

Información en Español acerca de esta junta puede ser obtenida llamando al (213) 978-1300

**NORTH VALLEY AREA PLANNING COMMISSION
REGULAR MEETING
THURSDAY, OCTOBER 6, 2016, 4:30 P.M.
MARVIN BRAUDE CONSTITUENT SERVICE CENTER
6262 VAN NUYS BOULEVARD, FIRST FLOOR
VAN NUYS, CA 91401**

CORRECTED

Oshin Harootonian, President
Nora Cadena, Vice President
Aura Garcia, Commissioner
Eric Nam, Commissioner
Victor Sampson, Commissioner

Renee Glasco, Commission Executive Assistant
(213) 978-1300

EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AT THE MEETING AND SUBMIT IT TO THE COMMISSION EXECUTIVE ASSISTANT.

POLICY FOR DESIGNATED PUBLIC HEARING ITEM NO. 4.

Pursuant to the Commission's general operating procedures, the Commission at times must necessarily limit the speaking times of those presenting testimony on either side of an issue that is designated as a public hearing item. In all instances, however, equal time is allowed for presentation of pros and cons of matters to be acted upon. All requests to address the Commission on public hearing items must be submitted prior to the Commission's consideration on the item. TIME SEGMENTS noted herein are approximate. Some items may be delayed due to length of discussion of previous items.

To ensure that the Commission has ample opportunity to review written materials, members of the public who wish to submit written materials on agendized items should submit them to the Commission office, 200 North Spring Street, Room 532, Los Angeles, CA 90012, at least 10 days prior to the meeting at which the item is to be heard in order to meet the mailing deadline. *Note: Materials received after the mailing deadline will be placed in the official case file.*

Day of hearing submissions (10 copies must be provided) are limited to 2 pages plus accompanying photographs, posters, and PowerPoint presentations of 5 minutes or less.

The Commission may RECONSIDER and alter its action taken on items listed herein at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case.

AGENDAS are posted for public review in the Main Street lobby of City Hall East, 200 N. Main Street, Los Angeles, California, and are accessible through the internet World Wide Web at <http://planning.lacity.org>.

In the case of a Commission meeting cancellation, all items shall be continued to the next regular meeting date or beyond, as long as the continuance is within the legal time limits of the case or cases.

If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

GLOSSARY OF ENVIRONMENTAL TERMS:

CEQA – California Environmental Quality Act
EIR – Environmental Impact Report

ND – Negative Declaration
MND – Mitigated Negative Declaration
CE – Categorical Exemption

1. **DEPARTMENTAL REPORT**

A. Items of interest

2. **COMMISSION BUSINESS**

A. Advance Calendar

B. Commission Requests

C. Minutes of Meeting – August 18, 2016

3. **NEIGHBORHOOD COUNCIL PARTICIPATION**

Presentation By Neighborhood Council Representatives On Any Neighborhood Council Resolution, Or Community Impact Statement Filed With The City Clerk, Which Relates To Any Agenda Item Listed Or Being Considered On This Agenda.

4. **DIR-2013-2972-SPP-1A**

CEQA: ENV-2013-2971-CE

Plan Area: Sunland – Tujunga –
Lake View Terrace – Shadow Hills –
East La Tuna Canyon

Council District: 7 - Fuentes

Location: 9965-9967 Foothill Boulevard

Expiration Date: N/A

Appeal Status: Not Further Appealable
under Los Angeles Municipal Code

PUBLIC HEARING

Proposed Project:

A Project Permit Compliance Review (SPP) for the installation of 2.3-foot high structures to support 3,500 solar photovoltaic (PV) cells of 370 watts each, producing 1.50 MW (AC) of electricity on an approximately 112,202 square-foot lot zoned RE40-1-K and RA-1-K. The subject site is located in a K-District and is located on Foothill Boulevard, a designated scenic highway. (The aforementioned description was provided by the project applicant and does not accurately reflect the true extent of the project, which entails the installation and operation of 3,500 solar photovoltaic cells and other equipment for commercial purposes.)

Requested Actions:

This item involves the presentation of, and request for action consistent with, a court issued Writ in *PLH LLC et al. v. City of Los Angeles et al.*, Los Angeles Superior Case no BS150929. The Writ commands the North Valley Area Planning Commission (NV APC) to set aside its determination dated June 3, 2014, overturning the Director's approval of a Project Permit Compliance Review., and issue a decision consistent with the court's ruling.

APPLICANT: PLH LLC, Michael Melone

APPELLANT: Lyles Perkins

Recommended Actions:

1. **Set Aside** the North Valley Area Planning Commission Determination dated June 3, 2014 overturning the Director's approval of a Project Permit Compliance Review.
2. **Grant** the appeal and **overturn** the determination of the Director of Planning in approving a Project Permit Compliance Review without prejudice.
3. **Adopt** the attached Findings.
4. **Find** that Categorical Exemption No. ENV-2013-2972-CE is **not** the adequate environmental clearance for the project as recommended by City staff.

Staff: Rocky Wiles (213) 202-5401

5. PUBLIC COMMENT PERIOD

The Area Planning Commission shall provide an opportunity in open meetings for the public to address it, on items of interest to the public that are within the subject matter jurisdiction of the Area Planning Commission. (This requirement is in addition to any other hearing required or imposed by law.) Persons making requests are encouraged to do so in writing and should submit 10 copies to the Area Planning Commission for its consideration.

Persons wishing to speak must submit a speaker's request form prior to the commencement of the public comment period. Individual testimony within the public comment period shall be limited to five (5) minutes per person and up to ten (10) minutes per subject.

The next regular meeting of the North Valley Area Planning Commission will be held at **4:30 p.m. on Thursday, October 20, 2016** at the
Marvin Braude Constituent Service Center
6262 Van Nuys Boulevard
Van Nuys, CA 91401

An Equal Employment Opportunity/Affirmative Action Employer

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate. The meeting facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than seven (7) working days prior to the meeting by calling the Planning Commission Office at (213) 978-1300 or by e-mail at APCnorthvalley@lacity.org.