not utilized or substantial physical construction work has not begun and carried on diligently to completion, the authorization shall become void.

**TRANSFERABILITY**

This determination runs with the land. In the event the property is sold, leased, rented, or occupied by any person or corporation other than yourself, you must advise them regarding the conditions of this grant.

**VIOLATIONS OF THE CONDITIONS, A MISDEMEANOR**

Section 11.00 M of the Los Angeles Municipal Code states: "It shall be unlawful to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction. Every violation of this determination is punishable as a misdemeanor unless provision is

otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

**APPEAL PERIOD - EFFECTIVE DATE**

This Determination is not a permit or license, and any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this Determination is violated or is not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions, as stipulated in the Los Angeles Municipal Code.

Per LAMC Section 11.5.7 C.4(c), **the Determination in this matter shall become effective 15 calendar days after the approval date, unless an appeal is filed. All appeals shall be filed pursuant to procedures established under LAMC Section 11.5.7 C.6.** It is strongly advised that appeals be filed early during the appeal period and in-person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date to be accepted. Forms are available on-line at <http://planning.lacity.org>. The Department of City Planning public offices are located at:

Downtown Office  
Figueroa Plaza  
201 North Figueroa Street, 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
(213) 482-7077

Valley Office  
Marvin Braude Building  
6262 Van Nuys Boulevard, Suite 251  
Van Nuys, CA 91401  
(818) 374-5050

The time in which a party may seek judicial review of this determination is governed by California Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedures Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

**BUILDING PERMIT SIGN-OFFS**

All subsequent building permit sign-offs regarding this case must be by **appointment only** with the Department of City Planning Public Counter staff through an online appointment system at <http://planning.lacity.org>. On the website, continue to "Development Services Center - Location & Appointments", located on the bottom-right-hand corner of the page to make an appointment request.

## FINDINGS

Based on a review of the plans labeled Exhibit A, dated June 23, 2014, attached to the administrative file, and as modified by the conditions contained herein, the Director of Planning makes the following findings in accordance with Section 11.5.7 C.2 of the Los Angeles Municipal Code and the applicable review criteria of Section 8 of the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan:

1. *The project substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan.*

The proposed project is subject to a Project Permit Compliance review because it is located within the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan's boundaries and because it meets the Specific Plan's definition of a Project. The project is to construct support structures for a ground-mounted solar array to serve an existing single-family residence. The subject lot is over 20,000 square feet in area. The site is not located within a K-District, within 500 feet of a designated Scenic Highway, or within a Prominent Ridgeline Protection Area. The support structures, which measure 11'-8" in height, are subject to the regulations of the Specific Plan, but the solar panels are preempted from discretionary review per Section 65850.5 of the California Government Code. While the City is preempted from reviewing the solar panels beyond an administrative action, the support system will require a Project Permit Compliance determination. The following Specific Plan Sections apply to the proposed project:

- a) Section 8B - General Development Standards, Oak Trees prohibits oak trees from being removed without prior written approval. No oak trees will be removed as part of the construction of the support structures. The site is also conditioned to comply with this provision.
- b) Section 8C - General Development Standards, Prohibited Plant Materials prohibits certain plant materials within the Specific Plan area for all new projects. This project does not propose any new landscaping on site. All future landscaping for this site has been conditioned to exclude prohibited plant materials, including palm trees. *See table under Condition B.3.*

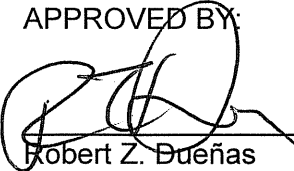
As conditioned, the proposed project complies with the applicable regulations, standards, and provisions of the Specific Plan.

2. *The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.*

Pursuant to the City CEQA Guidelines the proposed Project Permit request has been granted an environmental clearance through ENV-2014-2195-CE on June 23, 2014. The subject proposal has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1 of the City CEQA Guidelines under Class 3, Category 6 as a project that involves an accessory (appurtenant) structure to an existing residence.

MICHAEL J. LOGRANDE  
Director of Planning

APPROVED BY:

  
Robert Z. Dueñas  
Senior City Planner

PREPARED BY:

  
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cc: Abutting Property Owners  
Council District No. 7  
Sunland Tujunga Neighborhood Council

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