

ORDINANCE NO. 177701

An ordinance authorizing the execution of the Development Agreement by and between the City of Los Angeles and Whitebird, Inc., doing business in California as California Whitebird, Inc., relating to real property in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan area located at 7000-8000 La Tuna Canyon Road.

WHEREAS, the City of Los Angeles has granted and approved certain entitlements with respect to the "Canyon Hills" project, which consists of the development of 221 single-family detached homes, together with recreational amenities (the "Project");

WHEREAS, the City Planning Commission on February 24, 2005, approved and recommended that the City Council approve the Development Agreement attached to Council File No. 05-1388-S1, by and between the City of Los Angeles and Whitebird, Inc., a Nevada corporation, doing business in California as California Whitebird, Inc. (the "Development Agreement"), which development agreement is hereby incorporated by reference and incorporated into the provisions of this ordinance; and

WHEREAS, after due notice the City Planning Commission and the City Council did conduct public hearings on this matter; and

WHEREAS, pursuant to California Government Code Sections 65864 et seq., the City Planning Commission has transmitted its findings and recommendations; and

WHEREAS, the Development Agreement is in the public interest and is consistent with the City's General Plan, including the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan (the "Community Plan"), and the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan adopted by the City Council on December 19, 2003 pursuant to Ordinance No. 175,736 (the "Specific Plan"); and

WHEREAS, the City Council has reviewed and considered the Development Agreement and the findings and recommendations of the City Planning Commission in connection therewith.

NOW THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The City Council finds with respect to the Development Agreement that:

The Development Agreement is consistent with the City's General Plan and with the objectives, policies and programs specified in the Community Plan, a portion of the City's General Plan. Specifically, the Development Agreement encourages construction of the Project, which will, among other things, (i) preserve existing views of hillside and mountainous areas by preserving a significant portion of the project site as open space and conforming to all of the scenic corridor and ridgeline protection requirements in the Specific Plan, (ii) promote greater individual choice in type, quality and location of housing, (iii) minimize grading to reduce the effects on environmentally sensitive areas, (iv) protect existing single-family equestrian oriented neighborhoods and horsekeeping districts from encroachment by higher-density residential development, (v) encourage the retention of passive and visual open space to provide a balance to the urban development in the Sunland-Tujunga community and (vi) preserve as much of the remaining undeveloped hillside land on the project site as feasible for open space and recreational uses, each of which are explicitly stated policies in the Community Plan;

The Development Agreement is consistent with the requirements and restrictions in the Specific Plan. Specifically, the Development Agreement encourages the construction of the Project and (i) none of the project homes will be located in whole or in part in a designated "Prominent Ridgeline Protection Area", (ii) the highest point of the roof, structural or parapet wall of each project home will be at least 25 vertical feet from any designated "Prominent Ridgeline" in the Specific Plan, (iii) none of the project homes on the portion of the project site north of Interstate 210 will be constructed in a manner that silhouettes any homes against the skyline above the Verdugo Crestline Prominent Ridgeline when viewed from any designated Scenic Highway to the north of the project site, (iv) no grading or berming shall occur with respect to the Project that will alter the elevation of the crest of any designated Prominent Ridgeline in the Specific Plan, (v) no removal of native vegetation would occur within any designated Prominent Ridgeline Protection Area in connection with the Project, except as permitted in Section

