

APPENDIX D

RESOLUTIONS & ORDINANCES

ORDINANCE NO. 97-19

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF SANTA CLARITA APPROVING PREZONE 97-001 (MASTER CASE 97-041) FOR ANNEXATION NO. 95-008 (NORTH VALENCIA) TO ALLOW FOR SPECIFIC PLAN 97-001, WHICH CHANGES THE ZONING CLASSIFICATION FROM LOS ANGELES COUNTY ZONE C2, M11/2, and A2-5 TO CITY OF SANTA CLARITA ZONES SPECIFIC PLAN (SP) AND OPEN SPACE (OS) AND AMENDS PORTIONS OF ORDINANCE 96-12, AND ADOPTION OF THE NORTH VALENCIA SPECIFIC PLAN TO ESTABLISH SPECIAL DEVELOPMENT STANDARDS TO ALLOW FOR THE DEVELOPMENT OF A 706.6 ACRE PROPERTY KNOWN AS THE NORTH VALENCIA SPECIFIC PLAN AREA LOCATED WITHIN THE 858 ACRE NORTH VALENCIA ANNEXATION AREA IN THE UNINCORPORATED AREA OF LOS ANGELES COUNTY ADJACENT TO THE CITY OF SANTA CLARITA.

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council does hereby make the following findings of fact:

- a. The North Valencia Annexation area is approximately 858 acres generally located east of Anza Drive, south of Newhall Ranch Road, west of Bouquet Canyon Road and Valencia Boulevard, and north of Magic Mountain Parkway and the Auto Center in the unincorporated area of Los Angeles County adjacent to the City of Santa Clarita. The North Valencia Specific Plan area is approximately 706.6 acres within the North Valencia Annexation area and is generally located south of Avenue Hopkins and east of Anza Drive and the west side of San Francisquito Creek, south of Newhall Ranch Road, west of Bouquet Canyon Road and Valencia Boulevard, and north of Magic Mountain Parkway and the Auto Center in the unincorporated area of Los Angeles County adjacent to the City of Santa Clarita.

In November 1995, the City and the Valencia Company entered into a non-binding Memorandum of Understanding (MOU) regarding certain aspects of the potential annexation of approximately 969 acres or unincorporated area in the North Valencia area. At the time the MOU was adopted, the Valencia Company stated their intention to request approvals for up to 3,690 dwelling units, approximately 850,000 square feet of commercial uses, and 223,000 square feet of industrial uses. Entitlements to be requested at the time of MOU approval included a prezone, an annexation and development agreement, and tract maps.

- b. A Prezone for the North Valencia Annexation area was approved in March 1996. The City Council authorized the filing of an annexation request with LAFCO in June 1996. Following the prezone, the applicant submitted entitlement requests which are subject to environmental review. The annexation request is on hold at the request of the City, pending approval of the environmental review document and approval of the requested entitlements. .

- c. On June 5, 1996, the applicant submitted the following entitlement requests: (Master Case No. 97-120) Annexation and Development Agreement 96-001, Annexation 95-006, Conditional Use Permit 96-010, TPM 20496 (Builder's South), TPM 20669 (Valencia Industrial Center), TPM 18417 (Pony League), TPM 24516 (Overall Project Area), VTTM 51931 (Lago de Valencia), VTTM 51281 (South River) and VTTM 44832 (Arbor Park). Incomplete letters were sent on these entitlement requests in July and staff noted that an Oak Tree Permit would also be required. In January 1997, the applicant formally withdrew the application for a CUP and all of the tract and parcel maps except for VTTM 51931. The applicant submitted the following entitlement requests: a Specific Plan document including a comprehensive plan of development and development standards for the North Valencia Specific Plan area and Prezone 97-001 to change the zoning within the area to the City zone SP (Specific Plan). Following review of the specific plan document and revised site plan, staff recommended that a general plan amendment be filed in order for the requested entitlements to be consistent with the City's General Plan. On March 12, 1997, the applicant filed a request for an oak tree permit (OTP 97-009) to allow for possible encroachment upon oak trees, and a general plan amendment (GPA 97-001) to: 1) Revise the text of the Land Use Element Valley Center Concept narrative allowing for a North Valencia Specific Plan; and 2) revise the General Plan Land Use Map.
- d. The applicant requests an annexation, a general plan amendment including an amendment to the text of the Land Use Element Valley Center Concept narrative and an amendment to the Land Use Map, a prezone to specific plan, and adoption of a specific plan document including a comprehensive plan of development and development standards for the North Valencia Specific Plan area. The development application includes the proposed annexation of approximately 858 acres of unincorporated Los Angeles County land located adjacent to the City boundary. The entire 858 acres was previously prezoned to City zoning designations through Ordinance No. 96-12. This request would amend portions of Ordinance No. 96-12 to establish the City of Santa Clarita Zone Specific Plan (SP) over 706.6 acres on the areas known as the North Valencia Specific Plan area. The remaining acreage in the annexation area would remain as previously prezoned by Ordinance No. 96-12. The Specific Plan request includes entitlements for up to 2,000 dwelling units (750 single family detached, 1,250 multi-family attached), 636,000 square feet of commercial/retail, 167,000 square feet of industrial/business park space, a 6.5-acre elementary school site, a 15.2-acre lake/park, a 12.4-acre community park, 4.9 acres of neighborhood parks, 355.6 acres of open space and over 5 miles of trails, Vesting Tentative Tract Map 51931 to subdivide 706 acres into 138 lots, an oak tree permit to allow construction within 200 feet of the oak trees with no removals or encroachments proposed, and review and certification of the Environmental Impact Report (SCH#96071077) prepared for this project. An "Annexation and Development

Agreement" was also requested, which was presented to and approved by the City Council through Ordinance No. 97-20.

- e. The original North Valencia Specific Plan request excluded a .5 acre Southern California Gas Facility located on Magic Mountain Parkway; however, this area has been included within the Specific Plan area in accordance with good planning principles. The North Valencia Specific Plan area is bisected by the MWD pipeline property which is excluded from the Specific Plan prezone; however, this area is proposed to be prezoned Open Space (OS) in order to be consistent with the surrounding uses proposed in the Specific Plan.
- f. The General Plan presently designates the project site Commercial Town Center (CTC), Community Commercial (CC), Business Park (BP), and Residential Moderate (RM) with a Valley Center Concept Overlay on the majority of the site. The General Plan does not specifically mention the North Valencia site as an area ideal for a specific plan; however, the site does meet the minimum size of 100 contiguous acres under single ownership as identified in the Specific Plan zoning standards of the City's Unified Development Code. Zoning on the site is presently Los Angeles County zones C2, M1 1/2, and A2-5 and has already been prezoned City of Santa Clarita zones CTC, CC, BP, and RM.
- g. The North Valencia Specific Plan area is vacant, generally flat, and was used for agricultural purposes. The portion of the annexation area not included in the Specific Plan is flat and already developed with industrial and commercial uses. Major features of the annexation area include the Santa Clara River, the South Fork of the Santa Clara River, San Francisquito Creek, Bouquet Creek, a portion of the San Gabriel Fault Alquist-Priolo Special Studies Zone, the MWD aqueduct pipeline and electrical transmission corridors.
- h. Article 8— Specific Plans Sec. 65451 et seq of the California Planning and Zoning Laws defines the contents which must be included in a specific plan as follows:
 - (a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:
 - (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
 - (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

(3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

(4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

(b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.

i. Section 17.16.030 of the City's Unified Development Code (UDC) identifies general requirements and performance standards for a specific plan zone. A Specific Plan Zone shall:

(a) Include a minimum of 100 contiguous acres.

(b) Be determined by the Council after considering the recommendation of the Planning Commission.

(c) Provide for the development of a comprehensively planned community within the zone that is superior to development otherwise allowable under alternate regulations.

(d) Provide for development within the zone in a manner consistent with the General Plan and with related development and growth policies of the City.

(e) Provide for the construction, improvement, or extension of transportation facilities, public utilities, and public services required by development within the zone.

j. The design of the project concentrates development within areas previously used for agricultural uses and includes preservation of approximately 295.6 acres of open space as part of the Santa Clara River Conservation Area as identified in the North Valencia Specific Plan document. The project proposes grading on approximately 281 acres of the 858 acre annexation site. The total amount of grading involves approximately 1.4 million cubic yards of cut and 2.7 million cubic yards of on-site fill and 1.5 million cubic yards of off-site earth to be imported. Movement of 850,000 cubic yards of the necessary off-site fill has been approved from the northeast corner of McBean Parkway and Newhall Ranch Road through Conditional Use Permit 96-013 (MC#96-236) and from the area known as the Center City Specific Plan area located east of the present terminus of Newhall Ranch Road, east of Bouquet Canyon Road.

- k. The City of Santa Clarita prepared an Initial Study for the project which determined that the project may have a significant effect on the environment and that an environmental impact report must be prepared. A Notice of Preparation (NOP) for the annexation, annexation and development agreement, tentative tract maps, conditional use permit, and oak tree permit was mailed in July 1996 to affected agencies. A scoping meeting was held at the Valencia Town Center Conference Room on August 7, 1996 to obtain information from the public as to issues which should be addressed in the environmental document. A substantial revision to the project occurred in January 1997, which included the withdrawal of the conditional use permit application and six of the tentative maps, and the subsequent filing of a request for a prezone, specific plan document, general plan amendment, and revised vesting tentative tract map 51931. Following the revisions to the project, a subsequent NOP was prepared and mailed in May 1997.
- l. The North Valencia Specific Plan Draft Environmental Impact Report (DEIR) was circulated for review and comment by the affected governmental agencies and all comments received have been considered. The review period for the DEIR was from August 1, 1997 to September 15, 1997. Late comments were accepted until September 22, 1997 to allow for mail delays. A Final EIR (FEIR) dated October 1997 was prepared in accordance with CEQA and includes the DEIR, responses to comments received on the DEIR, minor corrections and clarifications to the EIR text, and a Mitigation Monitoring and Reporting Program (MMRP). As a result of staff, public and Planning Commission comments on the project and the DEIR, the applicant has made corrections and modifications to the proposed Specific Plan document text and to Vesting Tentative Tract Map 51931. None of these Specific Plan changes or modifications would result in additional environmental impacts. The FEIR was recommended for adoption by the Planning Commission simultaneously herewith pursuant to Resolution P97-19.
- m. The Planning Commission went on a field visit to the North Valencia site on Saturday, May 31, 1997 at 9:00 a.m., beginning in the Council Chambers for the purpose of becoming familiar with the site and its conditions.
- n. The City Council held a study session on this project on June 3, 1997 and received an informational report on the status of this project. At that Council Study Session the Council approved a preliminary processing schedule for this project which identified various Planning Commission public hearing dates and specific project topics to be discussed at each of these meetings. The goal of this processing schedule was to reduce redundancy and allow the Commission and the public to better prepare for the meetings. This processing schedule allowed for each issue area of the Draft EIR to be discussed in a public forum during the Draft EIR public comment period to allow for maximum public participation, with numerous opportunities for the public to ask questions and receive information concerning the environmental document and the project.

- o. The Planning Commission received an informational presentation about the North Valencia Specific Plan proposal at their regularly scheduled meeting on June 17, 1997, at 7:00 p.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita. This presentation was given by staff to distribute copies of the proposed North Valencia Specific Plan dated June 1997 and the proposed Vesting Tentative Tract Map 51931 version dated June 13, 1997, to provide the Commission with a background on the project application and to provide the Commission with a review of the entitlements requested.
- p. The Draft Environmental Impact Report (SCH # 96071077) for this project was distributed to the Planning Commission and to the public on August 1, 1997. This document was circulated for a 45-day public review beginning on August 1, 1997 and ending on September 15, 1997. The public review period was extended one week to end on September 22, 1997 to allow for receipt of letters that may have been delayed in the mail.
- q. The Planning Commission has held duly noticed public hearings on this issue commencing on July 1, 1997 and continuing on July 9, 1997, July 23, 1997, August 5, 1997, August 13, 1997, August 19, 1997, August 25, 1997, September 2, 1997, September 10, 1997, September 24, 1997, October 7, 1997, October 15, 1997, and October 30, 1997. These public hearings have been held at 7:00 p.m. at City Hall, 23920 Valencia Boulevard, Santa Clarita.
- r. On October 30, 1997, the Planning Commission adopted a recommendation that the City Council adopt an ordinance approving the requested prezone, annexation, and specific plan document.
- s. The City Council held duly noticed public hearings on this project commencing on November 4, 1997. Subsequent meetings regarding the project were held on November 25, 1997, December 2, 1997, December 9, 1997, and December 18, 1997. On December 18, 1997, the City Council certified the FEIR for this project (Resolution 97-126), held the first reading of this ordinance, waived further reading of the ordinance, and continued this item for a second reading on January 13, 1998. On January 13, 1997, the City Council having waived further reading, completed the second reading in order to approve the North Valencia Annexation and Specific Plan, including: (a) approval of prezone 97-001 to allow for a specific plan, which includes a zoning reclassification from Los Angeles County Zone C2, M1 1/2, and A2-5 to City of Santa Clarita Zone Specific Plan (SP) and Open Space (OS); and (b) the adoption of the Specific Plan document which establishes special development standards for the North Valencia Specific Plan area. With the exception of the December 18, 1997 meeting, all public hearings on the project were held at 6:30 p.m., at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita. The December 18, 1997 meeting, was held at 8:00 a.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita.

SECTION 2. Based upon the above findings of fact, oral and written testimony and other evidence received at the public hearings held for the project, and upon studies and investigations made by the Planning Commission and the City Council and on its behalf, the City Council further finds as follows:

- a. At the hearings described above, the City Council considered staff presentations, staff reports, Planning Commission staff reports and resolutions, applicant presentations, public testimony on the proposal, and the FEIR prepared for the project.
- b. The Specific Plan provides for development standards and types of public and private improvements that will not cause serious public health problems, since access, water, sewage disposal, fire protection, and solid waste disposal are addressed in the MMRP and Conditions of Approval.
- c. The project complies with the general requirements and performance standards for the Specific Plan Zone and the Open Space Zone. The North Valencia Specific Plan is consistent with the intent of the Specific Plan Zone which was created to: facilitate development of certain areas by permitting greater flexibility and consequently, more creative and imaginative designs; promote more economical and efficient use of land while providing a harmonious variety of choices, higher level of amenities, and preservation of natural and scenic qualities of open space and waterways; and ensure that development substantially conforms to the approved plans. The Open Space Zone proposed over the MWD property is consistent with the existing and planned use of the site and with the surrounding uses existing and envisioned in the North Valencia Specific Plan. The area included in the Specific Plan Zone and the Open Space Zone was previously rezoned by adoption of Ordinance 95-12 and that ordinance is herein amended to reflect this rezoning request as shown on the attached map (Exhibit A).
- d. The Final Environmental Impact Report identifies certain significant environmental effects. The Final Environmental Impact Report identifies feasible mitigation measures for each of these impacts with the exclusion of air quality, visual resources, agricultural resources, solid waste disposal, and biota, which cannot be avoided through mitigation. The identified mitigation measures have been incorporated into the Mitigation Monitoring Reporting Plan (MMRP) and conditions of approval for the project.

SECTION 3. Based upon the foregoing facts and findings, the City Council hereby finds as follows:

- a. A FEIR, including the Draft EIR, Responses to Comments, Text Changes to the DEIR and Mitigation Monitoring and Reporting Plan (MMRP), and the Statement of Overriding Considerations for this project have been prepared and circulated in compliance with the California Environmental Quality Act (CEQA). The

Planning Commission adopted Resolution P97-19 recommending that the City Council certify the FEIR and adopt a Statement of Overriding Considerations. The City Council certified the FEIR and adopted the Statement of Overriding Considerations through adoption of Resolution 97-126.

- b. This project as modified by the Planning Commission and City Council will not adversely affect the health, peace, comfort or welfare of persons residing in the area; nor be materially detrimental to the use, enjoyment, or valuation of property in the vicinity of the project site; nor jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare since the project conforms with the City's General Plan, Unified Development Code and is compatible with surrounding land uses.
- c. The applicant has substantiated the findings for approval of a Specific Plan and Zone Change. The Specific Plan document includes the items required of a Specific Plan by Article 8-- Specific Plans Sec 65451 et seq of the California Planning and Zoning Laws.

SECTION 4. The City Council hereby approves Prezone 97-001 consisting of a zone change from Los Angeles County Zone C2, M1 1/2, and A2-5. to City of Santa Clarita Specific Plan (SP) and Open Space (OS) as shown on the attached map (Exhibit A), amends portions of Ordinance 96-12, and adopts the North Valencia Specific Plan document (including special development standards) as amended by the Planning Commission and the City Council and herein incorporated by reference (Exhibit B).

SECTION 5. This Ordinance shall become effective at 12:01 a.m. on the thirty-first day after adoption.

SECTION 6. The City Clerk shall certify as to the passage of this Ordinance and cause it to be published in the manner prescribed by law.

PASSED AND APPROVED this 13th day of January, 1998.

Janice H. Heidt
MAYOR

ATTEST:

Sharon L. Dawson
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF SANTA CLARITA)

I, Sharon L. Dawson, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance No. 97-19 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 18th day of December, 1997. That thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 13th day of January, 1998 by the following vote, to wit:

AYES: COUNCILMEMBERS: Smyth, Klajic, Darcy, Heidt

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Boyer

Sharon L. Dawson
CITY CLERK

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ORDINANCE NO. 97-20

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF SANTA CLARITA APPROVING THE ANNEXATION AND DEVELOPMENT AGREEMENT NO. 96-001 WITH THE VALENCIA COMPANY FOR THE ANNEXATION OF 858 ACRES OF PROPERTY AND THE DEVELOPMENT OF 706.6 ACRES OF SUCH PROPERTY KNOWN AS THE NORTH VALENCIA SPECIFIC PLAN AREA LOCATED SOUTH OF NEWHALL RANCH ROAD, WEST OF BOUQUET CANYON ROAD AND VALENCIA BOULEVARD, NORTH OF MAGIC MOUNTAIN PARKWAY AND THE AUTO CENTER, AND EAST OF ANZA DRIVE

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby make the following findings of fact:

- a. A prezone (MC: 95-242 / PZ: 95-006) was approved on April 16, 1996 by the City Council for portions of the North Valencia Annexation area through Ordinance No. 96-12. An annexation request for the North Valencia Annexation (Annexation No. 95-006) was filed with LAFCO in June, 1996 following the direction of the Council on June 11, 1996 (Resolution 96-84). Following the prezone and filing of the annexation request by the City, the Valencia Company ("Applicant") submitted the entitlement requests noted below for a portion of the annexation area known as the North Valencia Specific Plan Area. The City's annexation request is on hold at LAFCO at the request of the City and the applicant pending approval of the project's environmental review document and entitlement requests.
- b. On June 5, 1996, the applicant submitted the following entitlement requests (Master Case No 96-120): Annexation and Development Agreement 96-001, Annexation 95-006, Conditional Use Permit 96-010, TPM 20496 (Builder's South), TPM 20669 (Valencia Industrial Center), TPM 18417 (Pony League), TPM 24516 (Overall Project Area), VTTM 51931 (Lago De Valencia), VTTM 51281 (South River) and VTTM 44832 (Arbor Park). Incomplete letters were sent on these entitlement requests in July with staff noting that an Oak Tree Permit would also be required. In January 1997, the applicant formally withdrew the application for a conditional use permit and all of the tract and parcel maps with the exception of VTTM 51931. The applicant then submitted the following entitlement requests: a Specific Plan document including a comprehensive plan of development with specialized development standards for the North Valencia Specific Plan area; Prezone 97-001 to change the zoning within the area to the City's SP (Specific Plan) zoning designation; Oak Tree Permit 97-009 to allow for possible encroachment upon oak trees; and General Plan Amendment 97-001 amending the text of the Land Use Element Valley Center Concept narrative to allow for a North Valencia Specific Plan, as well as an amendment to the General Plan Land Use Map.

- c. The development application includes the proposed annexation approximately 858 acres of unincorporated Los Angeles County land located adjacent to the City boundary. The applicant's request amends portions of Ordinance No. 96-12 to establish the City of Santa Clarita prezone SP (Specific Plan) over 706.6 acres of the proposed annexation area: the remaining acreage in the annexation area will be as previously zoned by Ordinance No. 96-12. The Specific Plan request includes entitlements for up to 2,000 dwelling units (750 single family detached, 1,250 multi-family attached), 636,000 square feet of commercial/retail use, 167,000 square feet of industrial/business park space, a 6.5-acre elementary school site, a 15.2-acre lake/park, a 12.4-acre community park, 4.9 acres of neighborhood parks, 355.6 acres of open space, and over 5 miles of community trails, Vesting Tentative Tract Map 51931 to subdivide 706.6 acres into 138 lots, an Oak Tree Permit to allow construction within 200 feet of the oak trees with no removals or encroachments currently proposed, and review and certification of the Environmental Impact Report (SCH#96071077) prepared for the project.

The site is known as the North Valencia Specific Plan area and is generally located south of Newhall Ranch Road, west of Bouquet Canyon Road and Valencia Boulevard, north of Magic Mountain Parkway and the Auto Center, and east of Anza Drive.

- d. The Annexation and Development Agreement has been processed concurrently with the entitlement requests listed in Section 1(c) above. The approval of General Plan Amendment 97-001 would designate the site as SP (Specific Plan) and would implement the Valley Center Concept of the General Plan. The Annexation and Development Agreement is consistent with the City's General Plan and Zoning Land Use classifications, and the intensity of development allowed in the Specific Plan area with: 1) Council approval of the Specific Plan General Plan Amendment; 2) approval of a zone change on the property to SP (Specific Plan); 3) adoption of the project's Specific Plan Document; 4) approval of a zone change for the Metropolitan Water District (MWD) site to OS (Open Space); 5) approval of Vesting Tentative Tract Map 51931; 6) approval of Oak Tree Permit 97-009; and 7) review and certification of the Environmental Impact Report prepared for the project.
- e. The City Council's approval of Ordinance 97-19 rezones 706.6 acres of the annexation property to SP (Specific Plan). City Council adoption of Resolution 97-126 certifies the Final Environmental Impact Report for the project, and Council adoption of Resolution 97-127 approves the project's entitlements as listed above. With these actions complete, the Annexation and Development Agreement is found to be consistent with the goals, policies, general land uses and implementation programs contained in the General Plan, including the Circulation Element.

- Furthermore, the Annexation and Development Agreement makes reasonable provision for the use of certain real property for commercial, industrial, residential, public facilities and parks, and open space development.
- f. The Annexation and Development Agreement was processed in the time and manner prescribed by State and local law.
 - g. The Planning Commission held duly noticed public hearings on the North Valencia Annexation and Specific Plan (and related entitlements) commencing on July 1, 1997 and continuing on July 9, 1997, July 23, 1997, August 5, 1997 August 13, 1997, August 19, 1997, August 25, 1997, September 2, 1997, September 10, 1997, September 24, 1997, October 7, 1997, October 15, 1997, and October 30, 1997. These public hearings have been held at 7:00 p.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita.
 - h. Discussion specifically regarding the deal points of the Annexation and Development Agreement were held by the Planning Commission at the public hearings of October 15, 1997 and October 30, 1997. These hearings were held at the City Hall Orchard Rooms and City Council Chambers, respectively, at 23920 Valencia Boulevard, Santa Clarita, commencing at 7:00 p.m. At these hearings the Planning Commission received staff reports and testimony from the public and the applicant.
 - i. The City Council held duly noticed public hearing on the North Valencia project commencing on November 4, 1997. Subsequent meetings regarding the project were held on November 25, 1997, December 2, 1997, December 9, 1997, and December 18, 1997. On December 18, 1997, the City Council certified the FEIR for this project (Resolution No. 97-126), approved the project entitlements (Resolution 97-127), held the first reading of this ordinance, waived further reading of the ordinance, and continued the item for a second reading on January 13, 1998. On January 13, 1998, the City Council having waived further reading, completed the second reading in order to approve the North Valencia Annexation and Development Agreement. With the exception of the December 18, 1997 meeting, all of the public hearings were held at 6:30 p.m., at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita. The December 18, 1997 meeting was held at 8:00 a.m., at the City Council Chambers 23920 Valencia Boulevard, Santa Clarita.

SECTION 2. Based upon the above findings of fact, oral and written testimony and other evidence received at the public hearings held for the project, and upon studies and investigations made by the City Council and on its behalf, the City Council further finds as follows:

- a. At the hearings described above, the City Council considered staff presentations, staff reports, Planning Commission resolutions, applicant presentations, and public testimony on the Annexation and Development Agreement.
- b. The 15-year Annexation and Development Agreement includes, but is not limited to, the following deal-points:
 1. **Annexation Cooperation.** The applicant and the City will cooperate to complete the annexation of the Annexation Area into the City.
 2. **Santa Clara River Conservation Area.** The applicant will convey 295.6 acres of the Santa Clara River, for \$1.5 million, to the City, subject to a river conservation easement granted to the California Department of Fish and Game. The boundaries of the River Conservation Area and contiguous Planning Areas may be modified upon the mutual agreement of the applicant and City. An approved Corps of Engineers Permit will establish boundaries where bank stabilization work will be permitted. If such boundaries are revised, the City agrees to make corresponding minor modifications to the River Conservation Area and contiguous Planning Area boundaries, consistent with the Specific Plan.
 3. **River Improvements.** The Development Agreement incorporates a "System for Landscaping and Improvement of River Conservation Area." This System will include the following: a list of pre-approved plants, trees, flowers, bushes, etc. that may be planted within the River Conservation Area; a list of the types of pre-approved improvements that may be made within and along the River Conservation Area; specification of maintenance criteria for landscaping and improvements; a phasing plan for installing landscaping and improvements; a requirement that the applicant expend \$1.5 million on River Conservation Area landscaping and improvements for habitat enhancement and recreational use; release of the applicant's responsibility for maintenance, repair, replacement and restoration of applicant installed landscaping and other improvements (with the exception of any required riparian mitigations in the river adjacent to the project's Lago de Valencia planning area. The agreement recognizes that the cost of River Conservation Area landscaping and improvements is likely to exceed the \$1.5 million commitment by the applicant and provides that if the cost of such exceeds \$1.5 million, the City shall use reasonable efforts to reimburse the applicant for such excess to the extent that the City has funds available from grants or other sources.

4. **Bank Stabilization.** The area disturbed due to the implementation of the Buried Bank Stabilization Option will be revegetated and preserved as high quality upland habitat (after construction of the buried bank stabilization element).
5. **Maintenance.** The applicant shall work with the City to establish a Landscape Maintenance District for the maintenance of improvements.
6. **Buried Bank Stabilization Materials.** The applicant will be permitted to use gunite, grouted rip-rap, ungrouted rip-rap, soil cement or other approved bank stabilization materials throughout the Annexation Project as approved by the City. When bank stabilization has been completed within the River Conservation Area and the City has accepted the work, the City shall thereafter be responsible for the maintenance, repair, replacement and restoration of all stabilization materials used within the accepted area.
7. **Upland Preserve Zone.** The property within the upland preserve zone will become a habitat preserve, and will cease being used for agricultural and farmland purposes.
8. **Lake Park Access.** The applicant will include in the Lago de Valencia CC & R's a provision describing the public's access rights (through the paseo and City's trail system) to the Lake Park, in accordance with the Specific Plan.
9. **Pony League Ballfields.** Following the completion of development of the commercial portion of the Pony League Planning Area, the applicant will provide the William S. Hart Pony League with a 15 year lease for the use of the playing fields, and will provide a signalized intersection on Valencia Boulevard with access available during all phases of construction.
10. **Light Rail Right-of Way.** Nothing in the Specific Plan, the Annexation and Development Agreement or any other project approval will preclude future actions by the City to identify and reserve commuter rail and commuter rail stations in locations currently under review in the Southern California Association of Governments Ventura - Santa Clarita Rail Right-of-Way Restoration Study.
11. **Valencia Industrial Center - Bus Stop Pads.** The applicant will install 8' x 20' bus stop pads at up to 20 locations within the Valencia Industrial Center at locations to be agreed upon by the applicant and the City.

12. **Roads to City Standards.** New roads will be constructed to City standards, as opposed to County standards.
13. **Landscaped Center Medians.** Roads improved to major highway standards within and adjacent to the Specific Plan Project will provide landscaped center medians designed to City standards.
14. **Traffic Calming Measures.** Traffic calming measures will be included in the Specific Plan Project to reduce traffic speed and enhance safety.
15. **Elementary School Site.** In accordance with the terms of an agreement between Saugus Union School District and the applicant, a 6.5 acre school site will be conveyed to the Saugus Union School District, within the project's Lago de Valencia planning area. The site will be centrally located and integrated into the City's trail and paseo system.
16. **Improvement of Community Park.** The applicant will dedicate and improve (with turf, two baseball diamonds, one baseball backstop, shade structure, picnic tables, two soccer fields, a play structure and mature trees) a 12.4 acre community park in the project's Lago de Valencia planning area. The park will be available for joint use in connection with the opening of the elementary school, and will also include an area for a multi-purpose building. A joint use agreement will be entered into between the City and the Saugus Union School District. In addition, the applicant will work to acquire permission to use and improve the adjacent six acre MWD property for additional park lands.
17. **Extension of City's River Trail System.** The project will include a 5.5 mile extension of the City's river trail system, and the construction of bike trails, as identified in the project's conditions of approval. This area of extension is in addition to the River Conservation Area.
18. **Neighborhood Parks.** The applicant will dedicate and construct two neighborhood parks of 2.2 and 2.7 acres respectively. The 2.7 acre park will be located in the project's Lago de Valencia planning area, adjacent to the river trail and River Conservation Area. The 2.2 acre park will be located in the project's South River Village and will provide a staging area for access to the river trail and River Conservation Area.
19. **Pedestrian Overcrossing Bridges.** Two pedestrian bridges, one over McBean Parkway and one over Newhall Ranch Road, will be constructed.

20. **Design of Commercial Sites.** Commercial sites will be designed to be pedestrian-friendly and to avoid conflicts with on-site auto traffic wherever possible.
21. **Avenue Scott Crossing on San Francisquito Creek.** The existing at grade crossing of Avenue Scott at San Francisquito Creek will be upgraded to a bridge crossing.
22. **Elimination of Uncertainty.** The Annexation and Development Agreement will eliminate uncertainty in planning for and securing orderly development of the Annexation Project.
23. **Installation of Infrastructure Improvements.** The Annexation and Development Agreement assures progressive installation of infrastructure improvements.
24. **The Annexation and Development Agreement confirms that all discretionary project approvals are complete unless deemed otherwise by the Specific Plan.**
25. **The Annexation and Development Agreement allows for flexibility in final design by allowing for administrative modifications, modifications to the size and configuration of commercial, industrial and residential lots, modifications to design and configuration of the planning areas of Lago de Valencia and South River Residential tracts, and modifications to lot design standards. Such modifications are subject to the Annexation and Development Agreement's Applicable Rules, the project's Specific Plan and the project's conditions of approval, and are subject to the approval of the Director of Planning and Building Services. The applicant will not be permitted to increase the number of residential units in the project, or increase the amount of square feet of commercial/industrial area approved under the Annexation and Development Agreement modification provisions.**
26. **The Annexation and Development Agreement confirms the vesting of Annexation Project Approvals including the rules, regulations, official policies, fees, and exactions as of the date that Valencia's application for VTTM 51931 was deemed complete.**
27. **Bridge and Thoroughfare Fees/Roadway Improvements.** The City and the applicant confirm that they anticipate a Bridge and Thoroughfare District ("B&T District") to be formed to finance the acquisition, development and maintenance of transportation improvements subject to approval by Los Angeles County of such district. Additional transportation improvements lying outside of the B&T District (as identified in the EIR) may also be required to

mitigate the Annexation Project's traffic impacts ("Non-B&T Improvements). The applicant's B&T Fees shall not exceed the lesser of the City's or the County's B&T fees when formed, subject to annual increases in accordance with the CPL. The applicant will be responsible for its share of the costs of Non-B&T Improvements (as agreed upon by the City) and the applicant's share shall not exceed that amount. B&T fees shall be payable, or secured, at issuance of building permits.

28. **Transit Fees.** The Annexation and Development Agreement provisions require the developer to pay the appropriate transit fees up front in order to commence the construction of the City's new transit station, located at McBean and Valencia Boulevard.
29. **Infrastructure Phasing Plan.** The Annexation and Development Agreement confirms that the Infrastructure Phasing Plan, as identified in the Specific Plan, serves and fulfills the same purpose as a Development Monitoring System ("DMS"), and that if the City adopts a DMS, the Infrastructure Phasing Plan shall be deemed consistent with and will satisfy the DMS.
30. **Reimbursement.** The Annexation and Development Agreement will provide for reimbursement by other developers on a fair share basis for any amounts the applicant expends for public improvements benefitting lands outside of the Annexation Project area.
31. **Satisfaction of Parkland Obligations.** The Annexation and Development Agreement provides that the dedication of various parks fully satisfy any and all parkland dedication requirements applicable to the Annexation Project and each of the Planning Areas and that no further dedications or in-lieu fees will be required. To the extent that parks and other recreation areas exceed the City's parkland requirements, the applicant shall be authorized to transfer credits for such excess to other Valencia/Newhall projects located outside of the Project area.
32. **Public Financing Mechanisms.** The City acknowledges that the applicant may seek to utilize the establishment of Mello-Roos Community Facilities Districts pursuant to Section 53311, *et. seq.*, covering all or a portion of the Property, to enable the issuance of bonds for improvements contemplated under the Annexation and Development Agreement. The City shall cooperate with the applicant in establishing such districts as follows:

(1) for all non-residential areas of the Project,

(2) for residential areas of the Project, only if provision is made to pay off bonds issued by such district which encumber any residence, prior to occupancy of that residence, unless the City Council specifically approves a district absent the forgoing condition, and

(3) City will not object to agreements made by and between the applicant and public agencies other than City for establishment of such districts.

33. **Standard Development Agreement Provisions.** The Annexation and Development Agreement will be 15 years, provided that, as to any lot or parcel for which a final map has been recorded by development has not been completed, the term of the Annexation and Development Agreement and the Applicable Rules shall remain in effect for an additional five-year period.
- c. **The Annexation and Development Agreement is consistent with the General Plan and Specific Plan as amended by the City Council (General Plan Amendment 97-001).**
 - d. **The Annexation and Development Agreement complies with the Development Code and other applicable ordinances, standards, policies, and regulations, including such standards as identified in the project's approved Specific Plan.**
 - e. **The Annexation and Development Agreement will not:**
 - 1. **Adversely affect the health, peace, comfort or welfare of persons residing or working the surrounding area;**
 - 2. **Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or,**
 - 3. **Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.**
 - f. **The Annexation and Development Agreement provides for clear and substantial public benefit to the City and residents along with a schedule for delivery of the benefit.**
 - g. **The Annexation and Development Agreement provides a schedule for the development to be constructed in phases to be initiated within specified time periods.**

- h. The construction of public facilities are required in conjunction with the development including, but not limited to, vehicular or pedestrian right of way, drainage and flood control facilities, parks and other recreational facilities, community trails, sewers or sewage treatment facilities, and road improvements adequate to serve the development.
- i. The Annexation and Development Agreement, together with the Specific Plan and adopted conditions of approval, satisfies the following findings of Section 17.030.010 of the Unified Development Code:

 - 1. Provides for the prohibition of one or more uses normally listed as permitted and/or accessory, subject to the Director's review, or subject to permit in the zone where placed; and,
 - 2. Limits future development and specifies conditions under which further development, not included within the agreement would occur; and,
 - 3. Requires a faithful performance bond where deemed necessary to, and in amount deemed sufficient to, guarantee the faithful performance of specified terms, conditions, restrictions, and/or requirements of the agreement. In lieu of the required bond, the applicant may deposit with the City Clerk and assign to the City, certificates of deposit or savings and loan certificates or shares equal in amount to the same conditions as set forth herein; and,
 - 4. Requires specified design criteria for the exteriors of building and other structures, including signs; and,
 - 5. Requires special yards, open spaces, and buffer areas, fences and walls, landscaping, and parking facilities, including vehicular and pedestrian ingress and egress; and,
 - 6. Regulates nuisance factors such as noise, vibration, smoke, dust, dirt, odors, gases, garbage, heat, and the prevention of glare or direct illumination of adjacent properties; and,
 - 7. Regulates operating hours and other characteristics of operation adversely affecting normal neighborhood schedules and functions on surrounding property.

SECTION 3. Based upon the foregoing facts and findings, the City Council hereby finds as follows:

- a. A Final Environmental Impact Report (FEIR), Mitigation Monitoring and Reporting Plan (MMRP), and Statement of Overriding Considerations for this project have been prepared, circulated in compliance with the

California Environmental Quality Act (CEQA), and adopted as certified as required by the Act.

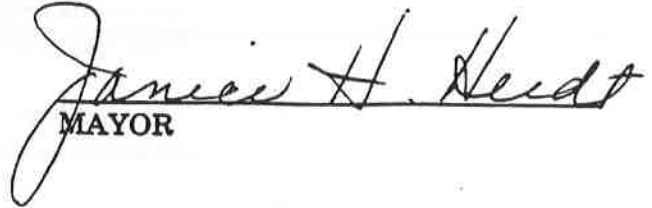
- b. The project is compatible with existing development in the area, and consistent with the City's General Plan and Zoning as amended (General Plan Amendment 97-001).
- c. The applicant has substantiated the findings for approval of a 15-year Annexation and Development Agreement.

SECTION 4. The City Council hereby approves Annexation and Development Agreement 96-001.

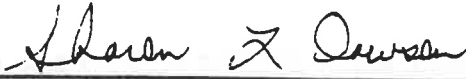
SECTION 5. This Ordinance shall become effective at 12:01 a.m. on the thirty-first day after adoption.

SECTION 6. The City Clerk shall certify as to the passage of this Ordinance and cause it to be published in the manner prescribed by law.

PASSED AND APPROVED this 13th day of January, 1998.


MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF SANTA CLARITA)

I, Sharon L. Dawson, CMC, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance No. 97-20 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 18th day of December 1997. That thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 13 day of January, 1998 by the following vote:

AYES: COUNCILMEMBERS: Klajic, Darcy, Smyth, Heidt

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Boyer


CITY CLERK

JJL:JDR:lep
council\ord9720.jdr

RESOLUTION NO. 97-126

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA CLARITA
RECOMMENDING CERTIFICATION OF FEIR SCH#96071077,
AND RECOMMENDING ADOPTION OF A
STATEMENT OF OVERRIDING CONSIDERATIONS THAT WEIGHS PROJECT
BENEFITS AGAINST THE PROJECT'S SIGNIFICANT UNAVOIDABLE IMPACTS
FOR MASTER CASE NOS. 95-242, 96-120, 97-041, 97-063 FOR
ANNEXATION NO. 95-006 (NORTH VALENCIA), GENERAL PLAN AMENDMENT 97-001
TO THE LAND USE ELEMENT TEXT AND LAND USE MAP, PREZONE 97-001 TO
SPECIFIC PLAN (SP) AND OPEN SPACE (OS), ANNEXATION AND DEVELOPMENT
AGREEMENT 96-001, VESTING TENTATIVE TRACT MAP 51931, OAK TREE
PERMIT 97-009 AND HAUL ROUTE TO ALLOW FOR THE 858 ACRE
NORTH VALENCIA ANNEXATION AND DEVELOPMENT OF A 706.6 ACRE PROPERTY
WITHIN THE ANNEXATION AREA KNOWN AS
THE NORTH VALENCIA SPECIFIC PLAN AREA

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, DOES
HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council does hereby make the following findings of fact:

- a. The North Valencia Annexation area is approximately 858 acres generally located east of Anza Drive, south of Newhall Ranch Road, west of Bouquet Canyon Road and Valencia Boulevard, and north of Magic Mountain Parkway and the Auto Center in the unincorporated area of Los Angeles County adjacent to the City of Santa Clarita. The North Valencia Specific Plan area is approximately 706.6 acres within the North Valencia Annexation area and is generally located south of Avenue Hopkins and east of Anza Drive and the west side of San Francisquito Creek, south of Newhall Ranch Road, west of Bouquet Canyon Road and Valencia Boulevard, and north of Magic Mountain Parkway and the Auto Center in the unincorporated area of Los Angeles County adjacent to the City of Santa Clarita.
- b. In November 1995, the City and the Valencia Company entered into a non-binding Memorandum of Understanding (MOU) regarding certain aspects of the potential annexation of approximately 969 acres of unincorporated area in the North Valencia area. At the time the MOU was adopted, the Valencia Company stated their intention to request approvals for up to 3,690 dwelling units, approximately 850,000 square feet of commercial uses, and 223,000 square feet of industrial square footage. Entitlements to be requested at the time of MOU approval included a prezone, an annexation and development agreement, and tract maps.
- c. A prezone (MC: 95-242, PZ: 95-006) was approved on April 16, 1996 by the City Council for portions of the North Valencia Annexation area through Ordinance

No. 96-12. An annexation request for the North Valencia Annexat (Annexation No. 95-006) was filed with LAFCO in June, 1996 following the direction of the City Council on June 11, 1996 (Resolution 96-84). Following the rezoning and filing of the annexation request by the City, the Valencia Company, herein referred to as the "applicant", submitted the entitlement requests noted above for a portion of the annexation area known as the North Valencia Specific Plan Area, which are subject to environmental review. The City's annexation request is on hold at LAFCO at the request of the City and the applicant pending approval of the environmental review document and the above entitlements.

- d. On June 5, 1996, the applicant submitted the following entitlement requests (Master Case No. 96-120): Annexation and Development Agreement 96-001, Annexation 95-006, Conditional Use Permit 96-010, TPM 20496 (Builder's South), TPM 20669 (Valencia Industrial Center), TPM 18417 (Pony League), TPM 24516 (Overall Project Area), VTTM 51931 (Valencia Del Lago), VTTM 51281 (South River) and VTTM 44832 (Arbor Park). Incomplete letters were sent on these entitlement requests in July with staff noting that an Oak Tree Permit would also be required. In January 1997, the applicant formally withdrew the application for a conditional use permit and all of the tract and parcel maps except for VTTM 51931. The applicant then submitted the following entitlement requests: a Specific Plan document, including a comprehensive plan of development and development standards for the North Valencia Specific Plan area, and Prezone 97-001 to change the zoning within the area to the City zone SP (Specific Plan). Following review of the Specific Plan document and revised site plan, staff recommended that a general plan amendment be filed in order for the requested entitlements to be consistent with the City's General Plan. On March 12, 1997 the applicant filed a request for an oak tree permit (OTP: 97-009) to allow for possible encroachment upon oak trees, and a general plan amendment (GPA: 97-001) to modify the text of the Land Use Element Valley Center Concept narrative to allow for a North Valencia Specific Plan, and to also allow for an amendment to the Land Use Map.

The development application includes the proposed annexation of approximately 858 acres of unincorporated Los Angeles County land located adjacent to the City boundary. This request would amend portions of Ordinance No. 96-12 to establish the City of Santa Clarita prezone Specific Plan (SP) over 706.6 acres on the areas known as the North Valencia Specific Plan area. The remaining acreage in the annexation area would remain as previously rezoned by Ordinance No. 96-12. The Specific Plan request includes entitlement for up to 2,000 dwelling units (750 single family detached, 1,250 multi-family attached), 636,000 square feet of commercial/retail, 167,000 square feet of industrial/business park space, a 6.5-acre elementary school site, a 15.2-acre lake/park, a 12.4-acre community park, 4.9 acres of neighborhood parks, 355.6 acres of open space and over 5 miles of community trails, a Vesting Tentative Tract Map (VTTM 51931) to subdivide 706 acres into 138 lots, an oak tree permit

to allow construction within 200 feet of the oak trees with no removals or encroachments currently proposed, and review and certification of the Environmental Impact Report (SCH#96071077) prepared for the project.

- e. The original North Valencia Specific Plan request excluded a .6 acre Southern California Gas Facility located on Magic Mountain Parkway; however, the City proposes to include this area within the Specific Plan area to avoid the issue of spot zoning. The North Valencia Specific Plan area is bisected by the approximately 13 acre Metropolitan Water District (MWD) property which is excluded from the Specific Plan prezone; however, the City proposes to prezone this area Open Space (OS) in order to be consistent with the surrounding uses proposed in the Specific Plan.
- f. On June 25, 1991, the City Council adopted Resolution No. 91-98, adopting the General Plan of the City of Santa Clarita and Certifying the Environmental Impact Report. The City's General Plan presently designates the annexation area as Commercial Town Center (CTC), Community Commercial (CC), Business Park (BP), and Residential Moderate (RM), with a Valley Center Concept (VCC) Overlay on the majority of the site and a Significant Ecological Area (SEA) Overlay over the Santa Clara River and San Francisquito Creek. The General Plan does not specifically mention the North Valencia site as an area ideal for a specific plan; however, the site does meet the minimum size of 100 contiguous acres under single ownership as identified in the Specific Plan zoning standards of the City's Unified Development Code . Zoning on the site is presently Los Angeles County zones C2, M1½, and A2-5 and has already been prezoned City of Santa Clarita zones CTC (Commercial Town Center), CC (Community Commercial), BP (Business Park), and RS (Residential Moderate).
- g. The North Valencia Specific Plan area is vacant, generally flat, and was used for agricultural purposes. The approximately 153 acres of the annexation area that is excluded from the Specific Plan is flat and improved with industrial, commercial and public utility uses. Major features of the annexation area include the Santa Clara River, the South Fork of the Santa Clara River, San Francisquito Creek, Bouquet Creek, a portion of the San Gabriel Fault Alquist-Priolo Special Studies Zone, the MWD aqueduct pipeline and electrical transmission corridors.
- h. The design of the project concentrates development within areas previously used for agricultural uses and includes preservation of approximately 348.3 acres of the Santa Clara River and San Francisquito Creek and 84 acres of upland buffer area located adjacent to the River and Creek as identified in the North Valencia Specific Plan document. The project proposes grading on approximately 281 acres of the 858 acre project site. The total amount of grading involves approximately 1.4 million cubic yards of cut and 2.7 million cubic yards of on-site fill, with earth to be imported from the northeast corner of McBean Parkway and Newhall Ranch Road through Conditional Use Permit No. 96-013 (MC#96-236)

and from the area known as the Center City Specific Plan area located east of the present terminus of Newhall Ranch Road, east of Bouquet Canyon Road.

- i. The City of Santa Clarita prepared an Initial Study for the project which determined that the project may have a significant effect on the environment and that an environmental impact report must be prepared. A Notice of Preparation (NOP) for the annexation, annexation and development agreement, tentative tract maps, conditional use permit and oak tree permit was mailed in July 1996 to affected agencies. A scoping meeting was held at the Valencia Town Center Conference Room on August 7, 1996 to obtain information from the public as to issues which should be addressed in the environmental document. Following a revision to the project with the withdrawal of the conditional use permit application, withdrawal of tentative tract maps and submittal of the prezone, specific plan document, general plan amendment, and revised Vesting Tentative Tract Map 51931 applications, a subsequent NOP was prepared and mailed in May 1997.
- j. The Planning Commission went on a field visit to the North Valencia site on Saturday, May 31, 1997 at 9:00 a.m., beginning in the Council Chambers for the purpose of becoming familiar with the annexation and Specific Plan area.
- k. The City Council held a study session on this project on June 3, 1997 and received an informational report on the status of this project. At that Council Study Session the Council approved a preliminary processing schedule for the project which identified various Planning Commission public hearing dates and specific project topics to be discussed at each of these meetings. The goal of this processing schedule was to reduce redundancy and allow the Commission and the public to better prepare for the meetings. This processing schedule allowed for each issue area of the Draft Environmental Impact Report (DEIR) to be discussed in a public forum during the DEIR public comment period, allowing for maximum public participation with numerous opportunities for the public to ask questions and receive information concerning the environmental document and the project.
- l. The Planning Commission received an informational presentation about the North Valencia Specific Plan proposal at their regularly scheduled meeting on June 17, 1997, at 7:00 p.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita. This presentation was given by staff to distribute copies of the proposed North Valencia Specific Plan dated June 1997 and the proposed Vesting Tentative Tract Map 51931 version dated June 13, 1997, to provide the Commission with a background on the project application, and to provide the Commission with a review of the entitlements requested.
- m. The North Valencia Specific Plan DEIR (SCH#96071077) was circulated for review and comment by the affected governmental agencies and all comments received have been considered. The DEIR was distributed to the Planning

Commission, the public and affected governmental agencies for a 45-day public review period beginning on August 1, 1997 and ending on September 15, 1997. Late comments were accepted until September 22, 1997 to allow for mail delays.

- n. Following the processing schedule set by the Council on June 3, 1997, the Planning Commission held duly noticed public hearings on the North Valencia Annexation and Specific Plan and related entitlements commencing on July 1, 1997 and continuing on July 9, 1997, July 23, 1997, August 5, 1997, August 13, 1997, August 19, 1997, August 25, 1997, September 2, 1997, September 10, 1997, September 24, 1997, October 7, 1997, October 15, 1997, and October 30, 1997. These public hearings have been held at 7:00 p.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita.

Five of the public hearings were held between August 5, 1997 and September 2, 1997 which was during the public comment period. These public hearings were held for the purpose of providing an opportunity for the Commission and the public to consider focused discussions on each of the environmental issue areas discussed in the DEIR. These hearings, however, did not limit the public testimony to the topic at hand, but allowed for comments/questions regarding all materials presented throughout the DEIR.

- o. The DEIR prepared for the project identified an option for bank stabilization at the River/Creek edge: as termed throughout the DEIR, the "proposed project" included the placement of 2.7 miles of bank stabilization along the edge of the Santa Clara River and San Francisquito Creek. This bank stabilization would be visible from within the project site and would also be visible to the public along major roadway corridors. The option presented in the DEIR included the use of buried bank stabilization set back from the River/Creek edge approximately 100 feet. The Buried Bank Stabilization Option was identified and mitigated separately throughout the DEIR, as the impacts of this option differed from the impacts of the proposed project (which incorporated bank stabilization along the edge of the River/Creek). During the course of the public hearings, the Planning Commission determined that the Buried Bank Stabilization Option was the preferred option. However, the Commission received public testimony from the project biologist and a third party biologist indicating that, with heavy revegetation efforts, a 75 foot setback from the River edge in the project's Lago de Valencia planning area was adequate. The Commission therefore accepted a setback approximately 25 feet less than what was originally analyzed in the DEIR for the Lago de Valencia planning area only, and has recommended that the City Council also accept such a setback.

- p. The Final Environmental Impact Report (Final EIR) herein incorporated by reference as Exhibit A, includes the DEIR and the following: responses to written comments on the DEIR, responses to public testimony regarding DEIR issues raised at the public hearings during the public comment period, modifications to

the DEIR text, and the Mitigation Monitoring and Reporting Program (MMRI). The DEIR was provided to the Commission on August 1, 1997 and the remaining Final EIR documents were prepared and provided to the Planning Commission on October 3, 1997. The Proposed Specific Plan Text dated June 1997, herein incorporated by reference as Exhibit B, also contains specific development standards and policies that mitigate potential environmental impacts which were considered by the Planning Commission. Discussions regarding the annexation and development agreement commenced during the public hearing of October 15, 1997, and continued at the hearing on October 30, 1997. The Planning Commission considered the Draft EIR, the Final EIR, information provided in staff reports, the general plan amendment text, the proposed specific plan, the entitlement requests, the deal points of the annexation and development agreement, and public testimony prior to recommending project approval to the City Council.

- q. A duly noticed public hearing was held by the City Council on November 4th, 1997, commencing at 6:30 p.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita. At this meeting, the Council considered the project's Draft EIR, the Final EIR, information provided in staff reports, the general plan amendment text, the proposed specific plan document, the entitlement requests, the proposed prezone for the property, the Annexation and Development Agreement, the Planning Commission's considerations, and public testimony regarding the project. The public hearing for the project was continued, with subsequent meetings being held on November 25, 1997, December 2, 1997, December 9, 1997, and December 18, 1997. The City Council formally closed the public hearing on December 9, 1997, and continued the item for action to the meeting of December 18, 1997. The meeting of December 18 was held at 8:00 a.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita.

SECTION 2. The City Council of the City of Santa Clarita does hereby make the following findings of fact:

- a. The California Environmental Quality Act (CEQA) requires decision-makers to balance the benefits of a proposed project against its unavoidable environmental impacts. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable" by adopting a "Statement of Overriding Considerations." This statement sets forth the project benefits or reasons why the Lead Agency is in favor of approving and weighs these benefits against the project's adverse environmental impacts identified in the Final Environmental Impact Report that cannot be mitigated to a level less than significant.
- b. CEQA requires decision-makers to adopt a mitigation monitoring and reporting program (MMRP) for those mitigation measures which are conditions of the

SECTION 3. The City Council does hereby find that the Final EIR for the North Valencia Annexation 95-006, Prezone 97-001, General Plan Amendment 97-001, North Valencia Specific Plan 97-001, Vesting Tentative Tract Map 51931, and Oak Tree Permit 97-009 identifies cumulative project impacts and project specific impacts. Environmental impacts identified in the Final EIR are summarized as follows:

- a. The DEIR, herein incorporated by reference as Exhibit A, identifies the following issue areas as significant but unavoidable: Air Quality; Visual Resources; Agricultural Resources; Solid Waste Disposal; and Biota.
- b. The DEIR identifies the following issue areas as significant but feasibly mitigable to a less than significant level: Geotechnical Hazards; Flooding; Noise; Cultural Resources; Human Made Hazards; Traffic/Access; Water Service; Wastewater Disposal; Utilities (Energy Resources); Fire Protection; Sheriff Services; Parks and Recreation; Library Services; Education; and Population/Housing/Employment. A mitigation monitoring reporting program has been prepared to mitigate these potentially significant impacts to a less than significant level and is included as part of the Final EIR.
- c. The DEIR identifies the following issue areas as less than significant: Biota - Creation of Upland Preserve Zone; and Parks and Recreation - Connection to Existing Trail System.

SECTION 4. Based upon the testimony and other evidence received, and upon studies and investigation made by the City Council and on its behalf, the City Council further finds:

- a. That the Final Environmental Impact Report for this project is adequate, complete, and has been prepared in accordance with the California Environmental Quality Act (CEQA).
- b. That the City Council has reviewed and considered the Final EIR in reaching its recommendation.
- c. That changes and alterations have been required and incorporated into the North Valencia Specific Plan and related entitlements which avoid or substantially lessen the significant environmental effect because feasible mitigation measures included in the MMRP are made conditions of approval for this project.

SECTION 5. Based upon the testimony and other evidence received, and upon studies and investigation made by the City Council and on its behalf, the City Council further finds that the Final EIR analyzes a range of project alternatives.

- a. Alternative 1, the No Project Alternative. This Alternative is required by the CEQA Guidelines and it compares the impacts which might occur if the site is left

in its present condition with those that would be generated by the project proposed. The No Project Alternative is considered to be the "environmentally superior" alternative since the following environmental areas would not be affected without the implementation of the project: public services and utilities, solid waste, education, libraries, parks and recreation, fire/Sheriff services, gas and electricity, visual resources, traffic/access, air quality, and noise. However, this alternative is less desirable in terms of sedimentation/runoff and effects of agricultural operations, and does not provide the upland habitat which the proposed project with the Buried Bank Stabilization Option includes. This alternative was therefore rejected.

- b. **Alternative 2, Buildout According to the City of Santa Clarita General Plan.** The purpose of this alternative is to describe the impacts of developing the site according to the General Plan land use designations and to compare such impacts with those generated by the proposed project. Under Alternative 2, impacts associated with geotechnical resources/grading, biota, cultural resources, fire protection, agricultural resources, and human made hazards would be similar to the proposed project. Impacts generated by Alternative 2 associated with flood, traffic and access, air quality, noise, water service, wastewater, solid waste, utilities, housing, and education would be greater than the proposed project. Impacts generated by Alternative 2 associated with library services, parks and recreation, employment and Sheriff services would be less than those anticipated under the proposed project. The Buried Bank Stabilization Option under Alternative 2 would have the same impacts as this option under the proposed project. This alternative was rejected because overall it has greater environmental impacts than the project. On the basis of environmental impacts alone, this alternative is not environmentally superior to the proposed project.
- c. **Alternative 3, The Biological Alternative.** The purpose of this Alternative is to provide more clustering of units, by reducing the residential footprint, thereby providing more open space and fewer impacts to biological resources. The number of residential units would remain the same. Under Alternative 3, impacts associated with geotechnical resources, library services, fire protection, Sheriff demands, and population/housing/employment would be similar to the proposed project. This alternative would allow only clustered units and a smaller residential footprint which would be preferred to the proposed project in terms of flood, traffic/access, air quality, biota, cultural resources, visual, water, wastewater, solid waste, utilities, education, parks and recreation, agricultural resources and human made hazards. The Buried Bank Stabilization Option under Alternative 3 would have the same impacts as this option under the proposed project. On the basis of environmental impacts alone, this Alternative is "environmentally superior" to the proposed project. This Alternative would not meet project objectives in that it would not provide as great a variety or mix of residential housing types as the proposed project nor would it meet the anticipated housing market conditions over several years. Alternative 3 would

limit the range of housing opportunities, and would not reflect the housing opportunities demand under which the project site could be developed. Therefore, Alternative 3, the Biological Alternative, was rejected.

- d. **Alternative 4, The 20 Percent Reduced Density Alternative.** This Alternative would reduce dwelling units and commercial square footage on the site by 20 percent, down to 1,600 residential units, 508,000 commercial square feet, and 167,000 square feet of industrial uses. Alternative 4 would have a reduced project footprint to reflect reduced unit counts. Impacts under this alternative associated with geotechnical resources, flood, traffic/access, biota, cultural resources, air quality, noise, water service, wastewater, solid waste, utilities, education, library services and fire/Sheriff services, parks and recreation, agricultural resources and human made hazards would be less than the proposed project. The Buried Bank Stabilization Option under Alternative 4 would have the same impacts as the proposed project. Alternative 4 is an "environmentally superior" project, but it does not meet the project objectives of providing a mix of residential and commercial opportunities as it reduces the number of housing units available and reduces commercial square footage. The reduction of housing units does not meet the project objectives of responding to economic conditions by providing as great a variety of housing types. The reduction of commercial square feet reduces the subsequent tax base available to the City to support public services as compared to the project objectives. Alternative 4 has been rejected in favor of the proposed project because this Alternative would limit housing and employment opportunities, and thus would not accommodate the housing or employment demands of the regional area under which the project site could be developed.
- e. **Alternative 5, The 40 Percent Reduced Density Alternative.** This Alternative results in a 40 percent reduction in residential units and commercial square footage. The reduction would result in a total of 1,200 residential units, and 381,600 square feet of commercial uses. Other aspects of the project would remain consistent with the proposed project. In reducing the project by 40 percent, Alternative 5 will create a reduced development footprint for both residential and commercial uses. This Alternative also includes a grade separated crossing of Avenue Scott at Bouquet Canyon Road and a bridge over Bouquet Creek Channel for Avenue Scott. Impacts under this alternative associated with geotechnical resources, flood, traffic/access, biota, cultural resources, air quality, noise, water service, wastewater, solid waste, utilities, education, library services, fire/Sheriff services, parks and recreation, agricultural resources and human made hazards would be less than the proposed project. The Buried Bank Stabilization Option under Alternative 5 would have the same impacts as the option under the proposed project. Alternative 5 is an "environmentally superior" project, but was rejected over the proposed project because it does not meet the project objectives of providing a mix of residential and commercial opportunities. This Alternative reduces the number of housing

units available and reduces commercial square footage. The reduction of housing units does not meet the project objectives of responding to economic conditions by providing a great variety of housing types. The reduction of commercial square feet reduces the subsequent tax base available to the City to support public services as compared to the project objectives. Alternative 5 would not accommodate the housing or employment demands of the regional area under which the project site could be developed.

SECTION 6. By adoption of this Resolution, the City Council finds that the Final EIR identifies certain significant environmental effects and feasible mitigation measures that mitigate potential significant impacts to levels less than significant for each of these impacts with the exclusion of Air Quality, Visual Resources, Agricultural Resources, Solid Waste Disposal, and Biota. In accordance with CEQA Sections 15091 and 15093, a description of each significant impact and rationale for finding that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR is detailed below:

- a. **Air Quality:** Construction-related emissions would be generated by on-site stationary sources, heavy-duty construction vehicles, construction worker vehicles, and energy use. Operation-related emissions would be generated by on-site and off-site stationary sources and by mobile sources. During both the construction and operation phases, emissions of carbon monoxide (CO), reactive organic compounds (ROC), oxides of nitrogen (NO_x) and particulate matter (10 micron) (PM₁₀) would exceed thresholds of significance recommended by the South Coast Air Quality Management District (SCAQMD). Furthermore, the actual rate of growth in vehicle miles traveled, and hence vehicular air emissions caused by the proposed residential and non-residential uses of the project would occur at a higher rate than the rate of growth associated with the expected on-site resident and employee population.

The Buried Bank Stabilization Option's construction-related and operation-related emissions are also considered unavoidably significant.

Mitigation Measures: Mitigation measures A1 through A76 as identified in the Final EIR would reduce the magnitude of construction-related and operation-related emissions to some extent. However, no feasible mitigation exists which would reduce these emissions to below the SCAQMD's recommended thresholds of significance. This is inconsistent with the Air Quality Management Plan performance standards; therefore, the cumulative air quality impacts of the proposed residential uses, non-residential uses, and impacts due to construction of the Buried Bank Stabilization Option would be unavoidably significant.

- b. **Visual Resources:** The project is an infill development of a developed urban area. This area is envisioned by the City of Santa Clarita General Plan for the type of development proposed. The change in character of the project site would represent the replacement of open space/agricultural uses with urban uses but is not considered an unavoidable

significant impact because such uses already occur immediately surrounding the project site. However, bank stabilization at the rivers edge is a significant alteration to the basic visual character of the region, as well as to the river itself. The loss of riparian vegetation and the associated change in visual character of the River and Creek due to the placement of bank stabilization along the River/Creek edge would be significant and unavoidable.

- In the event that the preferred buried bank stabilization were to remain buried, no significant impacts would occur as most of the existing riparian vegetation along the banks would remain. However, the buried bank lining may become exposed in the event that future flood waters erode the existing banks and intervening upland preserve zone, exposing the buried reinforced concrete lining. In the event such erosion and exposure were to occur in the future, impacts of this option would be similar to the proposed project and would be significant, albeit further removed from the watercourse.

Mitigation Measures: With the implementation of the buried bank stabilization and mitigation measures VQ1 through VQ6 (as identified in the Final EIR), the visual impacts of the project will be reduced to a less than significant level. This finding assumes that the buried bank stabilization will remain buried. If the buried bank lining is exposed due to future flood water erosion, then the impacts to visual resources will be considered unavoidably significant.

- c. **Agricultural Resources:** The cumulative conversion of prime agricultural land to urban uses constitutes a loss of an irreplaceable resource and would result in the loss of 284 acres of prime agricultural land. No feasible mitigation exists for this conversion and it would be an unavoidable significant impact. Like the proposed project, the Buried Bank Stabilization Option would result in the loss of the conversion of all of the available agricultural land in the site, and is thus considered to have an unavoidably significant impact.

Mitigation Measures: The Final EIR identifies three mitigation measures listed as AG1, AG2 and AG3 which would reduce the magnitude of the project's impacts to agricultural resources. However, no feasible mitigation exists which would reduce these impacts to a less than significant level, therefore the project's impacts to agricultural resources remain unavoidable and significant.

- d. **Solid Waste:** Upon buildout and assuming no solid wastes from the proposed project would be recycled (a worst-case scenario), the proposed project would generate approximately 40,428 pounds of solid waste per day, which is equivalent to approximately 7,378 tons per year. However, given the City's current overall waste diversion rate of 47 percent, it is estimated that the project will actually generate 20,214 pounds of solid waste per day, which is equivalent to 3,689 tons per year. The project may also generate household-type hazardous wastes. Cumulative development within the Santa Clarita Valley area would generate 626,230 tons per year of solid waste, as well as hazardous waste. The project's 7,378 tons per year would represent 1.2 percent of this Valley total and an approximately 6 percent increase in the incorporated City area. Land suitable for landfill development or expansion is quantitatively finite and

limited due to numerous environmental, regulatory and political constraints. Until long term landfill space or other disposal alternatives will be adequate to serve the existing and future uses for the foreseeable future, project and cumulative solid waste and hazardous waste impacts within the City will be considered unavoidably significant.

As with the proposed project, landfill space is finite and until long-term space or other disposal alternatives are identified, the solid waste impacts of the project with the Buried Bank Stabilization Option and cumulative solid waste and hazardous waste impacts are considered unavoidably significant.

Mitigation Measures: As identified in the Final EIR, mitigation measures SW1 through SW17 would reduce the magnitude of the project's solid waste impacts to some extent. However, no feasible mitigation exists which would reduce these impacts to a less than significant level. The cumulative solid waste impacts of the proposed project, along with the implementation of the Buried Bank Stabilization Option, will remain unavoidably significant.

- e. **Biota:** Temporary and permanent direct impacts on biological resources will occur as a result of the following project-related actions or activities: construction and grading for urban lots, roads, parks, recreational areas, buildings, and other facilities and structures; construction of the Avenue Scott bridge over San Francisquito Creek and the Santa Clara River; and maintenance activities associated with bank stabilization, bridges, water quality basins, and storm drain outlets. Project implementation will result in the permanent loss of 165.4 acres of agricultural fields, 89.3 acres of disturbed/ruderal fields, 3.97 acres of coastal sage scrub, 4.74 acres of cottonwood-willow riparian woodland, 0.83 acres of alluvial scrub, 3.41 acres of mule fat scrub, and 6.56 acres of riparian scrub. A portion of the cottonwood-willow riparian woodland and alluvial scrub habitat will be temporarily lost as a result of bank stabilization activities and will be replanted upon completion of the stabilization.

Although the project proposes mitigation measures which will reduce impacts to the riparian ecosystem and wildlife species that utilize the riparian and upland habitats, it is assumed that human and domestic animal use of adjacent habitat areas will continue to occur as a result of project implementation and cannot be entirely prevented, despite signage and barriers. With respect to equestrian use, enforcement of rules and regulations will be difficult and the trails may invite access by other non-compatible uses such as off-road vehicles. Therefore, the effects of these project activities on the riparian resources of the site remains an unavoidable significant impact.

The loss of wildlife habitat and open space areas as a result of development within the proposed project site represents an unavoidable significant cumulative impact to biological resources. Unavoidable significant cumulative impacts include the loss of riparian habitat, disturbance to riparian wildlife due to nearby urban development, and effects on habitat for the unarmored three-spine stickleback and least Bell's vireo.

The implementation of the Buried Bank Stabilization Option results in a net loss of habitat that is less than the construction of bank lining at the River/Creek edge. However, losses to these habitats are still considered to have an unavoidably significant impact to biological resources. Potentially significant unavoidable impacts could occur to the three special-status fish species as a result of sedimentation, erosion, and loss of riparian habitat along the edges of the river channel, and to special-status bird species potentially nesting in the riparian vegetation (and in the case of burrowing owl, within the upland agricultural and ruderal fields). In the event of a substantial flood event, or as a result of ongoing flooding and erosion over time, the preserved upland habitat areas may eventually erode so much as to be of little or no value as upland habitat. This loss of upland habitat would substantially affect the overall ability of the riparian ecosystem to maintain the current level of terrestrial species diversity and abundance. Therefore, this loss would be considered an unavoidable significant impact under this option. In addition, because there will still be only 67 percent of the remaining upland habitat that meets the 100-foot minimum preservation criteria (with exception given to the 75-foot setback in the project's Lago de Valencia planning area), the resultant impact on the riparian ecosystem remains a significant unavoidable impact under the Buried Bank Stabilization Option. The overall permanent conversion of 2.6 acres of habitat within the SEAs to urban development represents a net loss of SEA habitat. This loss is also considered an unavoidable impact under this option.

Mitigation Measures: As identified in the Final EIR, mitigation measures B1 through B40 and the Buried Bank Stabilization Option mitigation measures would reduce the magnitude of the project's biota impacts to some extent. However, no feasible mitigation exists which would reduce these impacts to less than significant with project implementation. The cumulative impacts of the project, including the construction of the buried bank stabilization lining, would be unavoidably significant.

SECTION 7. Based upon the testimony and other evidence received, and upon studies and investigation made by the City Council and on its behalf, the Council further finds that the North Valencia Annexation, North Valencia Specific Plan and related entitlements will have community benefits. The City Council finds that the following benefits are overriding considerations which support adoption of a Statement of Overriding Considerations:

- a. The project recommended for approval by the City Council implements the Valley Center Concept of the General Plan with implementation of the General Plan Amendment as proposed.
- b. The project will provide the City with infrastructure including improvements to portions of major highways designated on the City's Master Plan of Arterial Highways as follows: Newhall Ranch Road, Magic Mountain Parkway, Bouquet Canyon Road, Valencia Boulevard, McBean Parkway, Avenue Scott and Avenue Tibbitts.
- c. The project is consistent with: 1) the City's General Plan and Zoning Land Use

- Policy 10.1** "Contribute to the reduction of vehicle miles traveled by achieving a more reasonable job/housing balance."
- Policy 10.2** "Develop and encourage efficient transportation systems and land use patterns which minimize total trips and vehicle miles traveled."
- Goal 12** "To reduce mobile source emissions by promoting a shift from single occupancy to higher occupancy vehicles."

The project supports the Housing Element which has numerous sections calling for mixed use projects, flexibility in standards, a mix of housing types, and using the specific plan process, as shown in the following sections:

- Policy 1.4** "Promote the development of compatible mixed use projects in order to create a village concept, with various interacting uses...to stimulate activity."
- Program 1.a** "Alternative Development Standards. Use the specific plan process...to permit alternative housing design where such projects result in attractive, desirable housing types, including affordable housing."
- Program 1.c** "Specific Plan/Planned Development. Permit flexible development standards in specific plans...that encourage housing developments which meet the needs of the community. Flexible development standards should allow for clustering, and a variety of site design characteristics as appropriate."
- Policy 2.2** "Locate higher density residential development and housing...in close proximity to public transportation and commercial land uses..."
- Policy 3.3** "Encourage a mix of housing types and densities in new large scale development."
- Policy 3.11** "Consider alternative development standards where practical...to promote desired housing types and benefits...."

The project supports the Community Design Element, which in the following policies are also supportive of this theme, as follows:

Policy 2.2 "Provide for residential uses in proximity business/commercial centers in a manner which promotes the neighborhood/village/town center planning concept and maintains...the concept of the Valley Center."

Policy 3.3 "Encourage the establishment of mixed use and village commercial centers..., urban open spaces, and the effective use of street furniture in downtown areas.

Policy 3.4 "Encourage design and uses of commercial districts and related housing that add pedestrian orientation and that provide for safe and secure daytime and nighttime activities."

- e. The North Valencia project will provide various residential housing opportunities for different economic levels with a mix of single family and multi-family dwelling units as required by the Housing Element of the General Plan, the Housing Allocation for the City of Santa Clarita as set forth by SCAG (Southern California Association of Governments) in the Regional Housing Needs Assessment (RHNA) and the City's Comprehensive Housing Affordability Strategy (CHAS) component of the City's Comprehensive Plan prepared for the Federal Department of Housing and Urban Development (HUD).
- f. The project provides significant public benefits including employment opportunities, increased residential densities in proximity to transportation corridors, an improved circulation network including improvements to portions of Newhall Ranch Road, Magic Mountain Parkway, Bouquet Canyon Road, McBean Parkway, Avenue Scott and Avenue Tibbitts, identification and preservation of a riparian buffer area along the Santa Clara River and San Francisquito Creek Significant Ecological Areas (SEAs), and significant expansion of the City's River Trail system of bicycle, pedestrian and equestrian paths.

SECTION 8. By adoption of this Resolution, the City Council has reviewed and considered the environmental information contained in the Final EIR (SCH#96071077) and determines that it is adequate and in compliance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.). In compliance with CEQA Section 15093, the Planning Commission has considered the project benefits as balanced against the unavoidable adverse environmental effects and hereby determines that the benefits outweigh the unavoidable adverse environmental effects; therefore, the City Council determines that this resolution comprises a Statement of Overriding Considerations (SOC) and the adverse environmental effects are considered acceptable. The Planning Commission recommends that the City Council certify the Final EIR documents and adopt a Statement of Overriding Considerations (SOC).

SECTION 9. By the adoption of this Resolution, the City Council approves certification of the environmental impact report and adoption of a Statement of Overriding Considerations.

that identifies the benefits of the project as balanced against its unavoidable environmental risks, but has not granted any approval or entitlement on this project.

SECTION 10. The City Clerk shall certify the adoption of this Resolution.

SECTION 11. The Council shall certify to the adoption of this Resolution and certify this record to be a full, complete, and correct copy of the action taken

PASSED, APPROVED AND ADOPTED this 6th day of December, 1997

James H. Heidt
MAYOR

ATTEST:

Sharon L. Dawson
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF SANTA CLARITA)

I, Sharon L. Dawson, CMC, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Santa Clarita at a regular meeting thereof, held on the 6th day of December, 1997, by the following vote of the City Council:

AYES: COUNCILMEMBERS: Boyer, Klajic, Darcy, Smyth, Heidt

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

Sharon L. Dawson

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RESOLUTION NO. 97-127

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA CLARITA
APPROVING MASTER CASE NOS. 95-242, 96-120, 97-041, 97-063 FOR ANNEXATION
NO. 95-006 (NORTH VALENCIA), GENERAL PLAN AMENDMENT 97-001 TO THE LAND
USE ELEMENT TEXT AND LAND USE MAP,
VESTING TENTATIVE TRACT MAP 51931, OAK TREE PERMIT 97-009 AND HAUL
ROUTE TO ALLOW FOR THE 858 ACRE NORTH VALENCIA ANNEXATION AND
DEVELOPMENT OF A 706.6 ACRE PROPERTY WITHIN THE ANNEXATION AREA
KNOWN AS THE NORTH VALENCIA SPECIFIC PLAN AREA

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA DOES HEREBY RESOLVE AS
FOLLOWS:

SECTION 1. The City Council does hereby make the following findings of fact:

- a. The North Valencia Annexation area is approximately 858 acres generally located east of Anza Drive, south of Newhall Ranch Road, west of Bouquet Canyon Road and Valencia Blvd., and north of Magic Mountain Parkway and the Auto Center in the unincorporated area of Los Angeles County adjacent to the City of Santa Clarita. The North Valencia Specific Plan area is approximately 706.6 acres within the North Valencia Annexation area and is generally located south of Avenue Hopkins and east of Anza Drive and the west side of San Francisquito Creek, south of Newhall Ranch Road, west of Bouquet Canyon Road and Valencia Blvd., and north of Magic Mountain Parkway and the Auto Center in the unincorporated area of Los Angeles County adjacent to the City of Santa Clarita.
- b. In November 1995, the City and the Valencia Company entered into a non-binding Memorandum of Understanding (MOU) regarding certain aspects of the potential annexation of approximately 969 acres of unincorporated area in the North Valencia area. At the time the MOU was adopted, the Valencia Company stated their intention to request approvals for up to 3,690 dwelling units, approximately 850,000 square feet of commercial uses, and 223,000 square feet of industrial uses. Entitlements to be requested at the time of MOU approval included a prezone, an annexation and development agreement, and tract maps. The MOU specifically indicated that any annexation would be subject to environmental review.
- c. A prezone (MC95-242, PZ95-006) was approved on April 16, 1996 by the City Council for portions of the North Valencia Annexation area through Ordinance No. 96-12. An annexation request for the North Valencia Annexation (Annexation No. 95-006) was filed with LAFCO in June 1996 following the direction of the City Council on June 11, 1996 (Resolution 96-84). Following the prezone and filing of the annexation request by the City, the Valencia Company, herein referred to as the "applicant", submitted entitlement requests noted above for a portion of the annexation area known as the North Valencia Specific Plan

Area which are subject to environmental review. The City's annexation request is on hold at LAFCO at the request of the City and the applicant pending approval of the environmental review document and the above entitlements.

- d. On June 5, 1996, the applicant submitted the following entitlement requests: (Master Case No. 97-120) Annexation and Development Agreement 96-001, Annexation 95-006, Conditional Use Permit 96-010, TPM 20496 (Builder's South), TPM 20669 (Valencia Industrial Center), TPM 18417 (Pony League), TPM 24516 (Overall Project Area), VTTM 51931 (Valencia Del Lago), VTTM 51281 (South River) and VTTM 44832 (Arbor Park). Incomplete letters were sent on these entitlement requests in July and staff noted that an Oak Tree Permit would also be required. In January 1997, the applicant formally withdrew the application for a CUP and all of the tract and parcel maps except for VTTM 51931. The applicant submitted the following entitlement requests: a Specific Plan document including a comprehensive plan of development and development standards for the North Valencia Specific Plan area and Prezone 97-001 to change the zoning within the area to the City zone SP (Specific Plan). Following review of the specific plan document and revised site plan, staff recommended that a general plan amendment be filed in order for the requested entitlements to be consistent with the City's General Plan. On March 12, 1997, the applicant filed a request for MC 97-041, OTP 97-009 to allow for possible encroachment upon oak trees, and a general plan amendment to the text of the Land Use Element Valley Center Concept narrative to allow for a North Valencia Specific Plan and an amendment to the Land Use Map

The development application includes the proposed annexation of approximately 858 acres of unincorporated Los Angeles County land located adjacent to the City boundary. This request would amend portions of Ordinance No. 96-12 to establish the City of Santa Clarita prezone Specific Plan (SP) over 706.6 acres on the areas known as the North Valencia Specific Plan area. The remaining acreage in the annexation area would remain as previously prezoned by Ordinance No. 96-12. The Specific Plan request includes entitlement for up to 2,000 dwelling units (750 single family detached, 1,250 multi-family attached), 636,000 square feet of commercial/retail, 167,000 square feet of industrial/business park space, a 6.5-acre elementary school site, a 15.2-acre lake/park, a 12.4-acre community park, 4.9 acres of neighborhood parks, 355.6 acres of open space and over 5 miles of community trails; Vesting Tentative Tract Map 51931 to subdivide 706 acres into 138 lots; An oak tree permit to allow construction within 200 feet of the oak trees with no removals or encroachments are proposed; and review and certification of the Environmental Impact Report (SCH#96071077) prepared for this project. A development agreement was also requested.

- d. The original North Valencia Specific Plan request excluded a .6 acre Southern

California Gas Facility located on Magic Mountain Parkway; however, the City proposes to include this area within the Specific Plan area to avoid the issue of spot zoning. The North Valencia Specific Plan area is bisected by the approximately 13 acre MWD property which is excluded from the Specific Plan prezone; however, the City proposes to prezone this area Open Space (OS) in order to be consistent with the surrounding uses proposed in the Specific Plan.

- e. On June 25, 1991, the City Council adopted Resolution No. 91-98, adopting the General Plan of the City of Santa Clarita and Certifying the Environmental Impact Report. The City's General Plan presently designates the annexation area as Commercial Town Center (CTC), Community Commercial (CC), Business Park (BP), and Residential Moderate (RM), with a Valley Center Concept (VCC) Overlay on the majority of the site and a Significant Ecological Area (SEA) Overlay over the Santa Clara River and San Francisquito Creek. The General Plan does not specifically mention the North Valencia site as an area ideal for a specific plan; however, the site does meet the minimum size of 100 contiguous acres under single ownership as identified in the Specific Plan zoning standards of the City's Unified Development Code. Zoning on the site is presently Los Angeles County zones C2, M1½, and A2-5 and has already been prezoned City of Santa Clarita zones CTC (Commercial Town Center), CC (Community Commercial), BP (Business Park), and RS (Residential Moderate).
- f. The North Valencia Specific Plan area is vacant, generally flat, and was used for agricultural purposes. The approximately 153 acres of the annexation area that is excluded from the Specific Plan is flat and improved with industrial, commercial and public utility uses. Major features of the annexation area include the Santa Clara River, the South Fork of the Santa Clara River, San Francisquito Creek, Bouquet Creek, a portion of the San Gabriel Fault Alquist-Priolo Special Studies Zone, the MWD aqueduct pipeline and electrical transmission corridors.
- g. The design of the project concentrates development within areas previously used for agricultural uses and includes preservation of approximately 348.3 acres of the Santa Clara River and San Francisquito Creek and 84 acres of upland buffer area located adjacent to the River and Creek as identified in the North Valencia Specific Plan document. The project proposes grading on approximately 281 acres of the 858 acre project site. The total amount of grading involves movement of approximately 1.4 million cubic yards of on-site cut, 2.7 million cubic yards of on-site fill and 1.5 million cubic yards of off-site earth to be imported. Movement of approximately 850,000 cubic yards of the necessary off-site fill has been approved from the northeast corner of McBean Parkway and Newhall Ranch Road through conditional use permit No. 96-013 (MC# 96-236). The remaining earth would be imported from the area known as the Center City Specific Plan area located east of the present terminus of Newhall Ranch Road,

east of Bouquet Canyon Road. A haul route for imported earth is included within the Specific Plan document, however, specific haul route approval would be required at the time of grading permit.

- h. The City of Santa Clarita prepared an Initial Study for the project which determined that the project may have a significant effect on the environment and that an environmental impact report must be prepared. A Notice of Preparation (NOP) for the annexation, annexation and development agreement, tentative tract maps, conditional use permit and oak tree permit was mailed in July 1996 to affected agencies. A scoping meeting was held at the Valencia Town Center Conference Room on August 7, 1996 to obtain information from the public as to issues which should be addressed in the environmental document. Following a substantial revision to the project with the withdrawal of the conditional use permit application and six of the tentative maps in January 1997 and filing of a request for a prezone, specific plan document, general plan amendment, and revised vesting tentative tract map 51931, a subsequent NOP was prepared and mailed in May 1997.
- i. The Planning Commission went on a field visit to the North Valencia site on Saturday, May 31, 1997 at 9:00 a.m., beginning in the Council Chambers for the purpose of becoming familiar with the annexation and Specific Plan area.
- j. The City Council held a study session on this project on June 3, 1997 and received an informational report on the status of this project. At that Council Study Session the Council approved a preliminary processing schedule for this project which identified various Planning Commission public hearing dates and specific project topics to be discussed at each of these meetings. The goal of this processing schedule was to reduce redundancy and allow the Commission and the public to better prepare for the meetings. This processing schedule allowed for each issue area of the Draft EIR to be discussed in a public forum during the Draft EIR public comment period to allow for maximum public participation, with numerous opportunities for the public to ask questions and receive information concerning the environmental document and the project.
- k. The Planning Commission received an informational presentation about the North Valencia Specific Plan proposal at their regularly scheduled meeting on June 17, 1997, at 7:00 p.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita. This presentation was given by staff to distribute copies of the proposed North Valencia Specific Plan dated June 1997 and the proposed Vesting Tentative Tract Map 51931 version dated June 13, 1997, to provide the Commission with a background on the project application and to provide the Commission with a review of the entitlements requested.

- l. The North Valencia Specific Plan Draft Environmental Impact Report (DEIR) was circulated for review and comment by the affected governmental agencies and all comments received have been considered. The DEIR (SCH#96071077) was distributed to the Planning Commission, the public and affected governmental agencies for a 45-day public review period beginning on August 1, 1997 and ending on September 15, 1997. Late comments were accepted until September 22, 1997 to allow for mail delays.
- m. Following the processing schedule set by the Council on June 3, 1997, the Planning Commission held duly noticed public hearings on the North Valencia Annexation and Specific Plan and related entitlements commencing on July 1, 1997 and continuing on July 9, 1997, July 23, 1997, August 5, 1997, August 13, 1997, August 19, 1997, August 25, 1997, September 2, 1997, September 10, 1997, September 24, 1997, October 7, 1997, October 15, 1997 and October 30, 1997. These public hearings have been held at 7:00 p.m. at the City Council Chambers and Orchard Rooms, 23920 Valencia Boulevard, Santa Clarita.

Five of the public hearings were held between August 5, 1997 to September 2, 1997 which was during the public comment period. These public hearings were held for the purpose of providing an opportunity for the Commission and the public to consider focused discussions on each of the environmental issue areas discussed in the DEIR.
- n. The Final EIR, herein incorporated by reference as Exhibit A, includes the Draft EIR and the following: responses to written comments on the DEIR, responses to public testimony regarding Draft EIR issues raised at the public hearings during the public comment period, modifications to the Draft EIR text, and the Mitigation Monitoring and Reporting Program (MMRP). The Draft EIR was provided to the Commission on August 1, 1997 and the remaining Final EIR documents were prepared and provided to the Planning Commission on October 3, 1997. The Proposed Specific Plan Text dated June 1997, herein incorporated by reference as Exhibit B, also contains specific development standards and policies that mitigate potential environmental impacts and was considered by the Planning Commission. The Planning Commission has considered the Final EIR, as well as information provided in staff reports, the amendment text and through public testimony, prior to recommending project approval.
- o. The City of Santa Clarita Development Review Committee met and supplied the applicant with draft conditions of approval.
- p. The project proposes the extension of all utility services to the project site.

- (e) Provide for the construction, improvement, or extension of transportation facilities, public utilities, and public services required by development within the zone.

- s. A duly noticed public hearing was held by the City Council on November 4, 1997 at 6:30 p.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita. At this meeting, the Council considered the project's Draft EIR, the Final EIR, information provided in staff reports, the general plan amendment text, the proposed specific plan document, the entitlement requests, the proposed prezone for the property, the Annexation and Development Agreement, the Planning Commission's considerations, and public testimony regarding the project. The public hearing for the project was continued, with subsequent meetings being held on November 25, 1997, December 2, 1997, December 9, 1997, and December 18, 1997. The City Council formally closed the public hearing on December 9, 1997, and continued the item for action to the meeting of December 18, 1997. The meeting of December 18 was held at 8:00 a.m. at the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita.

SECTION 2. Based upon the above findings of fact, oral and written testimony and other evidence received at the public hearings held for the project, and upon studies and investigations made by the City Council find as follows:

- a. At the hearing described above, the City Council considered staff and consultant presentations, staff reports, applicant presentations, and public testimony on the proposal, and the FEIR prepared for the project.

- b. The Specific Plan complies with Article 8--Specific Plans Sec 65451 et seq. of the California Planning and Zoning Laws by including the required text and diagrams which specify all of the detail as described in Section 1.q of this Resolution No. P97-20.

- c. The design of the subdivision and the type of improvements will not cause serious public health problems, since water, sewage disposal, fire protection and other public services and utilities are addressed in the Specific Plan, MMRP and Conditions of Approval.

- d. The project complies with the general requirements and performance standards for the Specific Plan Zone. The project is consistent with the intent of the Specific Plan Zone which was created to: facilitate development of certain areas by permitting greater flexibility and consequently, more creative and imaginative designs; promote more economical and efficient use of land while providing a harmonious variety of choices, higher level of amenities, and preservation of natural and scenic qualities of open space; and ensure that development

substantially conforms to the approved plans.

- e. Following a redesignation of the North Valencia Specific Plan area to SP (Specific Plan) and the MWD ownership area to OS (Open Space) on the City's General Plan land use map, prezone SP (Specific Plan Zone) and OS (Open Space) as identified in the Specific Plan for this project and adoption of the Specific Plan, this Specific Plan project will be consistent with the City's General Plan and Zoning Ordinance.
- f. The City Council has adopted a Statement of Overriding Considerations for those impacts in the project which cannot be mitigated to less than significant levels and certified the FEIR for the project (Resolution 97-126).


SECTION 3. Based upon the foregoing facts and findings, the City Council hereby find as follows:

- a. An FEIR, Mitigation Monitoring and Reporting Plan (MMRP) and a Statement of Overriding Considerations for this project have been prepared and circulated in compliance with the California Environmental Quality Act and adopted as certified as required by that Act.
- b. This project as modified by the Planning Commission and City Council will not adversely affect the health, peace, comfort or welfare of persons residing in the area; nor be materially detrimental to the use, enjoyment, or valuation of property in the vicinity of the project site; nor jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare since the project conforms with the zoning ordinance and is compatible with surrounding land uses.
- c. The project is compatible with existing development in the area, consistent with the City's General Plan and Zoning, and consistent with the State Planning and Zoning Laws.
- d. The applicant has substantiated the findings for approving a general plan amendment, haul route, vesting tentative tract map and oak tree permit.

SECTION 4. The City Council hereby approves the following entitlements requested under Master Case Nos. 95-242, 96-120, 97-041, and 97-063: General Plan Amendment 97-001 to the amend the Land Use Element Text and Land Use Map with text and map changes attached hereto as Exhibit "A", Vesting Tentative Tract Map 51931, Oak Tree Permit 97-009 and a haul route and subject to the VTTM conditions which are attached hereto and incorporated herein by this reference as Exhibit "B", which includes the MMRP which is incorporated herein by this reference as Exhibit "C".

SECTION 5. The City Clerk shall certify to the adoption of this Resolution and certify this record to be a full, complete, and correct copy of the action taken.

PASSED, APPROVED AND ADOPTED this 18th day of December, 1997.


MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF SANTA CLARITA)

I, Sharon L. Dawson, CMC, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Santa Clarita at a regular meeting thereof, held on the 18th day of December, 1997 by the following vote of Council":

AYES: COUNCILMEMBERS: Boyer, Klajic, Darcy, Smyth, Heidt

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


CITY CLERK

Exhibit A
General Plan Text and Map Changes
Incorporated by Reference

Exhibits on file in the Department of Planning and Building Services

Exhibit B
Conditions of Approval
Incorporated by Reference

Exhibit C
Mitigation Monitoring and Reporting Program
Incorporated by Reference

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**JOINT RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES AND THE
CITY COUNCIL OF THE CITY OF SANTA CLARITA
APPROVING AND ACCEPTING NEGOTIATED EXCHANGE
OF PROPERTY TAX REVENUE RESULTING FROM
"ANNEXATION 1995-06" (NORTH VALENCIA)
TO THE CITY OF SANTA CLARITA**

WHEREAS, pursuant to Section 99 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change the governing bodies of all agencies whose service areas or service responsibilities would be altered by such change must determine the amount of property tax revenue to be exchanged between the affected agencies and approve and accept the negotiated exchange of property tax revenues by resolution; but if the affected agency is a special district, the Board of Supervisors must negotiate on behalf of the district; and

WHEREAS, the Board of Supervisors of the County of Los Angeles and the City Council of the City of Santa Clarita have determined that the amount of property tax revenues to be exchanged between their respective agencies as a result of the annexation of unincorporated territory to the City of Santa Clarita, entitled "Annexation 1995-06" is as set forth below.

NOW, THEREFORE, BE IT RESOLVED:

1. The negotiated exchange of property tax revenue between the County of Los Angeles and the City of Santa Clarita resulting from "Annexation 1995-06" is approved and accepted.
2. For fiscal years commencing July 1, 1999, or the July 1 after the effective date of this jurisdictional change, whichever is later, Eighty-Six Thousand, Eight Hundred and Eighty-Four Dollars (86,884) in property tax revenue shall be transferred from the County of

Los Angeles to the City of Santa Clarita. In addition, for each fiscal year commencing July 1, 1999, or the July 1 after the effective date of this jurisdictional change, whichever is later, a percentage of the annual tax increment (ATI) attributable to the Tax Rate Areas within the Santa Clarita "Annexation 1995-06" area, as set forth below, shall be transferred from the County of Los Angeles to the City of Santa Clarita, and the County's share of incremental tax growth shall be reduced accordingly:

<u>Tax Rate Area</u>	<u>ATI%</u>
1339	0.055849657
1785	0.062634883
1787	0.065412089
2626	0.056068329
6788	0.059370964
6807	0.063546360
6809	0.063546360
8011	0.060017108
8075	0.060908982
8711	0.057428528
8745	0.059370964
8751	0.050413281
11737	0.061021601
11765	0.061021601
11767	0.061021601

3. For fiscal years commencing July 1, 1999 or the July 1 after the effective date of this jurisdictional change, whichever is later, all property tax revenue received by Road District No. 5 attributable to the Santa Clarita "Annexation 1995-06" area shall be transferred to the County of Los Angeles.

4. In the event that all or a portion of the annexation area is subsequently included within a redevelopment project pursuant to California Community Redevelopment Law (California Health & Safety Code Sections 33000 et seq.), the City of Santa Clarita shall not

adopt the ordinance approving the redevelopment plan with respect to the annexed area until such time as the Redevelopment Agency of the City of Santa Clarita has diligently and in good faith complied with all applicable provisions of the California Community Redevelopment Law, including but not limited to consultation with the County with respect to the plan and to the allocation of taxes, pursuant to Health & Safety Code Section 33670 or any other relevant provision of law. Any ordinance approving a redevelopment project that includes this annexed area and which does not comply with this paragraph shall be void and of no effect with regard to the subsequent allocation and distribution of taxes to the Redevelopment Agency.

PASSED, APPROVED AND ADOPTED this 18th day of December, ~~1998~~¹⁹⁹⁷

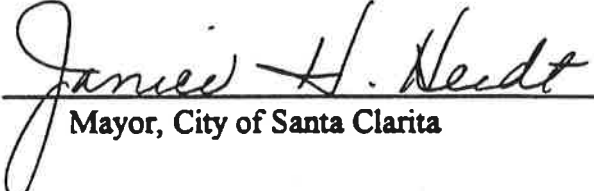
by the following vote:

AYES: COUNCILMEMBERS: Boyer, Klajic, Darcy, Smyth, Heidt

NOES: COUNCILMEMBERS: None


ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None



Mayor, City of Santa Clarita

ATTEST:



City Clerk

The foregoing resolution was adopted by the Board of Supervisors of the County of
Los Angeles on this _____ day of _____, 1998.

COUNTY OF LOS ANGELES

Chair, Board of Supervisors

ATTEST:

JOANNE STURGES, Executive Officer-
Clerk of the Board of Supervisors

By _____
Deputy

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