MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)
MEETING OF APRIL 21, 2008
(Approved as amended by ERB on July 21, 2008)

PERSONS IN ATTENDANCE:

ERB MEMBERS	**REGIONAL PLANNING STAFF**
Suzanne Goode (not present)	Gina Natoli (ERB alternative)
Dr. Noel Davis (not present)	Jeffrey Juarez (ERB alternative)
John Todd, Chief, Forestry	Rudy Silvas (ERB coordinator)
Richard Ibarra	Anthony Curzi (ERB asst. coordinator)
Margot Griswold, Ph.D. (not present)	
Dr. Travis Longcore (not present)	Tyler Montgomery (DRP staff member)
Rosi Dagit (present for items 1-4)	
David Magney	

Plot Plan RPPT 200800121

Don Schmitz (310) 589-0773

Plot Plan RPPT 200800190

Will Wild (310) 804-7323

ROAKT 200600077

Tanis Paul (310) 456-0050
Elaine Culotto (310) 820-0110
Robin Hayne (310) 456-0050

ERB MINUTES
APRIL 21, 2008

AGENDA ITEMS

1. ERB member David Magney made a motion to approve and adopt the ERB minutes of February 25, 2008 as amended. Additional three ERB members present concur, and additional ERB alternative member concur. Minutes are approved and adopted.

OLD BUSINESS

2. None

NEW BUSINESS

3. **Plot Plan RPPT 200800121 –** See ERB Minutes, Page 2.
4. **Plot Plan RPPT 200800190** – See ERB Minutes, Page 5.
5. **Oak Tree Permit ROAKT 200600077** – See ERB Minutes, Page 8.

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NOTE: ERB MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED AS VOLUNTEERS TO SERVE IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. MEETINGS ARE ALSO RECORDED ON TAPE WHICH IS USED PRIMARILY AS A BACK-UP FOR STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE MEETING. NEW OR CLARIFIED INFORMATION PRESENTED IN BIOTA REVISIONS MAY RAISE NEW ISSUES AND REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE FOLLOWING MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

ENVIRONMENTAL REVIEW BOARD

Case No. Plot Plan RPPT 200800121

Location: Mar Vista Ridge Road, Malibu

Applicant: Don Schmitz and Associates

Request A proposed new pre-manufactured one story residence with 2,575 square feet of floor area, and a 3,314 square foot subterranean garage and shop. A swimming pool and spa are also proposed. The proposed driveway will have a hammerhead turnaround for Fire Department/emergency service vehicles. Driveway access will be from Mar Vista Ridge Road. The proposed development will be located north of the intersection of Mar Vista Ridge Road and Borna Drive *(private roads)*. Grading is proposed, and a preliminary fuel modification plan has been submitted. This site is identified by Los Angeles County Assessor's Parcel Number 4461-040-002, located within a Significant Watershed Residential Area of the Sensitive Environmental Resources Overlay Zones area of the Local Coastal Program.

Resource Category Significant Watershed Residential Area

Note: Oak tree on site.

ERB Meeting Date: April 21, 2008

ERB Evaluation: ___ Consistent X Consistent after Modifications
___ Inconsistent

ERB Comments and Recommendations:

- Applicant opens by stating a correction that project will require grading, approximately 2,000 cubic yards to be handled, had previously indicated no grading. Applicant also states no oaks to be impacted, had previously indicated no oaks on site, later confirmed by ERB member through site visit that there is an oak on site. Applicant states that project is not located adjacent to Malibu Creek State Park, as indicated by ERB coordinator on agenda for ERB meeting. ERB coordinator concurs, project is south of Santa Monica Mountains National Recreation Area, land that is maintained and controlled by the National Park Service, but not abutting to it.
- ERB questions why is Latigo Canyon Road labeled as a private road on plans? Applicant responds and specifies that it is actually Mar Vista Ridge Road, states that County Assessor and Public Works House Number Maps have added to confusion of the road's designation to service the property.
- ERB confirms with applicant that a septic system will be proposed, previous information received from applicant indicated no such system.
- ERB questions applicant about trails in the vicinity, asks if there is another trail off Latigo Canyon, or up off Corral Canyon? The applicant

responds that the only trails in the vicinity are the Backbone Trail from the top of Corral Canyon, and the Malibu Solstice Canyon Trail. The Backbone Trail drops down and connects to the Solstice Canyon Trail.

- ERB comments that it likes the step down design, but is concerned about the height of the proposed structure and would like to have it stepped down further to keep the project from being obvious at the top of the ridgeline. ERB recommends a lower grade elevation on the pad to accomplish this. Applicant responds that it is difficult to do this and that pad is already situated below the level of the existing road, and will be twenty feet lower than the level of the pad for the existing residence to the south.

- ERB questions the proposed retaining wall for the project. Applicant responds that it will be utilized for the circular driveway proposed, and to provide access to the subterranean garage.

- ERB questions if the proposed circular driveway encroaches into the Mar Vista Ridge Road right of way. Applicant responds that the road was graded by the County in 1931, and that based on the applicant's research and findings, no encroachment will occur. The circular driveway is included in the project's 10,000 square foot pad area.

- Per ERB, bathroom in garage/shop area proposed must not have a tub or shower. Applicant acknowledges and will comply.

- ERB expresses concern about the project's proposed fuel modification plan, indicates that it steps up from the pool area to the road above. ERB is concerned about potential impacts to the significant ridgeline and questions the possibility for the project to be moved back further away from the ridgeline. The applicant responds that the fuel mod zone only extends from the habitable areas around the structure, and that it is not possible to push the project construction site any further west. ERB clarifies that the fuel modification zone begins at the edge of all points of the structure, including the concrete terrace proposed, not just those points of the structure that are habitable. ERB reiterates that it would like to minimize any development upon the ridgeline area and recommends the project be moved back away from it.

- ERB questions the applicant about the use of cistern tanks under the driveway. The applicant confirms that they will be implemented and that they are shown on a separate set of plans. ERB recommends that in the future all features, including cisterns, be clearly indicated on one set of plans.

- ERB questions and comments about the applicant's use of California Alder in the landscape plan. ERB comments that these trees use too much water. Also questionable is the use of Western Redbud. Per ERB, plant multi-stemmed Toyon and have it maintained and kept clean. Also per ERB, plant Ceanothus cultivars for desired screening. Applicant responds that the northeast section of the site is very windy. For this area, per ERB, plant multi-stemmed Toyon. ERB recommends that the applicant visit Matilija nursery for the selection of plants for the project.

- Per ERB, for drainage and runoff control from the site the applicant shall utilize a cistern to capture and store the first ¾" of stormwater runoff for irrigation and firefighting purposes. Applicant advised to go to www.oasisdesign.net for cistern systems available. Placement of a cistern below the proposed driveway will require that the driveway be permeable.
- ERB advises against the use of too much water on site, which will lead to problems by attracting Argentine Ants which will damage the existing eco-system on site, destroying the food chain for other animals/reptiles such as the horned lizard.
- Per ERB, use earth tone colors of the surrounding area for structures proposed.
- Per ERB, perimeter fencing shall not be constructed, but security fencing around the immediate area of the house is acceptable.
- Exterior lighting shall be directed downward, of low intensity (light fixtures not exceeding 800 lumens), at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; outdoor security lighting, if any is used, shall be on an infrared detector.

Staff Recommendation: ___ Consistent _X_ Consistent after Modifications
___ Inconsistent

Suggested Modifications: - Implement all ERB requirements and recommendations indicated above.

ENVIRONMENTAL REVIEW BOARD

Case No. Plot Plan RPPT 200800190

Location: Tuna Canyon Road, Malibu

Applicant: Caballero Ranch, LLC

Request: A proposed new multi-level three story residence and detached garage, with guest house below garage, and a lap pool. Retaining walls and concrete swales are proposed around the residential pad perimeter. Grading is proposed. A Preliminary Landscape/Fuel Modification Plan has also been submitted for review. This site is located on Tuna Canyon Road, identified by Los Angeles County Assessor's Parcel Number 4448-018-018, within an Oak Woodlands and Savannahs Area, and Environmentally Sensitive Habitat Area (ESHA), of the Sensitive Environmental Resources Overlay Zones area of the Local Coastal Program.

Resource Category Oak Woodland and Savannah, ESHA

Note: ESHA located along southern boundary of site.

ERB Meeting Date: April 21, 2008

ERB Evaluation: ___ Consistent ___ Consistent after Modifications
_X_ Inconsistent

ERB Comments and Recommendations:

- ERB comments on encroachments into the protective zone of oak trees on site, states that the applicant is in violation of the oak tree protective ordinance. Grading has occurred within protected zone. Per ERB, an oak tree permit will be required.
- ERB states that the corner of one structure, the lap pool, is only 50 feet from the ESHA. ERB states that setback requirements from an ESHA are 200 feet for structures and 50 feet for septic systems. ERB also comments on the proposed driveway access and states that it cannot enter over a designated ESHA. Per ERB, applicant must clearly delineate on all plans the location of the ESHA.
- ERB comments on the fuel modification plan. The fuel modification plan submitted by the applicant is difficult for determining the fuel modification zones. Per ERB, ensure that the fuel modification zones are established with Zone A at 20 feet out from the proposed structure, Zone B at 30 feet beyond Zone A, and Zone C at 150 feet beyond Zone C. This fuel modification plan also reduces required irrigation. Per ERB, keep the fuel modification zone out and off of the neighboring properties, and retain as much native vegetation as possible on site.
- ERB also comments on the proposed location of the structure on the slope as a bad location due to fire hazard. Applicant responds that the

proposed structure will be constructed utilizing concrete, little or no wood. ERB comments that the wooden trellis, one on each side of the proposed residence, are a potential fire hazard and should be removed.

- Per ERB, the applicant must submit a planting/landscaping plan; applicant is advised to find a good landscape architect; do not put any oak trees on plans next to proposed residence; oak tree report required for oak tree permit and must be prepared by an arborist.

- ERB comments on grading plan. Per ERB, applicant shall show existing and proposed grade/topography; height of all retaining walls shall be indicated in cross sections on plans; grading plan should show drainage plan as well. ERB comments that the grading plan presented indicates a large amount of grading for the proposed access driveway.

- Per ERB, plans should clearly show what the applicant intends to do. Plans should be self explanatory.

- Per ERB, the proposed guest quarters shall not have a kitchen; the maximum size permitted on floor area is 750 square feet.

- Applicant questions whether access to the proposed residence can be cut in directly from the street. ERB recommends access be taken from the neighboring property, although grading still required for access driveway, less grading will be required overall.

- ERB comments that Tuna Canyon Road is a scenic route and that the proposed project must blend in with the hillside. Applicant responds that the proposed residence will have the color of sandstone, including the concrete. Applicant will try and have the project redesigned to something more fluid and round rather than rectangular. Per ERB, the applicant should not use reflective glass for the proposed project. ERB also comments that the project uses too much concrete and that the size of the proposed garage should be reduced. ERB recommends that proposed lap pool be redesigned as a rooftop pool.

- ERB advises against the use of plants that consume too much water, which will lead to problems by attracting Argentine Ants which will damage the existing eco-system on site, destroying the food chain for other animals/reptiles such as the horned lizard.

-For drainage and runoff control from the site, ERB recommended the use of a cistern to capture and store the first ¾" of stormwater runoff for irrigation and firefighting purposes. Applicant advised to go to www.oasisdesign.net for cistern systems available. Placement of a cistern below the proposed driveway will require that the driveway be permeable.

- ERB advises applicant to check the location of proposed septic system, that it be compatible with the site's resources and relation to structures.

- Per ERB, the applicant shall utilize earth tone colors of the surrounding area for structures proposed.

- Per ERB, perimeter fencing shall not be constructed, but security fencing around the immediate area of the house is acceptable.

- Exterior lighting shall be directed downward, of low intensity (light fixtures not exceeding 800 lumens), at low height and shielded to prevent

illumination of surrounding properties and undeveloped areas; outdoor security lighting, if any is used, shall be on an infrared detector.

Staff Recommendation: ___ Consistent ___ Consistent after Modifications
_X_ Inconsistent

Suggested Modifications: - Return to ERB with a project redesign, and with a landscape/fuel modification plan for review. File for an Oak Tree Permit. Oak Tree Report must be submitted for review.

ENVIRONMENTAL REVIEW BOARD

Case No. Oak Tree Permit ROAKT 200600077

Location: 1135 N. Topanga Canyon Boulevard, Topanga

Applicant: Hayne Architects

Request: A retroactive oak tree permit application for construction of accessory structures to an existing hair salon/boutique, retail and residence, with encroachment into the protective zones of existing oak trees. No grading is proposed. This site is located at 1135 N. Topanga Canyon Boulevard, within an Environmentally Sensitive Habitat Area (ESHA) and an Oak Woodlands and Savannahs Area of the Sensitive Environmental Resources Overlay Zones area of the Local Coastal Program.

Resource Category Oak Woodland and Savannah, ESHA

Note: ESHA located along southern boundary of site.

ERB Meeting Date: April 21, 2008

ERB Evaluation: ___ Consistent ___ Consistent after Modifications
_X_ Inconsistent

ERB Comments and Recommendations:

- ERB comments on the applicant's plans presented, questions the renovations indicated and how renovation is to occur on a slope with no grading. Plan indicates no grading proposed. Applicant responds that renovation consists of superficial work done, on the surface only (e.g. small walls being replastered around the property, bell tower and entry pavilion). Applicant also explains that northeast section of property, with frontage on Topanga Canyon Boulevard, is proposed for street vacation due to section of wall that extends beyond the property line in that location. Approval from County Public Works' Street and Alley Dedications Section is required for street vacation.

- ERB comments that there are many impervious surfaces (e.g. concrete) located around the oak trees on the site which could cause problems with water percolation into the ground and eventually kill the oak trees. ERB also comments that it appears that oak trees were excessively pruned, their canopies opened up allowing the tree trunks to become susceptible to sun bleaching. Applicant responds that oaks were trimmed within the last two years and that the trees are extremely healthy. ERB comments that this does not appear to be the case, due to the extreme nature of pruning the trees their long term health will be affected and that applicant should have filed for oak tree permit before pruning of the oak trees commenced. ERB refers to oak tree report presented, 23 oak trees listed as impacted due to

additions to existing structure on site, 22 oak tree encroachments specifically, most trees listed at grade level "B" or "C", many tress have indications of stress, pest infestation, minor visual signs of tree structural problems even though the trees appear healthy. ERB also comments that when oak trees are overpruned they sucker heavily, a sign of a healthy tree but not positive.

- ERB comments that some oak trees have also had graded fill compacted around them, burying their trunks. Per ERB, the base of the oak trees need to have a flair, and in order to have that, the dirt level around the oak trees must be brought back down to their original level to ensure long term survival of the oaks. ERB comments that the flair is the beginning of the root system at the base of the trees, and that if the dirt is not removed it will eventually lead to the tree toppling over.

- ERB questions the rock wall located adjacent to the oak tree in photo no. 2 provided by the applicant. The oak tree is situated near a roof structure shown in the photo, located in the northeast section of the site. Applicant responds that the wall has been there for some time. A swale is located in this area which also leads to Topanga Canyon Boulevard.

- ERB questions how thick the gravel of the driveway is. Applicant responds that driveway is 3 to 4 inches thick, and that the gravel helps catch the water run-off and keeps it out of the structure on site.

- ERB questions when addition to deck was put in, but if done after 1976 it is considered illegal. ERB comments that it is concerned about the use of the property and about seepage or discharge into Topanga Creek, an impacted waterway. ERB questions if the salon on site is new, and comments that if the site is being used for on site residential and salon use and overtaxing the waste water treatment system designed to serve a single family use, then an evaluation needs to be done of the on site waste water treatment system to see if any seepage or leakage is occurring, or if it is adequate enough in size or needs to be sized accordingly for new uses. Applicant responds that the site has always been mixed residential and commercial use, and two bathrooms have since been added.

- Applicant states that property owner is willing to make some modifications, but that existing driveway and stone wall have been there since the property was purchased by the current owner. Applicant states that oak trees have survived for up to 40 years. Applicant indicates that client is willing to correct existing issues causing impacts to oak trees.

- ERB recommends removing all illegal additions done without an oak tree permit which are impacting oak trees (e.g. bell tower), and then resubmit the plans for these additions with a restoration plan. Water and slope features should be completely restored. Applicant states that this would include removal of the two tubs or buckets on site, which if removed would require that an alternate drainage plan be implemented according to applicant.

- ERB comments that Italian Cypress trees planted near bell tower structure against the wall, and ferns underneath the oak trees, have

different water requirements. ERB recommends removal of these plants and restoration of natural setting.

- ERB questions the addition of the deck on site. Applicant states that the deck was reconstructed and raised off the ground, a replacement of an older deck. ERB comments that the deck was constructed over an ESHA, concerned about erosion and other impacts that will occur to the creek. ERB comments that Steelhead Trout are in the creek. Applicant states that removing the deck will create more havoc for the environment. ERB responds not always.
- As a compromise, the applicant offers to remove the deck or have it partially removed in order to improve the creekbed. ERB comments that in addition, in order to achieve some type of compromise, the applicant must be willing to open up some areas to benefit the oak trees on site. ERB states that by decreasing impervious surfaces it benefits the oak trees. ERB recommends breaking up and removing existing driveway and replacing it with new a new permeable type surface.
- Per ERB, remove ivy and vinca groundcover from slopes on site. Remove eucalyptus trees, taking care not to drop cut limbs into the canopies of surrounding oak trees.
- Per ERB, use the oak tree map to reflect trees that will be pruned or corrected.
- Per ERB, clarify the height of the entryway structure.
- Per ERB, clarify all issues with drainage on site.
- Per ERB, provide revised arborist report on oak trees.
- Modify existing wall, remove deck.

Staff Recommendation: ___ Consistent ___ Consistent after Modifications
_X_ Inconsistent

Suggested Modifications: - Return to ERB with revised plan. Implement all requirements and recommendations indicated above.