

February 12, 2007

Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, Ca 90012

Subject: Burden of Proof Statement Regarding Conditional Use Permit (associated with TTM 066952)

The following statements are provided as substantiation of the compatibility of the proposed project with the community of Leona Valley, the development's consistency with adopted county plans and policies for the area, and the adequacy of existing infrastructure and community services to support the future residents of the site.

The proposed project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The circulation system within the development has been designed to minimize the number of vehicles accessing the project through the existing Leona Valley community to the north and northwest of the project, thus eliminating the adverse environmental impacts associated with additional traffic in residential neighborhoods.

- Most vehicles will use Bouquet Canyon Road for access, not existing 87th Street West which goes through the existing community. The connection road between 87th Street West and Lost Valley Ranch Road will be dedicated as a public street, while all other streets in this development will be private. Access onto the remaining private streets will be controlled by gates, with only residents and their guests able to enter the development.
- The owners of the one hundred thirteen proposed lots east of the public connection road will tend to drive eastward to exit the project onto Bouquet Canyon Road rather than take the connection road north through the smaller surface streets within Leona Valley.
- The owners of the thirteen proposed lots west of the connection road will have access over the private streets east of the connection road (by a gate card or a remote control device) so they too will be able to use Bouquet Canyon Road for their main access into and out of this development.
- Guests will not be able to use the access gates off the connection road; Guests will only be able to call homeowners and gain access through the gate at the main project entry on Bouquet Canyon Road.
- Existing 86th Street will not be extended into the proposed development. No traffic from this development will impact residents on 86th Street West.

This project will comply with the supplemental zoning regulations (Leona Valley Community Standards District) adopted to protect the lifestyles of the surrounding areas.

This development will be compatible with the rural standards desired by the residents of Leona Valley – and demanded by the Leona Valley Community Standards District. Street improvements, exterior lighting, and fencing will be carefully implemented, as follows: No sidewalks are proposed. Curbs and gutters will be the “rolled” type rather than the more conventional vertical curbs found in less rural areas. There will be no street lights, and any lighting proposed on private parcels will be sensitively designed to minimize off-site illumination. Fencing will all be split rail or other open fencing; Other than retaining walls (if any) there shall be no view-obscuring perimeter fences or walls.

The proposed project will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

Property values in the surrounding community will likely increase due to the introduction of new upscale housing. While the existing nearby properties are for the most part well maintained, in this area housing is on average well over 30 years old. It is not uncommon for new home developments to increase the value of nearby older homes. As this project will, on average, bring newer and larger homes into the community than presently exist, this development will enhance the community rather than degrade it.

Residents of the existing homes on Lost Valley Ranch Road west of the project site currently have no legal access to their homes through the project site. Further, the dirt road through the site that is used for this access is unpaved and often impassable during and after heavy rainfall. This connection road will be dedicated as a public street and paved, thus improving the enjoyment and valuation of homes on Lost Valley Ranch Road.

Publicly accessible equestrian and hiking trails will be provided through the site, thus adding an important link in the local trail system. Hikers and equestrians currently trespass across the property over a number of loosely defined paths. The plan incorporates two riding and hiking trails through the site so that these uses will be able to continue, but in a more defined area.

As described above, the project will be consistent with the Leona Valley Community Standards District regulations and the Hillside Management regulations, which are meant to protect the enjoyment and valuation of properties in the vicinity of this site.

The proposed project will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

Vehicular access will be limited to the site, as all interior streets except the connection road between 87th Street West and Lost Valley Ranch Road will be private and gated. This will enhance the safety and general welfare of the homeowners in this development.

Vehicular traffic on Bouquet Canyon Road (from non-owners or their guests) will not have access through the site onto the existing streets within the community of Leona Valley, thus enhancing the safety and general welfare of the community.

The brush covered site is regularly trespassed upon. Trash and remnants of makeshift campfires can be seen on the property, and the site was burned by a brush fire during the last

three years. Development of the site will remove a source of brush fires that can impact neighboring residential areas.

The site of the proposed project is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Los Angeles County Development Code or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The site is subject to numerous requirements, notably base zoning of A-2-2, the supplemental zoning regulations in the Leona Valley Community Standards District, and the Hillside Management regulations. The project is consistent with all of these.

The large lot sizes are appropriate for the community of Leona Valley. Most residential lots in Leona Valley are zoned A-1-1, with some of these lots actually being less the minimum 1 acre size required by that zone. Other residential zones in the vicinity of the property are zoned A-2-2, and here too many lots are less than the minimum 2 acre size required by that zone. The subject property is subject to the Hillside Management Regulations and the Leona Valley Community Standards District regulations, which allow lots to be a minimum of 1.5 acres. The range of lot sizes on the subject development will be consistent with and appropriate for the community.

Clustering of lots and reduced lot sizes in rural hillside areas are allowed in the Antelope Valley Areawide General Plan, the Leona Valley Community Standards District, and the Hillside Management Ordinance. Specifically:

- The Antelope Valley Areawide General Plan designates the site as Non-Urban 1 (N-1) and allows 1 du per 2 acres, or 146 du.
- Policy #9 of the Antelope Valley Areawide General Plan encourages clustering of lots.
- The base zoning is Heavy Agriculture with a two acre minimum (A-2-2), or 146 du.
- The zoning code (ref 22.12.040) states that supplemental zoning districts supercede the base zoning.
- The supplemental zoning is the Leona Valley Community Standards District, which has a 1 du per 2.5 acre (gross) density, or 117 du. If the site is within a hillside area, lots may be clustered to a 1.5 acre minimum lot size (ref 22.44.122.C.7).
- The site is within a hillside area. Slope density calculations per the Hillside Management Ordinance yield a “Low Density Threshold” of 80 du and a “Maximum Density” of 139 du.
- The Hillside Management Ordinance (ref 22.56.215.J.1.d.ii) states that the number of units allowed in Non-Urban hillside areas shall be determined by the slope density calculations rather than by the zoning.

Therefore up to 139 lots are allowed on this property, and the 121 lots proposed are consistent with that limitation.

In order for this development to be compatible with the rural standards desired by the residents of Leona Valley – and demanded by the Leona Valley Community Standards District – street improvements, exterior lighting, and fencing will be carefully and sensitively implemented. No sidewalks are proposed. Curbs and gutters will be the “rolled” type rather than the conventional vertical curbs found less rural areas. There will be no

street lights, and any lighting proposed on private parcels will be sensitively designed to minimize off-site illumination. Fencing will all be split rail or other “open” style fencing; Other than retaining walls there shall be no view-obscuring perimeter fences or walls.

The site will not be entirely mass graded; on many parcels only a small percentage of the lot will be graded as a homesite, and such grading will be done with sensitivity to the existing terrain. The major east-west ridgeline across the center of the site, which is highly visible from off the property, will not be graded, leaving this scenic natural feature intact. Not only will the ridge itself not be graded, but also the residential pads below the ridge have been designed so that the houses will not obstruct the ridgeline. For example, the homesites along the south side of this ridge will be approximately 40 to 90’ lower than the ridge, while pads on the north side of the ridge will be approximately 70 to 100’ lower.

Given the large size of the lots proposed on this site, actual pad sizes could have been much larger. However to minimize grading the actual homesites on each lot will only be 10,000 to 31,000 square feet.

The two riparian corridors on the site will be largely untouched. The existing wetlands area near the southeast corner of the site (approximately one acre) will not be graded. The smaller riparian area (approximately one half acre) along the existing dirt connection road between 87th Street West and Lost Valley Ranch Road will have very limited grading. This physical condition of this second riparian area will actually be improved upon because, with the dirt road paved, erosion into the streambed and other negative impacts presently occurring will be minimized.

The site of the proposed project is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.

Bouquet Canyon Road is adequate to serve this development.

Acceleration and deceleration lanes are proposed along Bouquet Canyon Road near the development’s main entry to ease access to and from this development.

As discussed above, the design of this development’s street system will discourage use of and impacts upon the residential streets in the existing community of Leona Valley.

East of the intersection of Bouquet Canyon Road and Elizabeth Lake Road, Elizabeth Lake Road is currently being widened to accommodate the development of the adjacent Ritter Ranch (in the city of Palmdale).

The site of the proposed project is adequately served by other public or private service facilities as are required.

California Water Company has indicated a willingness to provide domestic water service to this development, as that company currently has infrastructure in the streets immediately north of this property.

The Antelope Valley Union High School District has indicated the site is within their district boundaries and that the subdivision will be served by the Quartz High School (Grades 9-12).

The Westside Union School District has indicated that the site is within their boundaries and that the subdivision will be served by their Leona Valley School (Grades K-8).

This project will pay developer school fees to the appropriate school districts, thus increasing the districts' ability to serve their students.

This project will pay park fees (Quimby fees) to the county, thus increasing the county's ability to provide recreational facilities for its residents.

Preliminary geotechnical analysis of the site indicates percolation rates are appropriate for private sewerage disposal systems.

The closest Los Angeles County Fire Station, at 8723 Elizabeth Lake Rd., is only approximately 1.25 miles from the site.

The proposed project is located and designed so as to protect the safety of current and future residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow or erosion hazard.

The site is currently a hazard to adjacent residential areas because trespassers are attracted to the site and light makeshift campfires and leave trash on the property. Development will end these activities, thus improving the safety of nearby homes.

The road connecting 87th Street West and Lost Valley Ranch Road is unimproved and immediately adjacent to a small watercourse. Heavy rains regularly erode this road and cause dirt and automobile related pollutants to flow into the creek. Paving this street will protect the creek from pollution and erosion.

Grading plans will be prepared by a licensed civil engineer and reviewed by a soils engineer and geologist. Grading of the site will be overseen and supervised by appropriate professionals and conducted in accordance with industry standards.

All graded slopes will be landscaped, thus reducing the potential for erosion and slope failures.

The private streets within the community will be gated, thus increasing the security and safety of residents.

Acceleration and deceleration lanes are provided near the main project entry on Bouquet Canyon Road, thus increasing the safety of those driving into and out of the development.

The proposed project is compatible with the natural, biotic, cultural, scenic, and open space resources of the area.

The development will be compatible with the rural, open space feel of the Leona Valley community, primarily because of the large lots being created, the substantial portions of the site that will be ungraded, and the strict compliance with the Hillside Grading ordinance. Lots will range in size from 1.5 acres to 17 acres. The site will not be “mass graded” with the entire property either cut or filled to create building sites. Rather, grading will be limited to only about 50.5 % of the property; in many parts of the site, a homesite on one lot will be graded separately from the pad on the adjoining lot instead of running long tiers of graded pads together. Given the large size of the lots proposed on this site, actual pad sizes could have been much larger. However to minimize grading the actual homesites on each lot will only be 10,000 to 31,000 square feet.

The major east-west ridgeline across the center of the site, which is highly visible from off the property, will not be graded, leaving this scenic natural feature intact. Not only will the ridge itself not be graded, but also the residential pads below the ridge have been designed so that the houses will not obstruct the ridgeline. For example, the homesites along the south side of this ridge will be approximately 40’ to 90’ lower than the ridge, while pads on the north side of the ridge will be approximately 70’ to 100’ lower.

The two riparian corridors on the site will be largely untouched. The existing wetlands area near the southeast corner of the site (approximately 1 acre) will not be graded, while the smaller riparian area along the existing dirt road connection between 87th Street West and Lost Valley Ranch Road (approximately 29,000 square feet) will have only approximately 1,000 square feet impacted by grading. This physical condition of this second riparian area will actually be improved upon because, with the dirt road paved, erosion and pollution into the streambed will be minimized.

Publicly accessible hiking and equestrian trails are proposed for the development. These trails will provide an important link in the local trail system as outlined in the Antelope Valley Area Plan Trails Plan, thus allowing nonresidents to enjoy the rural nature of the area.

The proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan.

Additional residents in this area will result in increased customers at the commercial enterprises (market, restaurants, service station, etc.) in the Leona Valley community center near Elizabeth Lake Road and 90th Street West, approximately 1.5 miles northwest of the site.

When completed, residents of this development may also patronize the 73 acres of Community Commercial and Neighborhood Commercial uses in the adjacent Ritter Ranch development.

Residents of this development may patronize the Regional Antelope Valley Mall and other commercial businesses approximately 8 miles to the east, or neighborhood commercial enterprises in Quartz Hill approximately 5 miles northeast of the site.

Publicly accessible hiking and equestrian trails are proposed for the development. These trails will provide an important link in the local trail system as described in the Antelope Valley Area Plan Trails Plan and thus allow nonresidents to enjoy the rural nature of the area. Therefore this project is consistent with Policies #161 and #166 of the Antelope Valley Areawide General Plan.

The equestrian and hiking trail proposed to parallel the connector road between 87th Street West and Lost Valley Ranch Road will be near the existing riparian area. This is consistent with Policies #153 and #162 of the Antelope Valley Areawide General Plan that encourage such joint use.

The development is consistent with the objective of protecting the rural character of Leona Valley as contained in the Antelope Valley Areawide General Plan, the Leona Valley Community Standards District regulations and the Hillside Management Ordinance. These regulations include measures such as large lots, rolled curbs and no street lights.

This project is consistent with all applicable policies and plans. Clustering of lots and reduced lot sizes in rural hillside areas are allowed in the Antelope Valley Areawide General Plan, the Leona Valley Community Standards District, and the Hillside Management Ordinance. Specifically:

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Therefore up to 139 lots are allowed on this property, and the 121 lots proposed are consistent with that limitation.

The project’s design is sensitive to policies of the Antelope Valley Areawide General Plan which deal with the protection of natural areas, particularly #125 which addresses protecting riparian areas.

Policy #135 of the Antelope Valley Areawide General Plan encourages development which is sensitive to natural topographic features. By protecting the ridgeline that extends across this property, the proposed project is consistent with that policy.

The proposed project development demonstrates creative and imaginative design resulting in a visual quality that will complement community character and benefit current and future residents.

In keeping with the rural nature of the Leona Valley community, the entire site will not be mass graded; on many parcels only a small portion of the lot will be graded as a pad, and such grading will be done with sensitivity to the existing terrain. The major east-west ridgeline across the center of the site, which is highly visible from off the property, will not be graded, leaving this scenic natural feature intact. Not only will the ridge itself not be graded, but also the residential pads below the ridge have been designed so that the houses will not obstruct the ridgeline. For example, the homesites along the south side of this ridge will be approximately 40' to 90' lower than the ridge, while pads on the north side of the ridge will be approximately 70 to 100' lower.

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The above statements prove the compatibility of the proposed project with the community of Leona Valley, the development's consistency with adopted county plans and policies for the area, and the adequacy of existing infrastructure to serve the site.

Very truly yours,

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By Lauren Development, Inc.,
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