



# SOUTH VALLEY AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300  
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## DETERMINATION OF THE SOUTH VALLEY AREA PLANNING COMMISSION

Mailing Date: **MAY 31 2006**

CITY COUNCIL  
Room 395, City Hall

**CASE NO. APCNV 2005-7699-ZC**  
CEQA: ENV-2005-7459-MND  
Location: 14402 & 14406 W. Hamlin Street  
Council District: 6  
Plan Area: Van Nuys-North Sherman Oaks  
Zone: [Q]C1-1VL-CDO  
District Map: 180 B 149

Applicant: Daniel Renner, Shield & Turner, LLP

**At its meeting on April 27, 2006, the following action was taken by the South Valley Area Planning Commission:**

1. **Approved** the (T)(Q)RAS4-1VL-CDO zone, pursuant to Section 1232 of the Municipal Code, and **recommended that the City Council adopt the ordinance** to effect the change of zone, subject to the attached conditions of approval.
2. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative or "Q" Qualified classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and, that the (T) Tentative classification be removed in the manner indicated on the attached page.
3. **Adopted** ENV No. 2005-7459 MND.
4. **Adopted** the attached Findings.
5. **Advised** the applicant that pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
6. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Choi  
Seconded: Patano  
Ayes: Hudnut, Murley, Iwata

**VOTE: 5-0**

Fely C. Pingol, Commission Executive Assistant  
South Valley Area Planning Commission

**Appeals:** If the Commission has disapproved the *Zone Change* request, in whole or in part, the applicant may appeal that disapproval to the Council within 20 days after the mailing date of this determination. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachment: (T) Conditions, Zone Change Ordinance, Zone Change Map, (Q) Conditions, Zone Change Signature Sheet, Findings

**CONDITIONS FOR EFFECTUATING TENTATIVE  
(T) CLASSIFICATION REMOVAL**

Pursuant to LAMC Section 12.32 G, the (T) Tentative classification shall be removed by recordation of a final tract map or by posting guarantees satisfactory to the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Planning Department for attachment to the subject City Plan Case.

1. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), the following:
  - A. Responsibilities/Guarantees.
    1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
    2. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
2. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
3. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.
4. Construction of tree wells and planting of street trees and parkway landscaping to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.
5. Preparation of a parking area and driveway plan to the satisfaction of the appropriate Valley District Office of the Bureau of Engineering and the Department of Transportation. A parking area and driveway plan shall be prepared for approval by the appropriate district office of the Bureau of Engineering and the Department of Transportation. The driveway, parking and loading area(s) shall be developed substantially in conformance with the Site Plan, dated **April 27, 2006**, and labeled **E-3** of the administrative file as to their location and access, but may be modified in order to comply with provisions and conditions of the subject Department of Transportation authorization. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.
6. Installation of street lights to the satisfaction of the Bureau of Street Lighting.

14402 & 14406 W. Hamlin Street

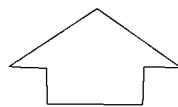
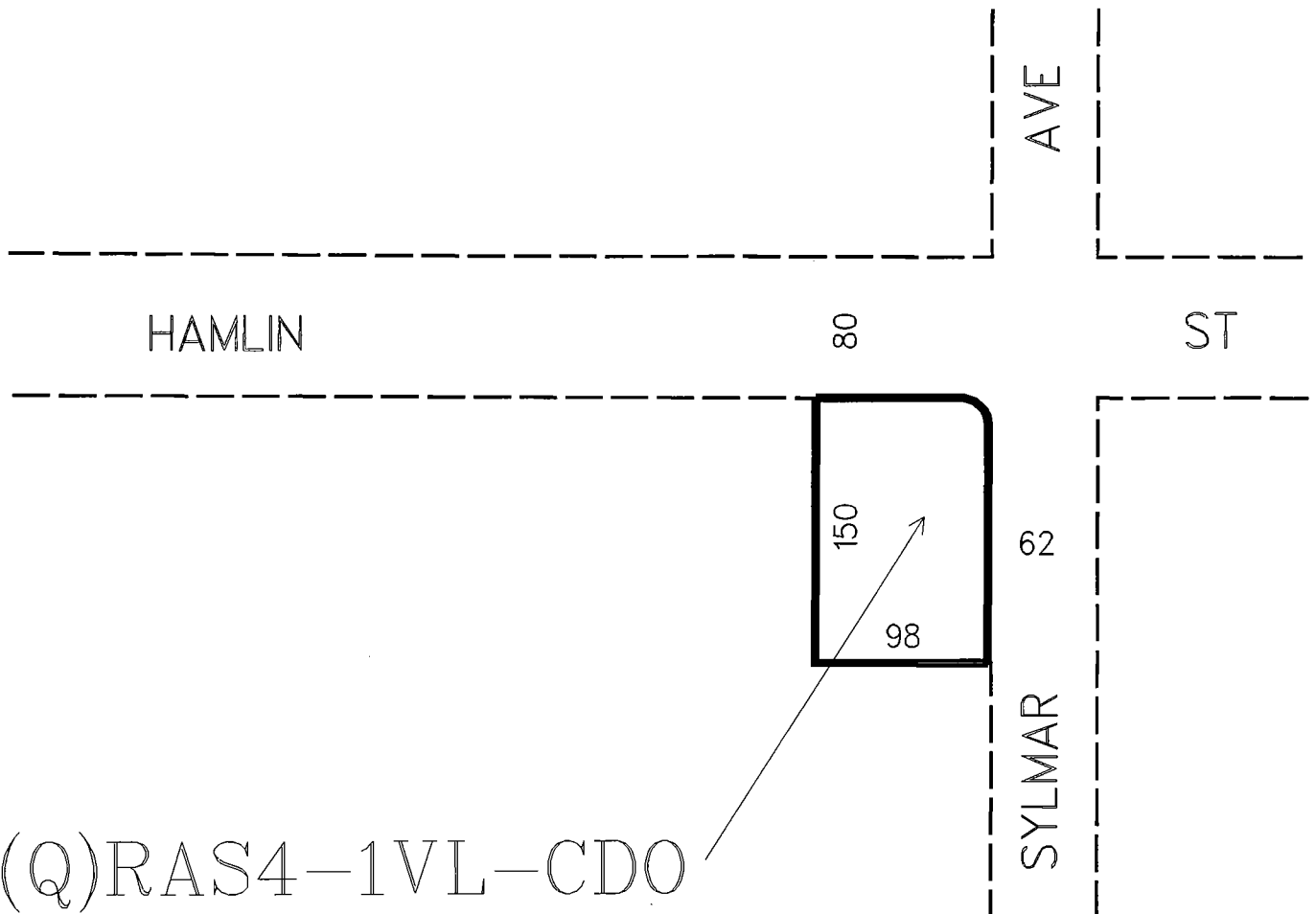
7. That street lighting modifications be required at an intersection if there are improvements by the Department of Transportation (also for off-site improvements).
8. Preparation of a plot plan to the satisfaction of the Fire Department.
9. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.
10. Police Department: Preparation of a plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting, information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.
11. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.
12. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
13. 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 by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, 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 must be given to the City Planning Department for attachment to the subject file.
14. Recreation and Parks Dedication. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Section .12.04 of the Los Angeles Municipal Code by amending the zoning map.

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

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



NOT TO SCALE

C.M. 180 B 149	APCSV 2005-7699 ZC
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**(Q) CONDITIONS OF APPROVAL**

1. **Use.** The property shall be limited to uses permitted by the RAS4 Zone.
2. **Density.** As volunteered by the applicant, the project shall comply with all provisions of the RAS4 zone, with a maximum of 27 dwelling units.
3. **Plan:** A new site plan, floor plans, and elevations with substantial compliance to the provisions of the Q Conditions herein shall be submitted to the satisfaction of the Department of City Planning. The site plan shall generally conform to the plans marked Exhibit "E-3", dated **April 27, 2006**.
4. **Parking:** As volunteered by the applicant, the project shall provide 2 parking spaces per unit and 1/4 guest parking space per unit.
5. **Parking (Residential):** The applicant shall comply with the following:
  - a. Tandem parking may be used only for the spaces which are assigned and designated for a single residential unit.
  - b. Guest parking signs shall be clearly posted at building entrances. The signs shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Planning Department and shall indicate the number of reserved guest parking spaces.
  - c. If any guest parking is located behind security gates, the following shall be apply:
    1. A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
    2. An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served by the secured guest parking.
    3. The security gate shall be set back at least 20 feet from the public right-of-way so as to provide a waiting are for guest vehicles and to prohibit blockage or interference with the public right-of way by waiting guest vehicles.
    4. Alternatives to the provisions of this condition may be approved by the Planning Department provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.
6. **Height:** The project shall not exceed **50**-feet in height.
7. **Additional Q conditions:** The following ordinances are incorporated herein by this reference.
  - a. Ordinance Nos. 174,421 and 176,313, CPC 2001-2362-CDO-ZC-MSD and CPC 2003-8402-CDO-ZC (Van Nuys Central Business District (CBD) Community Design Overlay District (CDO) and zone changes.)

14402 & 14406 W. Hamlin Street

**8. Pedestrian Safety.**

- a. The developer shall guarantee the maintenance of safe and convenient pedestrian and bus access utilizing these routes during the construction period. A flag person shall be required at each job site entrance to assist the truck access to and from the project site. Flag persons and warning signs shall be in compliance with Part II of the 1985 Edition of the "Work Area Traffic Control Handbook."
- b. Where applicable, school pedestrian routes if identified by the Los Angeles Unified School District for District schools in the vicinity of the proposed project site shall be maintained by the applicant/developer in a safe and convenient condition. The developer shall coordinate scheduling with the Los Angeles Unified School District to provide sufficient notice to forewarn children and parents when currently existing school pedestrian routes will be impacted by project construction activities. Adequate pedestrian routes shall be maintained along at least one side of all roadways. If it is necessary to close a sidewalk, adequate warning and guide signs shall be provided to direct pedestrians along a detour route. The signage and any other traffic controls will conform to the City of Los Angeles Department of Transportation requirements, both for regulating pedestrians and for warning and regulating motorists.

9. **Aesthetics (Graffiti):** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91,8104.15.
10. **Air Pollution (Stationary):** The applicant shall install air filtration system capable of removing 99.97% of all airborne contaminants at 0.3 microns in order to reduce the effects of diminished air quality on the occupants of the project.

**Environmental**

11. **Aesthetics (Landscaping):** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
12. **Aesthetics (Light):** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
13. **Seismic.** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
14. **Erosion/Grading/Short-Term Construction Impacts:**

**Air Quality**

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.



14402 & 14406 W. Hamlin Street

- b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- e. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

#### Noise

- g. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- h. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- i. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
- j. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- k. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

#### General Construction

- l. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- m. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- n. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- o. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- p. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- q. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- r. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

15. **Liquifaction:** The applicant shall comply with the following:

- a. The project shall comply with the Uniform Building Code Chapter 18, Division 1 Section 1804.5 Liquifaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquifaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.
- b. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements of any combination of these measures.

16. **Stormwater Pollution Control: (10+ Home Subdivision)**

- a. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- b. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- c. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- d. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- e. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- f. Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- g. Promote natural vegetation by using parking islands and other landscaped areas.
- h. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- i. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

17. **Increased Noise Levels (Parking Structure Ramps):** The applicant shall comply with the following:

- a. Concrete, not metal, shall be used for construction of parking ramps.
- b. The interior ramps shall be textured to prevent tire squeal at turning areas.

14402 & 14406 W. Hamlin Street

18. **Recreation (Increase Demand For Parks Or Recreational Facilities):** Per Section 17.12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.
19. **Inadequate Emergency Access:** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
20. **Utilities (Solid Waste):** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

**Administrative:**

21. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
22. **Code Compliance.** Area, height and use regulations of the RAS4 zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
23. **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 assign. 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 for attachment to the file.
24. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
25. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
26. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

Sec. \_\_. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the Main Street Entrance to Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

FRANK T. MARTINEZ, City Clerk

By \_\_\_\_\_  
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

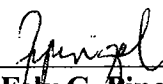
Approved as to Form and Legality

\_\_\_\_\_  
ROCKARD J. DELGADILLO, City Attorney

**Pursuant to Section 558 of the City Charter, the South Valley Area Planning Commission on April 27, 2006, recommended that this ordinance be adopted by the City Council.**

By \_\_\_\_\_

\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
**Fely C. Pingol**  
**Commission Executive Assistant**

File No.

## FINDINGS

1. **General Plan Land Use Designation.** The subject property is located within the area covered by the Van Nuys-North Sherman Oaks Community Plan, updated and adopted by the City Council on September 9, 1998. The Plan designates the subject property as General Commercial with corresponding zones of C1.5, C2, C4, RAS3, and RAS4. The zone change request to the RAS4 zone IS CONSISTENT with the land use designation on the plan map and IS in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted community plan.
2. **General Plan Text.** The Van Nuys-North Sherman Oaks Community Plan text includes the following relevant land use goals, objectives, policies and programs:

Goal 1. A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

- a. Objective 1-2: To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

Policy 1-2.1 Locate higher residential densities near commercial centers, light rail transit stations, and major bus routes where public service facilities and utilities will accommodate this development.

Program: The plan concentrates most of the higher residential densities near transit corridors.

- b. Objective 1-5: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.

Program: The Plan promotes greater individual choice through its establishment of residential design standards and its allocation of lands for a variety of residential densities.

The project will meet the above goal and objective of the Van Nuys-North Sherman Oaks Community Plan by providing much needed housing. The Van Nuys Central Business District is a commercial center which is located along major bus routes along both Van Nuys and Victory Boulevards. The proposed 27-unit housing project is in conformance with the development standards of the RAS4 zone. In the current housing market where a number of housing products are available, a High Density housing development of an attached design will provide a diversified housing stock for the City's growing population. The applicant's representative, in his letter dated April 27, 2006, has volunteered a number of development conditions including "Q" Condition Numbers 2 and 4 that restrict the density and parking requirements. Other conditions were volunteered to be included and implemented within the Covenant, Conditions, and Restrictions of the future homeowners association of the subject project. These conditions include the following:

14402 & 14406 W. Hamlin Street

1. *The subject property is designated a "Senior Citizen housing development" as defined by California Civil Code Section 51.11 (b)(4).*
  2. *The applicant may remove the "Senior housing development" classification for development as non-restricted multiple family housing, however, in the event the project is not developed as senior housing, the maximum density shall be that which is first permitted in the RAS3-1 zone.*
  3. *The applicant shall include the following in the CC& R's: All units in this project shall be used as single family residences for senior citizens as defined in the California Civil Code Section 51.11 and for no other purposes whatsoever. At least one (1) person must be aged 55 years or older shall reside in each unit pursuant to Section 51.11 et seq. No person under the age of eighteen (18) shall permanently reside in a unit.*
3. **Zone Change, L.A.M.C. Sec. 12.32.F:** The recommended zone change is in conformance with the public necessity, convenience, general welfare or good zoning practice in that:
- The recommended zone change from [Q]C1-1VL-CDO to (T)(Q)RAS4-1VL-CDO will permit a development which, as conditioned will be consistent with the potential density within the properties designated for General Commercial. The action, as recommended, has been made contingent upon compliance with the "(T)" and "(Q)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.
4. **Environmental.** For the reasons set forth in Mitigated Negative Declaration No. 2005-7459, the project will not have an effect on the environment.
  5. The **Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.
  6. **Fish and Game.** The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.
  7. Based upon the above findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.