



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Jon Sanabria
Acting Director of Planning

August 13, 2009

TO: Dennis Slavin, AICP
Hearing Officer

FROM: Tyler Montgomery *SM*
Regional Planning Assistant II
Zoning Permits II Section

**SUBJECT: PROJECT NO. 87-527-(3)
MINOR MODIFICATION TO CONDITIONAL USE PERMIT 87527
August 18, 2009 Discussion & Possible Action
Agenda Item No. 10**

The applicant, De Anza Properties, has requested to modify a condition of approval to previously approved Conditional Use Permit (CUP) 87517. The Board of Supervisors approved this Conditional Use Permit on January 17, 1995. The action authorized the construction of a commercial center and 110 single-family residences—a development known as Mont Calabasas—located west of Las Virgenes Road in The Malibu Zoned District of Los Angeles County. The subject property is located on the west side of Las Virgenes Road, between Brittany Court and Mont Calabasas Drive, unincorporated Calabasas.

Staff recently received a letter from the National Park Service (NPS), requesting that changes be made to the requested modification for Condition 9(k) (attached). The language of this condition specified signage requirements and accessibility standards that, according to NPS, do not correspond to their requirements. Therefore, in order to reconcile this discrepancy, staff recommends Condition 9(k) be modified as follows:

A riding and hiking trail shall be constructed by the permittee along the existing trail easement on the east side of the commercial project site. The trail shall meet all accessibility requirements of the National Park Service and shall be constructed of decomposed granite and incorporate signage consistent with National Park Service standards. The trail shall remain permanently open to the public with the exception of minimal closures during construction activities.

In addition, the applicant has requested that some changes be made to the proposed modifications. The original letter received by staff from the City of Calabasas—which was dated 05/27/09 and attached to the previous memo—indicated conditional support of the project by the city. Staff interpreted this letter to mean that the City of Calabasas would support the project only if certain conditions were met, which included conformance with the City's preferential parking and transit

requirements (Condition 9[a]), the City's LEED-Silver certification requirements (Condition 9[b]), and the City's urban runoff and stormwater requirements (Condition 9[i]). However, the applicant disagreed with this interpretation, and, on July 22, 2009, Talyn Mirzakhian, a planner with the City of Calabasas, sent an e-mail stating that these particular conditions should apply only if the applicant were to receive building permits from the City subsequent to annexation (attached).

Because Conditions 9(a) and 9(i) are not improvements required by Los Angeles County, they must be volunteered by the applicant in order to be added as conditions of approval—something which the applicant is not willing to do. Therefore, the applicant asks that Condition 9(a) be eliminated from the modification request and that Condition 9(i) be altered to incorporate the following wording:

If annexed to the City of Calabasas, the project shall meet all applicable requirements related to stormwater and urban runoff pollution prevention control and solid waste recyclable materials, as identified in Section 17.56; 8.16; and 8.28 of the City of Calabasas Municipal Code;

The permittee would still be required to meet all applicable stormwater and urban runoff requirements of the County of Los Angeles Department of Public Works.

Finally, Condition 9(b)—pertaining to LEED-Silver certification—is currently required for all building permits issued within the City of Calabasas but will not be required within the County of Los Angeles until January 1, 2010. Therefore, the application of this standard prior to this date is something that the applicant must volunteer. The applicant has asked that the wording of this condition be altered to the following:

All structures with building permits deemed complete after January 1, 2010 are required to achieve at least a 'Silver' LEED rating prior to the issuance of certificates of occupancy;

This would allow the applicant the option of constructing buildings that do not achieve a "Silver" LEED rating if they are issued valid building permits by Los Angeles County before this date (and completed before the permits' expiration after six months).

Enclosure:

Letter from National Park Service, dated 08/04/09

E-mail from Talyn Mirzakhian at City of Calabasas, dated 07/22/09

08/13/09

MM:TM



United States Department of the Interior

NATIONAL PARK SERVICE
Santa Monica Mountains National Recreation Area
401 West Hillcrest Drive
Thousand Oaks, California 91360-4207

In reply refer to:
L76 (129-15)

August 4, 2009

Tyler Montgomery
Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012

RE: Minor Modification to the Conditions of Approval for CUP 87527-(3)

Dear Mr. Montgomery:

The National Park Service has reviewed the Notice of Request for Minor Modification to the Conditions of Approval for Conditional Use Permit 87527-(3). The applicant proposes to modify a condition of approval associated with the construction of a commercial center and 110 single-family houses, known as the Mont Calabasas development. Mont Calabasas is surrounded by public parkland, including the National Park Service owned Cheeseboro and Palo Comado Canyons, and the Santa Monica Mountains Conservancy owned Upper Las Virgenes Canyon Open Space Preserve.

With the requested modification, Condition Number 9 would in part read as follows:

- k. A riding and hiking trail shall be constructed by the permittee along the existing trail easement on the east side of the commercial project site. The trail shall be ADA compliant with a slope of no more than 10% - or a maximum 15% for no more than 350 feet - and shall be constructed of decomposed granite and incorporate signage with the following information: 'Las Virgenes Trail - National Park Service.' The trail shall remain permanently open to the public with the exception of minimal closures during construction activities.*

We appreciate the requirement to include signage. We request the proposed condition be modified to direct the applicant to work with the National Park Service to design the sign for compatibility with Santa Monica Mountains National Recreation Area trail signage. We, along with our partner state and local agencies, are trying to achieve uniform trail signage throughout the Santa Monica Mountains and surrounding areas. The proposed sign should be styled and worded in accordance with National Park Service trail sign standards and should include relevant trail mileage to trail intersections and destinations.

We find the proposed trail accessibility guidelines to be inconsistent with accepted trail construction standards. We request the proposed condition be amended to require the trail to

be compliant with Trail Accessibility Guidelines as outlined by the California State Parks (Enclosure).

Thank you for the opportunity to comment on this important project. If you have questions, please call Melanie Beck, Outdoor Recreation Planner, at (805) 370-2346.

Sincerely,

for 
Woody Smeck
Superintendent

Enc: Trail Accessibility Guidelines – California State Parks; from “Access to Parks Guidelines,” California State Parks, Chapter 43. November 2001.

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy
Ron Schafer, Superintendent, Angeles District, State Department of Parks and Recreation

Chapter 43

TRAILS

I. Concept

- A. Unlike Exterior Routes of Travel (ERT) and Outdoor Recreation Access Routes (ORAR), trails provide the means for the activity of hiking. Trails provide access to remote locations, unique park features and they offer visitors the opportunity to experience various environmental settings.
- B. Wherever hiking is considered one of the primary activities offered, or where there is a large concentration of trails, every effort should be made to install and maintain accessible trails. The accessible trails should represent the most significant features and environmental experiences unique to the area.

II. Trails

A. General

1. Running slopes in the direction of travel shall be as follows:
 - a. 5% or less for any distance. (99AG-16.2.7.2.1)
 - b. From 5.1% to 8.33% for 200' maximum. (99AG-16.2.7.2.2)
 - c. From 8.34% to 10% for 30' maximum. (99AG-16.2.7.2.3)
 - d. From 10% to 12% for 10' maximum. (99AG-16.2.7.2.4)
2. Resting spaces shall be 60" minimum in length, shall have a width at least as wide as the trail and have a slope of 5% or less. The installation of resting spaces is required as follows: (99AG-16.2.8)

Percent slope	Maximum length	Rest interval
0% to 5.0%	No restriction	No restriction
5.1% to 8.33%	200'	Every 200'
8.34% to 10%	30'	Every 30'
10.1% to 12%	10'	Every 10'

3. The slope perpendicular to the direction of travel, cross slope, shall be 5% maximum. (99AG-16.2.7.1/Exception: See Section B, Details for slope requirements at open drainage structures.)
4. The clear tread width shall be 36", except the width may be reduced to 32" where existing conditions cannot be mitigated. (99AG-16.2.2)
5. The surface of the trail shall be stable and firm. (99AG-16.2.1)

B. Details

1. Openings in the surface, such as on a boardwalk, shall not be greater than ½" wide. Elongated openings shall be placed so that the long dimension is perpendicular or diagonal to the dominant direction of travel. Exception: openings are permitted to run parallel

- to the direction of travel so long as the opening is no wider than $\frac{1}{4}$ ". (99AG-16.2.3)
2. Objects that protrude into the trail between 27" and 80" from the ground shall not protrude more than 4". Objects mounted below 27" may protrude any amount but shall not reduce the clear width of the trail. (99AG-16.2.4)
 3. Vertical clearance shall be 80". If the 80" vertical clearance of the trail cannot be mitigated, a cane detectable barrier to warn the visually impaired shall be provided. (99AG-16.2.4)
 4. For open drainage structures a running slope of 14% is permitted for 5' maximum with a cross slope of 5% maximum. Cross slope is permitted to be 10% at the bottom of the open drain where the clear tread width is at least 42" wide. (99AG-16.2.7)
 5. Tread obstacles such as roots or rocks shall not be higher than 2". Exception: obstacles may be up to 3" high where the running slope and cross slope are 5% or less. (99AG-16.2.5)
 6. Where the width of the trail is less than 60", passing spaces measuring 60" x 60" shall be provided at intervals of 1000'. (99AG-16.2.6)
 7. Where edge protection is provided, it shall have a height of 3" minimum. (99AG-16.2.9)
 8. Trails that meet the above guidelines shall be designated with a symbol at the trailhead and at designated access points. Signage shall indicate the total distance of the accessible segment and the location of the first point of departure from the guidelines. (99AG-16.2.10)

Montgomery, Tyler

From: Talyn Mirzakhania [tmirzakhania@cityofcalabasas.com]
Sent: Wednesday, July 22, 2009 4:17 PM
To: Raman Gaur
Cc: Montgomery, Tyler; Matt Benveniste
Subject: RE: Las Virgenes Commercial

Follow Up Flag: Follow up
Flag Status: Completed

Dear Raman,

I apologize for the confusion regarding the City's intent in our letter of support. Raman provided an accurate summary of our intent in his email. The City is asking that the identified conditions be incorporated into the County entitlement as "conditions that would have to be met IF the applicant was to obtain building permits from the City of Calabasas." If building permits are pulled while the parcel is still within the County's jurisdiction, the City would not have the authority to impose these conditions, with the exception of the condition regarding the median (which is in the City's jurisdiction). The City's intent was for the applicant to recognize that if the parcel was annexed by the City before he pulled building permits, he would then have to comply with our building permit requirements, regardless of the fact that his Planning entitlements came from the County.

I hope I have addressed your concerns. If you or the County needs further clarification, feel free to contact me via phone or email.

Sincerely,

Talyn Mirzakhania
Planner
100 Civic Center Way
Calabasas, CA 91302
Tel: (818) 224-1712
Fax: (818) 225-7329

From: Raman Gaur [mailto:rgaur@sikand.com]
Sent: Wednesday, July 22, 2009 3:38 PM
To: Talyn Mirzakhania
Cc: tmontgomery@planning.lacounty.gov; Matt Benveniste
Subject: Las Virgenes Commercial

Good Afternoon Talyn,

I spoke with Tyler Montgomery in Planning at the County after I spoke with you and it seems that they have a different interpretation of the support letter your office provided. Again based on our conversation today our understanding is that this project will follow the conditions stated in your letter only if the subject project is annexed in to the City of Calabasas. The intent is to assure that the project will comply with the City of Calabasas during the building permit stage ONLY if it has been annexed in to the City. If the project remains in LA County's jurisdiction during the building permit stage it will follow the conditions of the County and will not need to comply with the conditions stated in the letter. The one exemption for this is the median condition on Las Virgenes which is at the boundary between both the City and County. This condition will be followed regardless of the jurisdiction of the project.

The client has worked with the City to insure that if the project is annexed that they meet the requirements and will not need to change the plan.

Could you please verify what I have stated and please add to the information or understanding so everyone is clear of the intent.