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CONDITIONAL USE/SITE PLAN REVIEW CONDITIONS OF APPROVAL  
(as revised)

1. Administrative:
  - a. Approval verification and submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, studies, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
  - b. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department.
  - c. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendments to any legislation.
  - d. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor, and in accordance with any stated laws or regulations, or any amendments thereto.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. The use and development of the property shall be in substantial conformance with the site plan, plot plan, floor plan and project renderings submitted with the application and attached to the subject case file, except as may be revised as a result of this action or by the subsequent actions of other applicable government/regulatory agencies.
4. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Planning Commission to impose additional corrective conditions, if, in the Commission's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
5. All measures specified in the Environmental Mitigation Measures and Monitoring Program attached to the subject case file are conditions of

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this approval and shall be strictly complied with.

6. A maximum of 160 acres of the site is authorized to be devoted to the golf course and golf-related activities.
7. As proposed by the applicant and stated in the application, the golf course shall be open and accessible to the public during business hours, for the life of the project. This condition is not to preclude the requirement of a payment of greens fees prior to allowing the public to play the golf course.
8. Prior to issuance of the Grading Permit, the Applicant shall complete a land survey to document the precise location of all extant slender-horned spineflowers within the subject property. The location of the spineflower populations, the limit of grading, and the proposed golf course will be clearly delineated on a 100-scale topographic map. No golf course feature or activity, either during construction or operation, shall be located or shall occur within 300 feet of every slender-horned spineflower population as shown by the survey.
9. For the purpose of compliance with Condition 8 above, prior to the issuance of any grading permits, the applicant shall conduct a final survey of the slender-horned spineflower populations on-site, in order to more precisely determine their exact extent and locations, to the satisfaction of the California Department of Fish and Game (CDFG).
10. Prior to the issuance of a grading permit, a minimum 192 acres of the eastern portion of the site, and the adjacent eight (8) acre parcel of real property identified as Assessor Parcel No. 2551-020-049, legally described as a portion of Lot 39, Tract 39938, minus the number of acres needed for:
  - a. Construction of horse trails and a bicycling/hiking path as required by Condition 25,
  - b. Dedication for, and possible future construction of, Big Tujunga Canyon Road,
  - c. Necessary utility installation, flood control, and surface and ground water monitoring wells, and
  - d. A maximum of 11 acres of the Waters of the United States which traverse the golf course, shall be dedicated to the Santa Monica Mountain Conservancy or other public agency to be maintained as a Wildlife Habitat Preserve. If, prior to the issuance of a grading permit, no public agency is willing to accept such dedication, the Applicant shall either dedicate a conservation easement to CDFG or shall set aside 192 acres of the site, and the additional eight (8) acre parcel as a Wildlife Habitat Preserve. Except for the construction of a horse trail and hike path as required by Condition 24 below, dedication for, and possible future

construction of, Big Tujunga Road, necessary utility installation, flood control and surface and groundwater monitoring walls, and the requirements of the California Department of Fish and Game under a Stream Bed Alteration Agreement, development of any kind, including sand and gravel mining, is prohibited for the life of the project. The Applicant shall prepare a Preserve Management Program which shall be subject to the approval of California Department of Fish and Game, and shall comply with the objectives of the *Endangered and Threatened Species Recovery Program* for the slender-horned spineflower as submitted to Congress in December, 1990. At a minimum, the Preserve Management Program shall address the following: public access/ security/ trespassing; trash/ dumping; and protection of extant populations of slender-horned spineflower.

11. A minimum of 200 off-street parking spaces shall be provided for employees and patrons. At least one 24-inch box shade tree ( minimum trunk diameter of two inches and minimum height of eight feet at the time of planting) shall be planted for every four (4) uncovered, unroofed surface parking spaces. The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by minimum six-inch high curbing or other suitable measures. An automatic sprinkler system shall be installed to irrigate the trees.
12. Prior to issuance of a Building Permit, the application shall submit a parking and driveway plan satisfactory to the Department of Transportation and the Fire Department, indicating the number of spaces required, driveways, aisle width, column locations or any other type of obstructions all to be dimensioned.
13. The height of the clubhouse and maintenance building shall not exceed 39 feet, as shown on the project renderings, measured to the highest point of the roof, including screening for the air conditioning units. The clubhouse shall be in an architectural style consistent with that shown on the project renderings, attached to the subject case file.
14. The clubhouse structure shall be set back from Foothill Boulevard a minimum of 300 feet. A minimum 22-foot wide landscape and equestrian buffer shall be provided between Foothill Boulevard and the project parking area.
15. All roof top mechanical equipment, including air conditioning units, shall be fully screened from view from the Foothill Boulevard frontage.
16. The maintenance facility structure shall be set back from Foothill Boulevard a minimum of 100 feet, with a minimum 5-foot high landscaped berm incorporated into a minimum 48-foot wide landscape and equestrian buffer between Foothill Boulevard and the maintenance facility.
17. Architectural features of the Foothill Boulevard frontage of the maintenance facility shall match the clubhouse in a manner consistent with the project renderings attached to the subject case file.

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18. Vehicular access to the golf course facility shall be limited to Foothill Boulevard.
19. A maximum of three (3) driveways shall be permitted from Foothill Boulevard. These driveways shall have a minimum separation of 325 feet from each other. The northern most driveway shall be limited to use by employees, deliveries and equestrian users.
20. All concrete driveways, cart paths and sidewalks within the multipurpose trail shall be provided with a stiff broom finish.
- ~~21. Prior to the issuance of a Certificate of Occupancy, street vacation proceedings under Council File No. 96-1956 and VAC-E1400565 shall have progressed to at least the adoption of an Ordinance of Intent by the City Council. The necessary street dedications for Big Tujunga Canyon Road and dedications and improvements for Foothill Boulevard and Conover Street, will be addressed under said vacation proceedings. This condition is not intended to preclude the issuance of a Certificate of Occupancy if a request for the issuance of a Revocable Permit to use right-of-way prior to the completion of vacation proceedings has been granted.~~
- ~~22. In order to be in conformance with the General Plan Highways and Freeways Element, the applicant shall provide a complete 86-foot and variable width public street dedication for, but not the improvement of, Big Tujunga Canyon Road, from Oro Vista Avenue to Foothill Boulevard, on an alignment satisfactory to the City Engineer. In the event this portion of Big Tujunga Canyon Road is deleted from the Highways and Freeways Element through an amendment to the General Plan, this condition shall not apply.~~
23. The applicant shall provide design profiles and other engineering information to substantiate the grade and alignment for future extensions of Big Tujunga Canyon Road to the satisfaction of the City Engineer.
24. Prior to the issuance of a Building Permit, the applicant shall prepare detailed plans of the proposed development identifying the location and alignment of required fire lanes, emergency access to all portions of the golf course, and fire hydrant locations to the satisfaction of the Fire Department.
25. Prior to the issuance of a Certificate of Occupancy, the applicant shall design and construct, to the standards of the Bureau of Engineering, and Department of Recreation and Parks, and to the satisfaction of Council District 2, and the California Department of Fish and Game, two (2) horse trails and a bicycling/hiking path across the site which connect from the western property boundary of the project site (Foothill Boulevard), to the eastern property boundary of the project site (near the intersection of Oro Vista and Big Tujunga Canyon Road), and one equestrian trail on Foothill Boulevard, from the property line on the

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north to the property line on the south, across the front of the property on Foothill Boulevard, and leading to the clubhouse. The applicant shall execute a maintenance agreement with the City, and Applicant shall be responsible for maintaining the horse trails and biking/hiking path in good condition for the life of the project. Only one (1) horse trail and one (1) biking/hiking path shall traverse that portion of the Preserve Area located to the east of the golf course. The horse trails shall be constructed with approximately 4-foot high galvanized pipe railing, or other decorative railing approved by the Department of Recreation and Parks and Council District 2. The railing shall be on both sides of the trail with a minimum of a 10 foot wide opening between the rails. No railings shall be placed in waters of the U.S. All trails shall be surfaced with a material that is satisfactory to the Department of Recreation and Parks, Council District 2, and California Department of Fish and Game. Equestrian gates shall be installed on the trail at the east and west property lines to provide controlled access to the Preserve Area. The biking/hiking path shall be constructed to the standards of the City Engineer, and to the satisfaction of Council District 2 and California Department of Fish and Game.

26. An equestrian staging area, including hitching rail and parking for a minimum of 4 horse trailers, shall be provided adjacent to the maintenance facility, consistent with the plot plan attached to the subject case file. A hitching rail and drinking trough for horses shall be provided and maintained within 100 feet of the clubhouse.
27. The use of pesticides (fungicides, herbicides, rodenticides and insecticides) as a part of golf course maintenance and operation shall be employed only as a last resort after all feasible biological, cultural and mechanical methods of pest control have failed, and only for curative, rather than preventative, purposes. This condition and the specific measures necessary to comply with it shall be included in the Integrated Pest Management portion of the Final Golf Course Management Plan required by Condition 49 below.
28. Prior to the issuance of a grading permit for the golf course, the applicant shall prepare and deploy, or suitably guarantee, to the satisfaction of the Planning Department, the Groundwater Division of the Department of Water and Power, the Upper Los Angeles River Watermaster, and the California Regional Water Quality Control Board, a surface and groundwater quality monitoring program. The program, at a minimum, shall: establish the existing, pre-project water quality; include specific requirements necessary to ensure the maintenance of pre-project water quality for the life of the project, including sediment monitoring and implementation of sediment management practices during storm events; and require monthly surface and groundwater testing and annual reporting to the Department of Water and Power and the California Regional Water Quality Control Board. Base line water well monitoring shall be conducted prior to issuance of a grading permit. The California Department of Fish and Game will be consulted about the sites

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for such monitoring wells in advance of drilling. Drilling trucks and equipment will be limited to existing roadways. The wells shall not be located in the Spineflower or native habitat areas.

29. Prior to the approval of any agreement with the Department of Water and Power to pump and transport, at the applicant's expense, high nitrate groundwater from the Sunland-Tujunga area for purposes of golf course irrigation, a determination shall be made by the Regional Water Quality Control Board, based in part upon a recommendation from the CDFG, as to whether such an irrigation plan poses any adverse effects to either ground or surface water quality, or to biota. If such an agreement is approved by the Board of Water and Power Commissioners and the City Council, then the groundwater monitoring program required in Condition 28 above shall establish a maximum amount of additional chemical fertilizers which can be applied to the golf course in order to maintain healthy turf conditions.
30. Prior to obtaining any grading permits, a Covenant and Agreement shall be recorded stating that the exporting and/or importing of materials under this approval shall observe the following conditions:
  - a. All fill material brought to the site shall be clean; the hauling contractor shall certify for no residual toxic materials.
  - b. Hours of operations shall be from 7:00 a.m. to 5:00 p.m.
  - c. Days of the week shall be Monday through Saturday.
  - d. Trucks shall be restricted to 18-wheel dump trucks or smaller.
  - e. The Specialized Enforcement Unit of the Los Angeles Police Department, (213) 893-8124, and the East Valley District Office of the Department of Transportation, (818) 756-8441, shall be notified prior to the start of hauling.
  - f. Streets shall be cleaned of spilled materials at the termination of each work day.
  - g. The final approved haul route map and all the conditions of approval shall be available on the job site at all times.
  - h. A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the District Engineering Office. Further information regarding the bond may be obtained by calling (213) 312-8368.
  - i. The applicant or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

- j. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
  - k. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - l. All trucks are to be watered at the fill site to prevent excessive blowing dirt.
  - m. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
  - n. The applicant shall be in conformance with the State of California, Department of Transportation's policy regarding movements of reducible loads.
  - o. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling or earth shall be complied with.
  - p. "Truck Crossing" warning signs shall be placed 300 feet in advance of the truck entrance and exit in each direction.
  - q. One flag person(s) shall be required at the job and fill dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook".
  - r. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contracting the Street Use Inspection Division at 485-3711 before the change takes place.
  - s. The permittee shall notify the Street Use Inspection Division at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
31. Between 10:00 p.m. and 6:00 a.m. the operator shall instruct workers to not cause excessive noise from maintenance activities in the areas along the north and south sides of the site and to be held responsible for any late night noise activity audible at the surrounding residences.
32. There shall be no night lighting for the purpose of playing the golf course. All lighting at the club house parking area and maintenance facility shall be shielded and directed onto the site and no floodlighting shall shine directly onto any adjacent property. All lighting of the golf course shall be directed onto the site, and no floodlighting shall be located as to be seen directly by the adjacent residential areas. This condition shall not preclude a lighted practice green in the vicinity of the clubhouse or the installation of low level

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security lighting of the golf course.

33. The use of gas powered golf carts shall be prohibited on the golf course.
34. Any outdoor public address system shall be limited to the clubhouse and immediate area, and shall be designed by a qualified audio sound engineer with the following minimum specifications:
  - a. Use of low-pressure type speakers only, designed to have a maximum coverage area of approximately 400 square feet each; and
  - b. Distance between speakers shall not exceed 40 feet.
35. Prior to issuance of a Grading Permit, the applicant should present evidence of approval from the Los Angeles County Flood Control District with respect to adequate flood hazard protection and erosion control devices installation in the Tujunga Canyon and Haines Canyon Channels.
36. Prior to the issuance of any grading permits, suitable studies shall be made of storm drainage. Final design of flood control measures shall be approved by Los Angeles County Flood Control and the Los Angeles City Departments of Public Works and Building and Safety.
37. Prior to issuance of a grading permit, the applicant or the successor in interest shall demonstrate to the satisfaction of the City Planning Department by means of submitting a signed contract, that a staff archaeologist of the Center for Public Archaeology, California State University, Northridge, or a SOPA-qualified archaeologist, shall be employed to monitor all grading operations and shall be subject to the Code of Ethics of the Society for California Archaeology. Said archaeologist shall have knowledge of or be made familiar with the culture of the Gabrielino Tribe who may have frequented the property. Said archeologist shall have the authority to terminate grading operations and mark, collect and evaluate any archaeological materials discovered during construction. Said archeologist shall be provided a reasonable amount of time, but no more than one year, to prepare and implement additional mitigation measures.
38. Prior to the issuance of a grading permit, a Waiver of Damages and Indemnification Documentation shall be processed whereby the owner, lessee and their heirs and assigns acknowledge the flooding risks of the site and hold harmless the City and other governmental agencies from any damage claims that might arise due to flooding of the site. Said document shall include indemnifying the City against any liability to third parties resulting from flooding of offsite properties as a result of the design, development or operation of project improvements on the site, or other injuries or damages resulting from golf course use. In partial satisfaction of this indemnity requirement, the owner and lessee shall name the City as an additional insured on a policy of insurance in a sum no less than \$10,000,000 (Ten million Dollars), to be maintained



in perpetuity which policy shall also insure against damage to city owned property as a result of the design, alignment, development or operation of the Project. The document shall stipulate transfer of this Waiver and Hold Harmless provisions to future owners, lessees and their heirs and assigns. The City reserves the right at any time during the term of the conditional use permit, applying generally accepted risk management and inflationary index principals, to change the amount and type of insurance required hereunder upon giving the applicant ninety (90) days prior written notice. The document shall stipulate transfer of the Waiver and hold harmless provisions to future owners, lessees and their heirs and assigns. All current lienholders, at the time the Conditional Use Permit is approved, shall subordinate their liens to this Conditions 38. Such subordination shall be to the satisfaction of the City Attorney.

39. Prior to the issuance of a a Grading Permit, the applicant shall post a bond, in an amount satisfactory to the Department of Building and Safety, to ensure that, in the event grading for and construction of the golf course should commence but not be completed within five (5) years from the issuance of a valid Grading Permit, the property can be restored to the greatest extent feasible to pre-project conditions.
40. Prior to the issuance of a Grading Permit, the applicant shall provide the financial means, through bonding, insurance or other form satisfactory to the City Attorney and Department of Building and Safety, to ensure that should the golf course cease operation within 10 years of the issuance of a Certificate of Occupancy, the property can be restored to the greatest extent feasible to pre-project conditions.
41. All required bonds and insurance shall be obtained from a company qualified to do business in the State of California and with a rating of AAA.
42. All grading and construction activities shall be in compliance with specific requirements provided in a comprehensive geotechnical report prepared specifically for the proposed project, including provisions for excavation and the correction of potential geological hazards, approved by the Department of Building and Safety, City Engineer, and other responsible agencies.
43. Prior to issuance of any grading permits for the clubhouse area, the building and foundation design shall be subject to approval from the Department of Building and Safety for slope correction and stabilization.
44. Prior to commencement of grading, a qualified geotechnical engineer and engineering geologist shall be employed for the purpose of observing earthwork procedures and testing the fills for conformance to the requirements of the City Engineer, approved grading plans, applicable provisions of the Los Angeles Municipal Code, and the geotechnical report approved by the Department of Building and Safety. If, in the

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opinion of the engineering geologist, unsatisfactory conditions (i.e., questionable weather, excessive or oversize rock, or deleterious material, etc.) result in a quality of work substandard to that required under specifications of the geotechnical reports and Los Angeles Municipal Code, the engineering geologist shall be empowered to stop construction until conditions are rectified.

45. Prior to the issuance of any permits, the applicant shall obtain flood hazard approval from the City Engineer pursuant to the Flood Hazard Management Specific Plan, Ord. No. 163,913. Minimum requirements include:

- a. Use a minimum flow velocity of 13 fps to design all habitable structures, utilities and levees protecting homes and other structures.
- b. Elevate all non-residential facilities to at least the base flood depth of three (3) feet (per FIRM) plus one foot freeboard (total four (4) feet) above the highest adjacent grade, or together with attendant utility and sanitary facilities, be completely floodproofed to that level to meet the floodproofing standard specified in 44 CFR Sec. 60.3(c)(3)(ii) and required certification.
- c. Prepare a scour and deposition study and plan, utilizing the Army Corps HEC 6 or similar computer model.
- d. Submit a maintenance and inspection plan for all drainage and protective elements prior to the issuance of a building permit.
- e. Prepare an emergency preparedness/response/evacuation plan designed to protect life and property in the event of flash floods or other significant storms which might cause damage to the development.
- f. The project shall avoid aggravating existing hazards to properties located downstream from the property. If necessary, structural protection will be provided to the Foothill Boulevard bridges and the properties located south of the Foothill Freeway.

46. Prior to issuance of a Grading Permit, the applicant shall provide evidence from the U.S. Army Corps of Engineers (Corps) that grading activities shall not enter or interfere with areas that are under the jurisdiction of the Corps, and that appropriate measures have been established to:

- a. Allow Corps personnel to conduct compliance inspections to ensure construction activities do not occur within delineated waters of the U.S. The Corps shall notify the construction project manager or his representative at least 24 hours prior to arrival at the site.
- b. Clearly mark and identify all wetlands and waters to all

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construction personnel.

- c. Prevent construction equipment from impacting any waters of the U.S.
47. Prior to issuance of a Grading Permit, the applicant shall present a copy of a Streambed Alteration Agreement with the California Department of Fish and Game (CDFG) stating that all diversions, obstructions, and changes to the natural flow or bed, channel, or bank of any river or stream on site have been authorized by the CDFG, pursuant to Sections 1600 through 1603 of the State Fish and Game Code.
48. If required by state law, prior to the issuance of a Grading Permit the applicant shall present a copy of a California Endangered Species Act Memorandum of Understanding (CESA MOU) with the CDFG which adequately ensures protection of the identified occurrences of the slender-horned spinesflower over the life of the project, pursuant to Sections 2050 et seq. of the State Fish and Game Code.
49. Development and maintenance of the golf course shall be in accordance with a Golf Course Management Plan (GCMP), prepared by the applicant and approved by the Planning Department after consultation with California Department of Fish and Game and the California Regional Water Quality Control Board. The GCMP shall be substantially completed prior to issuance of a Grading Permit. The finalized GCMP shall be maintained at all times on site, and shall be available for public review during normal business hours. The GCMP shall include, but not necessarily be limited to, the following components:
- Component 1: Measures for early identification of site-specific conditions for the golf course design team. Measures could include participation by the golf course architect in flood control design, the golf course superintendent shall be required to have a degree in agronomy (or equivalent) and have training and licensing for the application of pesticides.
- Component 2: Project Integrated Pest Management Plan.
- Component 3: Definition of action thresholds for herbicide and pesticide application based on results of experimental test plots.
- Component 4: The monitoring program for golf course climate conditions, soil conditions, pest populations, and turfgrass quality.
- Component 5: Guidelines for water quality maintenance.
50. All graffiti on the site shall be removed or painted over within 24 hours of its occurrence.

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**ALCOHOLIC BEVERAGE SERVICE CONDITIONS OF APPROVAL**

51. The sale of alcoholic beverages for consumption off the premises is prohibited.
52. Alcoholic beverage service is approved for on-site consumption only in connection with that portion of the site developed with the golf course, and does not apply to the remaining, undeveloped portion of the site.
53. The maximum number of patrons in the clubhouse/restaurant/ bar/patio shall not exceed 300 at any one time.
54. Hours of operation for the golf course shall be limited to 5:00 a.m. to 11:00 p.m. Alcoholic beverage service at the clubhouse grill, lounge, and patio shall be limited to 10:00 a.m. to 11:00 p.m. Alcoholic beverage service from portable beverage stands on the golf course shall be limited to 10:00 a.m. to 7:00 p.m.
55. Live entertainment is permitted in connection with special events, but shall not be audible beyond the area under control of the licensee.
56. A maximum of three beverage carts may be in operation at any one time on the course.
57. Any exterior signage on the premises or interior signs designed for viewing primarily from the street, which advertise the sale of alcoholic beverages, shall be prohibited.
58. Amplified music is permitted, but shall not be audible beyond the subject premises.
59. As volunteered by the applicant, the sale of distilled spirits by the bottle is prohibited.
60. As volunteered by the applicant, video games are prohibited.
61. The owners, operators, managers and all employees serving alcohol to patrons shall enroll in and complete a certified training program for the responsible service of alcohol, which program is recognized by the State Department of Alcoholic Beverage Control. This training shall be completed by all new employees within four weeks of employment and shall be completed by all employees serving alcoholic beverages every 24 months.
62. A copy of these conditions of approval shall be retained on the premises at all times and shall be produced immediately upon the request of the Planning or Police Departments.
63. Applicant shall consult with California Department of Fish and Game and the Watermaster regarding access routes and location of test wells for groundwater monitoring, it being the intent of this condition to prevent

any damage to endangered species populations or native habitat. The test wells must be located so they can be accessed from trails or roadways. The wells shall not be located in the Spineflower preserve areas or in the native vegetated habitat areas.

64. Applicant shall maintain a 10 foot buffer free of pesticides between golf course turf and waters of the United States as delineated by the U.S. Army Corps of Engineers.
65. The property owner or its designee will be required to fund and ensure implementation of a brown-headed cowbird trapping program in perpetuity or until it is determined to be no longer necessary by the California Department of Fish and Game. The brown-headed cowbird trapping program will be submitted to the California Department of Fish and Game for review and approval at least three months prior to the grassing of the golf course as part of the notification of Streambed Alteration. The brown-headed cowbird trapping program will be initiated concurrent with the implementation of the grassing program.
66. During the life of the project, Applicant shall notify the City Department of Public Works in writing of any significant build-up of materials, silt or debris under or around the Foothill bridges that might cause the flow in the stream bed to back-up and cause damage to Applicant's property and/or project.

Prior to the issuance of a grading permit, Applicant and owner shall process a Waiver of Damages and Indemnification hold harmless the City, and all other governmental agencies, from any claim for damages the Applicant might have against the City, and all other governmental agencies, for damages to Applicant's, or owners', property as the result of the flow in the stream bed backing up because of the City's, or any other governmental agency's, failure to remove significant build-up of materials, silt or debris under or around the Foothill bridges. All current lien holders shall subordinate their liens to the Condition Number 66. Such subordination shall be to the satisfaction of the City Attorney.

This condition is not intended to relieve the City from responsibility, if indeed it is determined that the City is responsible, for clean-up under or around the Foothill bridges.

67. Prior to the issuance of a grading permit, the project shall demonstrate to the satisfaction of the City Engineer, and the Department of Building and Safety, that the design, placement, construction and operation of a golf course will not substantially increase the velocity, direction, quantity, or surface water elevation which passes under the Foothill Boulevard bridges, nor will it cause the water to back up and damage existing properties to the east, north or south of the project.

68. Monitoring of the four known locations of the slender-horned spine flower, as well as the entire project site, will be conducted in order

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to document the long-term success of this species within the on-site Preserve. Surveys for the spineflower will be conducted for a minimum of three days each spring during survey years, or of such duration as agreed to by the California Department of Fish and Game. Surveys will be conducted according to the following schedule:

- a. Each spring until construction is complete.
- b. Following completion of construction, surveys will be conducted each spring for five years, then at five year intervals for the life of the project.

The results of the surveys shall be submitted to the California Department of Fish and Game.

69. If acceptable to the owner of the Tujunga Ponds, prior to the issuance of a grading permit the Applicant shall conduct a water analysis of the Tujunga Ponds to determine pre-project water quality and quantity. Upon completion of grading of the golf course, the Applicant shall conduct a second round of water tests of the Tujunga Ponds to determine if the project grading has affected ground water quality or quantity. One year after the opening of the golf course, the Applicant shall conduct a third round of water quality/quantity tests, and shall conduct water quality/quantity tests every year for the next five years, at the Tujunga Ponds to determine if the water quality or quantity has changed from pre-project conditions. If any of the analyses show that there are detrimental changes in water quality or quantity from pre-project conditions that are caused by run-off from the golf course, then the Applicant shall immediately make modifications to the golf course management practices, shall correct any detrimental impacts to the water quality or quantity caused by the golf course and shall immediately mitigate and/or pay for clean up of any damage to the Tujunga Ponds caused by the golf course. The water analyses shall be submitted to the Watermaster, Department of Water and Power, and the California Regional Water Quality Control Board for review, determination and recommendation.

70. Applicant voluntarily agrees to contribute \$250,000.00, to be deposited into a special trust fund, a City dedicated account, within the Treasury of the City of Los Angeles, to be known as the "Foothill Boulevard Multipurpose Trail Fund", which shall be administered by the Bureau of Engineering, for the purpose of designing, acquiring right-of-way for, and constructing a multi-purpose/equestrian trail on Foothill Boulevard. The Trail shall connect to the trail on the northwest corner of the project site on Foothill Boulevard that Applicant is required to construct, and, shall proceed westerly to the intersection of Wheatland Avenue and Foothill Boulevard in Lake View Terrace. Council District 2 shall be the designated lead agency. The \$250,000.00 contribution shall be made in annual installments, guaranteed by a performance bond or other suitable instrument satisfactory to the Bureau of Engineering. The first installment shall

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be in the amount of \$100,000. and shall be paid prior to the issuance of a Certificate of Occupancy for the project. The remaining installments shall be in an amount no less than \$50,000 thereafter until paid in full.

71. The unimproved fire road that traverses through the 40 acres on the northern bluff shall be kept free and clear of any obstructions and shall permanently be kept open for emergency access and non-motorized access.
72. Applicant agrees that for a minimum of 7 hours a week residents shall be permitted to play the course at a 25% reduction in green fees (reduced fee) if they show proof that they reside within the following Zip Codes: 91040, 91042, 91342, and 91352. Applicant shall permit local residents to play at a reduced fee at least one day a week for a minimum of four hours, plus three additional hours per week at Applicant's discretion shall be available for local resident reduced fee play, it being understood that these times are not exclusive to local residents, but are on a "first come, first served" basis. The days and times per week may vary at Applicant's discretion and shall be posted at least thirty (30) days prior to the time of play at a location in or near the clubhouse in easy view of players. Once posted, such reduced fee times shall not be changed. This condition shall be subject to reasonable modification by the Director of Planning, or designee, with the approval of Council District 2, at Applicant's request.

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ORIGINAL CONDITION #71  
BEFORE REDACTION



be in the amount of \$100,000. and shall be paid prior to the issuance of a Certificate of Occupancy for the project. The remaining installments shall be in an amount no less than \$50,000 thereafter until paid in full

71. Prior to the issuance of a grading permit, the Applicant voluntarily agrees to dedicate 40 acres of the northerly slopes directly adjacent to the project to the Santa Monica Mountains Conservancy or other public agency to be maintained for open space and recreation. If, prior to the issuance of a grading permit, no public agency is willing to accept such dedication, the Applicant shall either dedicate a conservation easement to California Department of Fish and Game, or shall set aside these 40 acres as an Open Space and Wildlife Habitat Preserve to which the public shall have access. Property shall be maintained free and clear of all trash and debris. The unimproved fire road that traverses through the 40 acres on the bluff shall be kept free and clear of any obstructions and shall permanently be kept open for emergency access and non-motorized access. Development of any kind is prohibited for the life of the project.
72. Applicant agrees that for a minimum of 7 hours a week residents shall be permitted to play the course at a 25% reduction in green fees (reduced fee) if they show proof that they reside within the following Zip Codes: 91040, 91042, 91342, and 91352. Applicant shall permit local residents to play at a reduced fee at least one day a week for a minimum of four hours, plus three additional hours per week at Applicant's discretion shall be available for local resident reduced fee play, it being understood that these times are not exclusive to local residents, but are on a 'first come, first served' basis. The days and times per week may vary at Applicant's discretion and shall be posted at least thirty (30) days prior to the time of play at a location in or near the clubhouse in easy view of players. Once posted, such reduced fee times shall not be changed. This condition shall be subject to reasonable modification by the Director of Planning, or designee, with the approval of Council District 2, at Applicant's request.



## MODIFIED CONDITIONS

FILE NO. 05-1333  
CPC 96-0243 CU PA1

**ENCLOSURE 2  
FOLLOWS THIS SHEET**

