May 28, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

PROJECT NO. R2010-01071-(3)
CONDITIONAL USE PERMIT NO. 201100012
ENVIRONMENTAL ASSESSMENT NO. 201100019
OAK TREE PERMIT NO. 201100011
APPLICANT: DONALD HASKIN
29153 CRAGS DRIVE
MALIBOU LAKE, CA 91301
MALIBU ZONED DISTRICT
(THIRD SUPERVISORIAL DISTRICT) (3-VOTES)

SUBJECT

Patricia Henkel, a Malibou Lake resident, has appealed the decision of the Regional Planning Commission on the subject project. The project is a request for two new single-family homes located on two existing legal lots zoned R-R-1 (Resort and Recreation, one acre required area) in the unincorporated Malibou Lake area and in the Santa Monica Mountains North Area Community Standards District (CSD).

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

1. Consider the attached Mitigated Negative Declaration for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that the project and/or suggested conditions will adequately mitigate these impacts to a level of no significance.

2. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission’s (RPC) approval of Conditional Use Permit (CUP) No. 201100012 and Oak Tree Permit No. 201100011.
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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The project location consists of two parcels located at 29153 Crags Drive, in the Santa Monica Mountains North Area Community Standards District, and within the Malibou Lake neighborhood. The western parcel is 2.25 gross acres and the eastern parcel is 2.40 gross acres. The lots were previously developed by a private club but are currently vacant with small slopes of less than 25%. There is a seasonal drainage course on the west end and oak trees, pines, and sycamores in various locations.

The lots are zoned R-R-1 (Resort and Recreation, one acre required area) and depicted in the Rural Residential land use category of the Santa Monica Mountains North Area (SMMNA) Plan. Surrounding properties are zoned R-1 (single-family) and A-1 (light agriculture), and either vacant or developed with single-family homes.

The residence on the western parcel is proposed to be a maximum 2-story, 5,900-square-foot residence with attached 3-car garage, swimming pool, 1,800 cubic yards of grading, and private sewage disposal system. Removal of one oak tree is requested for the driveway. The non-heritage oak tree removed will be replaced by two 15-gallon oak trees. The residence on the eastern parcel is proposed to be a maximum 2-story, 5,900 square foot single-family residence with attached 3-car garage, swimming pool, 1,350 cubic yards of grading, and private sewage disposal system.

The RPC determined that the CUP and Oak Tree Permit Burden of Proof requirements for this project have been met and that it is in compliance with the zoning requirements, and goals and policies of the Santa Monica Mountains North Area CSD and Plan.

COMMUNITY OPPOSITION

Staff has received numerous correspondences from members of the Malibou Lake community who are opposed to the proposed project. A summary of the communities concerns include the following: Proposed size and design of the residences, inadequate environmental review, increased fire danger, street parking, infeasible septic systems, increased drainage, requests that the land remains open space and loss of recreational opportunities. All of these issues were thoroughly discussed during the RPC hearings.

Implementation of Strategic Plan Goals

The CUP and Oak Tree Permit promotes Goal Three of the County's Strategic Plan pertaining to “Community and Municipal Services” by balancing the developers right to develop the properties while at the same time protecting the interests of the Malibou Lake community through project design and environmental mitigation.
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FISCAL IMPACT/FINANCING

Implementation of the proposed CUP and Oak Tree Permit should not result in any new significant costs to the County or to the Department of Regional Planning as the proposed project is a private development. Construction costs and operating cost will be borne by the applicant. Existing infrastructure and public services are adequate to accommodate the proposed project, as confirmed by the Los Angeles County departments of Public Works, Fire, and Public Health.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

RPC held public hearings regarding this project on December 5, 2012, January 9, 2013, and February 13, 2013. After testimony and discussion, the Commission voted 5-0 to approve the CUP and Oak Tree Permit.

A public hearing is required pursuant to Section 22.16.200 of the County Code and Section 65856 of the Government Code. Required notice must be given pursuant to the procedures and requirements set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Section 6061, 65090, and 65856 of the Government Code relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study and Mitigated Negative Declaration was prepared in compliance with the California Environmental Quality Act and the environmental document reporting procedures and guidelines of the County of Los Angeles. Based on the attached Mitigated Negative Declaration, required conditions, modifications to the project, and mitigation measures will adequately mitigate any potential impacts to a level of less than significant.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the proposed project will not significantly impact County services.

Should you have any questions regarding this project, please contact Jarod Nygren at (818) 880-3799 or by e-mail at jnygren@planning.lacounty.gov.

Respectfully submitted,

[Signature]
Richard J. Bueckner
Director
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RJB:SA:AL:jn:lm

Attachments:

1) Project Summary
2) Summary of Regional Planning Commission proceedings
3) Factual
4) Vicinity map
5) Hearing package
6) Environmental documentation
7) Correspondence
8) Pictures
9) Speaker cards

c: Executive Office, Board of Supervisors
   Assessor
   Auditor-Controller
   Chief Executive Office (Rita Robinson)
   County Counsel
   Public Works
**AGENDA ENTRY**

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***ENTRY MUST BE IN MICROSOFT WORD***

Instructions: To comply with the Brown Act requirement the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for; with whom the action is being taken; fiscal impact, including money amounts, funding sources, and effective dates. Also, include an instruction for the Chair(Man) or Director to sign when such signature is required on a document.

Project No. R2010-01071-(3)

PUBLIC HEARING

BOARD AGENDA TEXT:

1. De novo hearing on Project No. R2010-01071-(3), Conditional Use Permit No. 201100012, Oak Tree Permit 201100011 and Mitigated Negative Declaration associated with Environmental Assessment No. 201100019, to authorize the construction of two single-family homes on two lots in the R-R (Resort and Recreation) zone located at 29153 Craggs Drive, in the Malibu Zoned District and within the Santa Monica Mountains North Area Community Standards District, applied for by Don Haskin. (Appeal from Regional Planning Commission's approval)