Regional Planning Commission Transmittal Checklist

Hearing Date
1/20/2016
Agenda Item No.
8

Project Number: R2014-01815-(3)

Case(s): Conditional Use Permit Case No. 201400155
Oak Tree Permit Case No. 201500001
Environmental Assessment Case No. 201400255

Planner: Travis Seawards

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions + Other department letters of recommended conditions
- ☐ Previous CUP Conditions of Approval
- ☒ Burden of Proof Statement(s)
- ☒ Environmental Documentation (MND and MMRP)
- ☒ Correspondence
- ☒ Photographs
- ☐ Aerial Image(s)
- ☐ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By: _____

Department *of* Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT SUMMARY

PROJECT NUMBER
R2014—01815-(3)

HEARING DATE
January 20, 2016

REQUESTED ENTITLEMENTS
Conditional Use Permit No. 201400155
Oak Tree Permit No. 201500001
Environmental Assessment No. 201400255

OWNER / APPLICANT
Belmont Village Senior Village (Stephen Brollier)

MAP/EXHIBIT DATE
September 10, 2015

PROJECT OVERVIEW

The project is a request for a Conditional Use Permit (CUP) to allow the construction and operation of a 140-unit adult assisted living facility, located in the Commercial Planned Development (CPD) Zone in the unincorporated Santa Monica Mountains North Area.

The project site is currently undeveloped but has been previously disturbed and graded. The project consists of the construction of a three-story facility with a total floor area of 105,872 square feet, associated parking areas, pool, and other landscaping amenities. The facility will employ up to 81 employees over three shifts, with the largest shift having a maximum of 35 to 40 employees. The project also includes the following entitlements:

- Oak Tree Permit for the encroachment into the protected zone of four (4) oak trees for the construction of the project's parking lot.
- Conditional Use Permit for the grading in excess of 5,000 total cubic yards in the Santa Monica Mountains North Area.

LOCATION
24141 Ventura Blvd., Santa Monica Mtns. North Area

ACCESS
Driveway off of Ventura Blvd.

ASSESSORS PARCEL NUMBER(S)
2049043005

SITE AREA
4.97 Acres

GENERAL PLAN / LOCAL PLAN
Santa Monica Mountains North Area Plan

ZONED DISTRICT
The Malibu

LAND USE DESIGNATION
Commercial (C)

ZONE
Commercial Planned Development (CPD)

PROPOSED UNITS	MAX DENSITY/UNITS	COMMUNITY STANDARDS DISTRICT
N/A	N/A	Santa Monica Mountains North Area CSD

ENVIRONMENTAL DETERMINATION (CEQA)
Mitigated Negative Declaration

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Consistency with the Santa Monica Mountains North Area Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.133 (Santa Monica Mountains CSD Requirements)
  - 22.28.340 (CPD Zone Development Standards)
  - 22.56.2100 (Oak Tree Permit Burden of Proof Requirements)

CASE PLANNER:	PHONE NUMBER:	E-MAIL ADDRESS:
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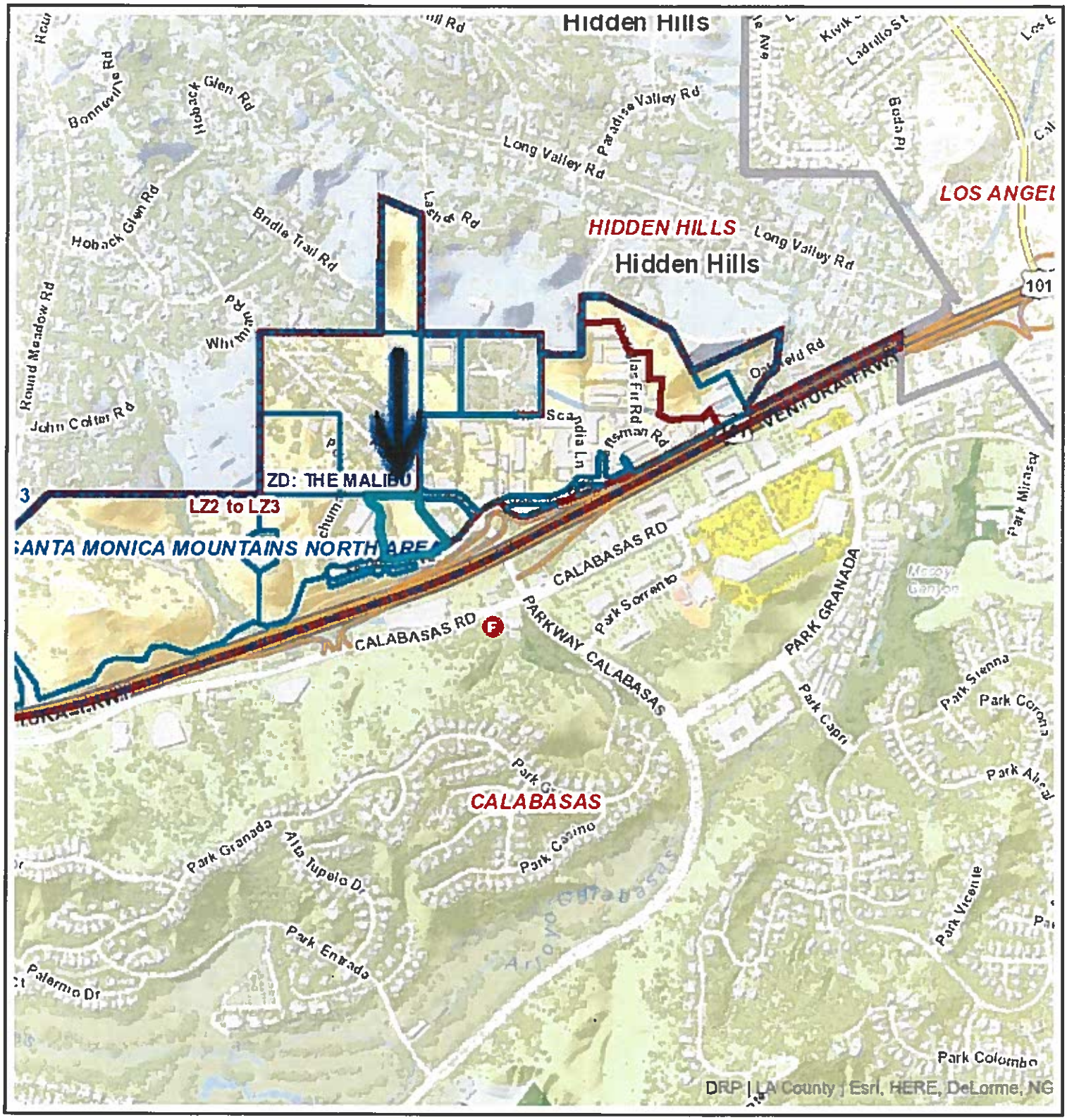

Project R2014-01815-(3) / CUP No. 201400155

Property Location Map

Printed: Dec 17, 2015

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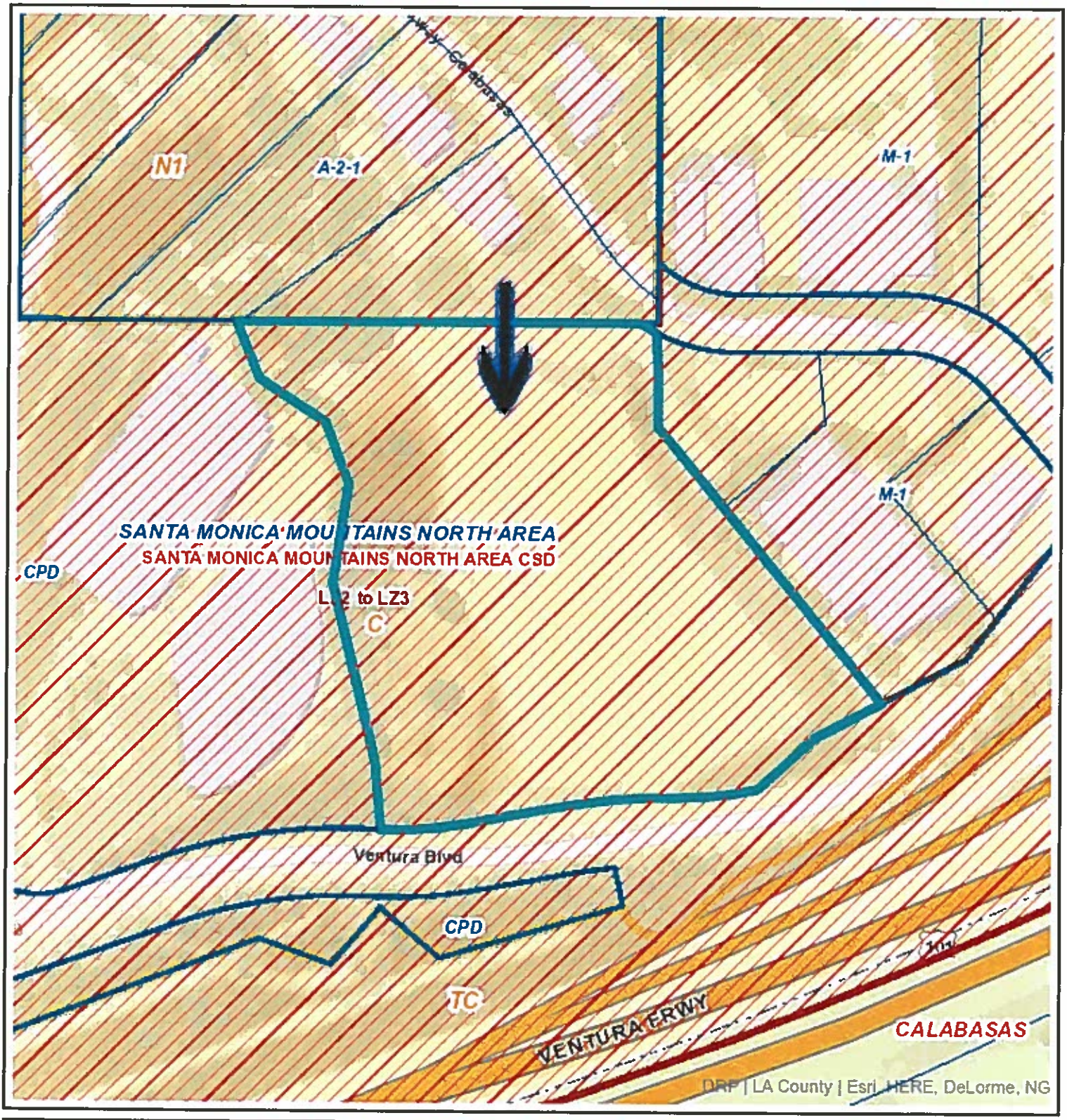

Project R2014-01815-(3) / CUP No. 201400155

GIS Layers Map

Printed: Dec 17, 2015

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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) to authorize the construction and operation of an adult residential facility in the Commercial Planned Development (CPD) Zone pursuant to County Code Section 22.28.340.B. In the CPD Zone, property may be used for any use permitted in the Residential-Agricultural (R-A) Zone subject to the same permitting requirements, and adult residential facilities are permitted in the R-A Zone with a CUP, or for a planned commercial development with a CUP for any non-residential use that is permitted in the C-1 Zone, and adult residential facilities are permitted in the C-1 Zone with a CUP.
- CUP for grading that exceeds 5,000 cubic yards of total cut plus fill material, pursuant to County Code Section 22.44.133.D.4.b.
- Oak Tree Permit for the encroachment into the protected zone of four (4) oak trees for the construction of the adult residential facility pursuant to County Code Section 22.56.2060.

PROJECT DESCRIPTION

The project is a request for a Conditional Use Permit (CUP) to authorize the construction and operation of a 140-unit adult assisted living facility, located in the Commercial Planned Development (CPD) Zone in the unincorporated Santa Monica Mountains North Area. The facility will provide housing and support services to seniors. A licensed nurse will be on-site 24 hours a day and the facility will provide housekeeping and laundry services, chef-prepared dining, and health, social and recreational programs. The facility will employ up to 81 employees over three shifts, with the largest shift having a maximum of 36 employees.

The project site is currently undeveloped but has been previously disturbed and graded. The project consists of the construction of a three-story facility with a total floor area of 105,872 square feet, associated parking areas, pool, and other landscaping amenities. The project provides a total of 97 parking spaces.

The project requests a CUP to authorize grading in excess of 5,000 cubic yards per the requirements of the Santa Monica Mountains North Area Community Standards District (CSD). The project is anticipated to involve 5,597 cubic yards of cut and 3,376 cubic yards of fill, with approximately 2,221 cubic yards being exported from the site. The project also requests an Oak Tree Permit to authorize the encroachment into the protected zone of four (4) oak trees during the construction of the facility.

SITE PLAN DESCRIPTION

The subject property is 4.97 acres. The site is currently undeveloped, but the entire eastern third of the parcel has been previously disturbed and graded. A concrete channel is located along the eastern boundary of the project site. The western third of the project site is steeply-sloped and contains 22 oak trees.

The main facility is located on the eastern half of the parcel and has a building footprint of 36,333 square feet. The 105,900-square-foot structure is accessed by a driveway off

of Ventura Boulevard that leads directly to the main entrance, which is on the west side of the facility. A parking lot with 97 parking spaces surrounds the facility on the western and southern sides. The facility also proposes a courtyard and a pool along the eastern side of the building

EXISTING ZONING
The subject property is zoned CPD.

Surrounding properties are zoned as follows:
North: Light Agricultural – 1 Acre Minimum Lot Area Required (A-2-1)
South: CPD, Ventura Freeway, and City of Calabasas, developed with commercial uses
East: Light Manufacturing (M-1)
West: CPD

EXISTING LAND USES
The subject property is currently graded but undeveloped.

Surrounding properties are developed as follows:
North: Single-family, large-lot residential development
South: Ventura Freeway, landscaping, and the City of Calabasas
East: Commercial office building, gas service station, and light industrial uses
West: Commercial office building

PREVIOUS CASES/ZONING HISTORY
There are two previous cases associated with the subject parcel:

- Project 04-031: Plan Amendment, Tract Map and CUP for 66 attached condominiums, hillside management, grading in the Santa Monica Mountains North Area, and density bonus for senior citizen housing. The project was not completed and the property owner is not pursuing these entitlements.
- Project No. 2206 / CUP No. 200700060: CUP application for two 45,000-suare-foot office buildings and parking structure. The project was not completed and the property owner is not pursuing these entitlements.

ENVIRONMENTAL DETERMINATION

The Los Angeles County ("County") Department of Regional Planning recommends that a Mitigated Negative Declaration is the appropriate environmental documentation under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Initial Study concluded that there are certain potentially significant environmental impacts associated with the project that can be reduced to less than significant with the implementation of the proposed mitigation measures. The draft Mitigation Monitoring Program is included as an attachment to this report.

The areas of environmental impact found to be less than significant with project mitigation incorporated include the following:

- Biological Resources: Coast live oak (*Quercus agrifolia*) trees are present on the steep western slope, as well as in the northwestern corner of the project area. A few native shrubs, such as coyote brush (*Baccharis pilularis*) and sugar bush (*Rhusovata*), are sparsely scattered at the north and west edges of the site. The larger trees and shrubs within the project site provide potentially suitable nesting habitat for a variety of bird species that are afforded protection under the federal Migratory Bird Treaty Act (MBTA – 16 United State Code Section 703-711) and California Fish and Game Code (CFGC) Section 3503. The proposed project has the potential to impact migratory and other bird species if construction activities occur during the nesting season, which is typically February 1 through August 31. Construction-related disturbance could result in nest abandonment or premature fledging of the young. Therefore, Mitigation Measure BIO-1, which requires pre-construction nesting surveys and monitoring reports, is required to reduce any potential impacts to migratory and resident nesting bird species to a less than significant level. In addition, an Oak Tree Permit with conditions for the protection of the oak trees on the subject property will serve to mitigate impacts to oak tree resources.

- Cultural Resources: No archaeological resources are known to be present on-site or in the site vicinity. The likelihood of encountering intact cultural resources is low given that the site has been previously graded. However, the proposed project would require ground disturbance that could have the potential to disturb previously unrecorded archaeological resources. Implementation of the Mitigation Measure CR-1 would avoid, reduce or minimize potentially significant impacts to archaeological resources. If significant subsurface prehistoric or historic archaeological or paleontological resources appear to be encountered during construction and/or earthmoving activities, the evaluation of any such resources shall proceed in accordance with the criteria outlined in Section 106 of the National Historic Preservation Act (1966, as amended), in accordance with CEQA guidelines (1970, as amended), and in accordance with the County of Los Angeles General Plan. Specifically, all work must be halted in the immediate vicinity of the cultural resource found until a qualified archaeologist can assess the significance of the resource.

- Noise: A noise study was completed to analyze the proposed project's potential temporary noise impacts associated with construction activity, long-term noise impacts associated with project operation, including roadway noise from vehicle trips generated by the proposed project, and the potential exposure of future site residents to traffic noise from U.S. Highway 101.

  There is a potential for a substantial increase in temporary noise during construction activities that could impact adjacent residential and commercial

uses. Therefore, mitigation measures require the use of electrical power to run air compressors and similar power tools. Internal combustion engines will be equipped with mufflers, and all diesel equipment will be operated within closed engine doors and shall also be equipped with mufflers. Also, for all mobile equipment operating within 250 feet of adjacent residential receptors, additional noise attenuation measures will be implemented, including noise blankets and temporary noise barriers. Finally, notification will be provided to adjacent commercial and residential occupants at least 24 hours prior to the initiation of construction activities.

Long-term noise impacts from the project that were identified as being potentially significant include commercial ventilation and air conditioning equipment, and typical noise that would come from the parking lot. To mitigate these impacts, all HVAC units will be rooftop, shielded, and located as far from residences as possible, and a masonry sound barrier or earthen barrier will be constructed along the northern boundary of the project site.

- Air Quality: The California Air Resources Board and the Los Angeles County Department of Public Health recommend that local agencies avoid siting new sensitive land uses within 500 feet of freeways due to concerns about exposure to diesel exhaust particulates. The Air Quality section of the MND includes a Health Risk Assessment (HRA) that analyzed the possible health effects associated with diesel particulate emissions from the 101 Freeway. The HRA demonstrated that the project's sensitive receptors risks to exposure to excess cancer risk and chronic inhalation health risks are well below the SCAQMD threshold. The complete analysis is attached to the MND.

  To further address air quality concerns, the applicant has adopted specific project designs to mitigate air quality impacts, as recommended by the Department of Public Health. The engineering controls proposed for the project include the use of high efficiency exterior air intake filters with a MERV rating of 13, which according to ARB removes a portion of the ultrafine and submicron particles emitted from vehicles. These filters would be changed every 90 days. The project will also install window stops to limit the window from opening greater than eight inches to further reduce the amount of unfiltered, outdoor air that reaches the indoor environment.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Commercial (C) land use category of the Santa Monica Mountains North Area Plan. This designation is intended for areas for the general shopping and commercial service needs of area residents and workers, as well as the needs of highway users and tourists. Appropriate uses include a range of general commercial, including retail and personal service uses, specialty shops, offices, highway oriented uses, financial institutions, motels, and art and studio facilities. An adult residential facility with over six (6) residents and support services that are licensed

with the State are considered a commercial/institutional use. The project provides an important service for seniors who need a supportive living environment and therefore the project is consistent with the permitted uses of the underlying land use category.

The following policies of the Santa Monica North Area Plan are applicable to the proposed project:

- *Land Use and Housing, Policy VI-19: Require light industrial and commercial uses include adequately landscaped open space, and be designed to relate to the surrounding environment.*

  The project meets all development requirements for FAR and lot coverage. The project is allowed 0.50 FAR and has 0.49, and is allowed 40 percent lot coverage and has 17 percent lot coverage. The western half of the project site will remain undisturbed and none of the 33 oak trees for the project area will be removed. The grounds will be highly-landscaped and well-maintained by the staff and will be consistent with the landscaping amenities seen on adjacent parcels that are developed with commercial and industrial office buildings.

- *Land Use and Housing, Policy VI-29: Concentrate light industrial, commercial and office uses adjacent to the Ventura Freeway corridor, and ensure that each project has adequate access, can handle the traffic, and is accessible to essential services, with appropriate site design standards to enhance community character.*

  The project is a 140-unit adult residential facility providing services and housing to seniors that need 24-hour support and care. Adult residential facilities of this nature and size that are licensed with the State of California are considered commercial/institutional uses. The project is located adjacent to the Ventura Freeway and is directly adjacent to commercial office buildings and light industrial office buildings and is therefore similar in size and scale to the surrounding area. Additionally, an adult residential facility is not a use that contributes a large amount of new trips, as evidenced by the traffic study that was completed for the project. The project is well-designed and will also be highly-landscaped and the grounds well-maintained.

Zoning Ordinance and Development Standards Compliance

CPD Zone

The project is subject to the provisions of the CPD Zone, pursuant to Section 22.28.340.B of the County Code. The provisions from the CPD Zone that are applicable to the project are as follows:

- Scope. The hearing officer shall not grant a conditional use permit for a planned commercial development in Zone CPD unless it finds that the proposed commercial development is needed to serve the immediately adjacent area, and

development has occurred, or is proposed, which will warrant such commercial development. The project will provide critically important services, care, and housing for senior citizens, including patients with dementia. According to the applicant, there is a large unmet need for senior services. The 2015 population demographic for the senior population within a 5-mile radius of the project site is 11,888 persons. In addition, there are four existing facilities within the 5-10 mile radius of this site all reporting assisted living and dementia care occupancies in the high 90% range.

- Design. The arrangement of buildings, architectural design and the types of commercial uses shall be such as to minimize adverse influences on adjacent properties. The project consists of a three-story, 105,900-square-foot building that is consistent with the massing and scale of adjacent commercial and light industrial office buildings. The grounds will be landscaped and well-maintained, and a large portion of the western site of the parcel will remain undisturbed, along with the project site's oak trees and native shrubs. HVAC units will be screened and located away from residences to the north, and a sound barrier will be constructed to further mitigate any noise impacts from the project.

- Access and Parking. Adequate provision shall be made for vehicular access, parking and loading so as to prevent undue traffic congestion on adjacent streets and highways, particularly on local streets. The majority of the residents at the adult residential facility will not have personal vehicles. Pursuant to Section 22.52.1120.D, every residential facility must have one parking space for each staff member on the largest shift, and one parking space for each vehicle used directly for the facility. The largest shift is expected to have 36 employees, and the facility will have 45 vans/cars for the daily use of the facility's operations. Therefore 81 parking spaces are required and 95 spaces are provided. In addition, a traffic study was completed for the project and demonstrated that the project is not expected to generate a significant number of new trips or impact existing traffic patterns in the area.

- Building Coverage. Buildings shall not occupy more than 40 percent of the gross area. In calculating "gross area," any streets or highways on the perimeter of the parcel of land, or any major or secondary highway or parkway that traverses the property, or any area which is required to be dedicated, or a private easement given for any such street or highway, shall be excluded. The building footprint for the project is 35,864 square feet, or approximately 17 percent lot coverage. Therefore the project is well under the 40 percent maximum lot coverage requirement.

- Utilities. The applicant shall submit to the hearing officer, and it shall be made a condition of approval, satisfactory evidence that the applicant has made arrangements with the serving utilities to install underground all new facilities

necessary to furnish service in the development. All utilities serving the facility will enter the site underground. Therefore the project complies with this requirement.

- Signs. The hearing officer, in granting the conditional use permit, may allow advertising signs permitted in Zone C-1 which he finds will be in keeping with the concept of planned development. The project is allowed 50 square feet of signage, plus a ¼ square foot of extra sign area for each linear foot of street frontage in excess of 100 feet. The project site has 423 linear feet of street frontage and is therefore allowed 131 square feet of signage. One monument sign is proposed near the driveway entrance and is 129 square feet. Therefore the project complies with this requirement.

- Development Features. The development plan shall include yards, walls, walks, landscaping and such other features as may be needed to make the commercial development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area. The project site will be well landscaped and will feature a drought tolerant plant pallet native to southern California including Sycamores, Oaks, Western Redbuds and native shrubs such as California lilac, rosemary and sage. The plants are integrated around the site along with a well-lit meandering ADA accessible loop path that is connected to each courtyard area and provides restful seating at short intervals for residents to view the scenic San Fernando Valley. Included in the landscape plan are courtyards with shaded group and individual seating areas, and gaming tables for chess, checkers and backgammon. There is an active pool area with accessible lift and decorative fencing next to a fire side seating space that are both interconnected by an outdoor dining area. A separate secure courtyard with seating, walking path and raised garden planting beds serves the memory care unit. Therefore the project complies with this requirement.

The project is subject to the provisions of the Santa Monica Mountains CSD, pursuant to Section 22.44.133 of the County Code. The provisions from the CSD that are applicable to the project are as follows:

- Exterior Lighting. Exterior lighting shall be low intensity, directional and/or screened to prevent glare or direct off-site illumination. Street lighting shall be permitted only where required by the department of public works or Caltrans for public safety. The project is subject to the standards and regulations of the Rural Outdoor Lighting District Ordinance (Dark Skies), which minimizes the adverse impacts of outdoor lighting and light trespass. The project meets all of the requirements of the ordinance and will utilize energy-efficient LED lighting.

- Grading. A CUP is required for any grading on a lot or parcel of land that exceeds 5,000 cubic yards of total cut plus total fill material. The CUP requires

findings that the grading will be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project, and that the grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features. In addition, an approved haul route is required for the offsite transport of 1,000 cubic yards or more of cut or fill material, and grading shall not begin during the rainy season, defined as October 15 of any year through April 15 of the subsequent year. According to the grading plan estimates, the gross earthwork volumes are anticipated to include 5,597 cubic yards of cut and 3,376 cubic yards of fill, and approximately 2,221 cubic yards will be exported from the project site. All grading will be restricted to the project site and does not cross onto adjacent properties. Much of the over-excavation and re-compaction is being completed for geo-technical purposes. Finally, the grading plan for the project was reviewed and cleared by the Department of Public Works. Therefore staff is of the opinion that the project meets the required findings for the grading CUP for the CSD.

- Maximum Allowable Floor Area Ratio. The floor area ratio (FAR) for all buildings on a parcel of land shall not exceed 0.5. The total site area is 216,493 square feet, and the total floor area of the project is 105,872 square feet, which equates to a floor area ratio of 0.49. Therefore the project complies with this requirement.

- Height: Zones C-3 and CPD. A building or structure in Zone C-3 or CPD shall not exceed a height of 35 feet above grade, excluding signs that are permitted by Part 10 of Chapter 22.52, chimneys, and rooftop antennas. The project proposes a three-story structure with a maximum height of 35 feet, as shown in the project's elevation renderings. Therefore the project complies with this requirement.

The project is subject to the provisions of 22.56, Part 16 for Oak Tree Permits. The construction of the facility and the facility's parking lot will result in the encroachment into the protected zone of four (4) oak trees. The developed was carefully designed to avoid the steeply-sloped western third of the project site that also contains many of the oak trees. A required Oak Tree Report was completed by a certified arborist on December 12, 2014 and confirmed the health status of all oak trees on the property. The County Forester also reviewed the project and the Oak Tree Report.

The project will not remove any oak trees, and mitigation trees are only required if an oak tree dies as a result of an encroachment. All of the standard mitigation measures and protections for oak trees from the Oak Tree Report have been incorporated into the Mitigated Negative Declaration (MND), as well as additional measures from the County Forester, which is attached to the MND as Appendix A. With adherence to these mitigation measures, there are no expected long-term impacts to the oak trees on the project site. The project is designed to have the least impacts on oak tree resources and any alternative design would be prohibitive. Therefore the project will be completed

without endangering the health of the remaining trees on the site or result in soil erosion through the diversion or increased flow of surface waters.

Neighborhood Impact/Land Use Compatibility

The project is a request to authorize the construction and operation of a 140-unit adult residential facility. The project is located in a highly urbanized area that is developed with large planned commercial and light industrial office buildings, with large-lot residential parcel to the north. The project site is also directly adjacent to the Ventura Freeway to the south.

The project is consistent with the land use and zoning designations for the property. The project site is located within the Commercial (C) land use category of the Santa Monica Mountains North Area Plan. This designation is intended for areas for the general shopping and commercial service needs of area residents and workers, as well as the needs of highway users and tourists, and appropriate uses include a range of general commercial uses. The project provides an important commercial service for seniors who need a supportive living environment and therefore the project is consistent with the permitted uses of the underlying land use category. The project is also supported by a land use policy that supports the location of new commercial services along the Ventura Boulevard corridor. The subject property is zoned CPD and is consistent with all of the zoning requirements for the CPD Zone, the CSD, and the oak tree permit, including provisions for parking, design, height, landscaping, allowable floor area, and grading.

The project will provide important housing and support services to seniors and seniors with dementia. A licensed nurse will be on-site 24 hours a day and the facility will provide housekeeping and laundry services, chef-prepared dining, and health, social and recreational programs. The facility will employ up to 81 employees over three shifts, with the largest shift having a maximum of 36 employees. The project proposes a well-designed facility with highly-landscaped grounds. The scale of the project is similar to adjacent properties that are developed with large commercial and light industrial office buildings. The project site is currently undeveloped and has been previously disturbed and graded, but has been vacant for over a decade. The project will provide a valuable service in a well-designed environment that is appropriately located for this scale of commercial activity. Therefore, the project is not expected to adversely affect the health, peace, comfort, or welfare of persons residing or working in the area, be materially detrimental to the use, enjoyment or valuation of property in the area, or jeopardize, endanger or constitute a menace to the public health, safety or general welfare.

A comprehensive environmental document was prepared for the project, and the project is not expected to have any significant effects on the environment. Impacts to the oak trees on the property will be mitigated and there are no oak tree removals. The project is located in an area that is heavily urbanized, is directly adjacent to the 101 Freeway, and has existing utility infrastructure in place. The MND that was completed for the project demonstrated that there are no expected significant impacts to the County's service systems, including law enforcement and fire. A sewer study and hydrology study were also completed and reviewed by the Department of Public Works and also

demonstrated that there are no expected significant impacts from the project on the County's sewer or waste management services. Finally, a traffic study demonstrated that the project is not expected to generate a substantial amount of new trips. Therefore the project is adequately served by existing streets, public services and utility infrastructure.

Burden of Proof

The applicant is required to substantiate all facts identified by Sections and 22.56.040 for the CUP and 22.56.2100 of the County Code for the Oak Tree Permit. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The project was reviewed and cleared by the County Departments of Public Works, Health, Fire, and the County Forester. A summary of the comments and conditions from the Departments are as follows:

- Public Works: Requirements for street, road, curb, and gutter improvements, the need for final approval of drainage and grading plans for the site, and a flood control easement to the LA County Flood Control Department.

- Fire: Standard fire requirements were placed on the project regarding access, signage for fire lanes, and fire hydrant approvals.

- Public Health: Public Health commented on potential concerns related to air quality due to the proximity to the 101 Freeway. This issue was addressed in the MND and mitigation measures are proposed to minimize this impact.

- Forester: The County Forester reviewed the Oak Tree Report and offered standard mitigation for the protection of oak trees during the construction of the facility.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

The project and the associated Mitigated Negative Declaration was sent to the State Clearinghouse for review pursuant to CEQA reporting requirements. Staff received no comments on the project.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174, 22.60.175, and 22.56.2130 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has received two letters of support for the project from adjacent property owners.

FEES/DEPOSITS
If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF RECOMMENDATION
The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-01815-(3), Conditional Use Permit Number 201400155 and Oak Tree Permit Number 201500001, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND ADOPT THE MITIGATED NEGATIVE DECLARATION PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NUMBER 201400155 AND OAK TREE PERMIT NUMBER 201500001 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Travis Seawards, Senior Planner, Zoning Permits West Section
Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

Attachments:
Draft Findings
Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Environmental Document – Mitigated Negative Declaration
Site Photographs
Site Plan

MKK:TSS
12/10/15

DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01815-(3)
CONDITIONAL USE PERMIT NO. 201400155
OAK TREE PERMIT NO. 201500001

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on January 20, 2016, in the matter of Project No. **R2014-01815-(3)**, consisting of Conditional Use Permit No. 201400155 ("CUP"), Oak Tree Permit No. 201500001 ("Oak Tree Permit"). (The CUP and Oak Tree are referred to collectively as the "Project Permits.")

2. The permittee, Belmont Village ("permittee"), requests the Project Permits to authorize the construction and operation of an adult residential facility, for the grading in excess of 5,000 cubic yards of cut and fill, and for the encroachment into the protected zone of four oak trees ("Project") on a property located at 24141 Ventura Boulevard in the unincorporated community of the Santa Monica Mountains North Area ("Project Site").

3. The CUP is a request to authorize the construction and operation of an adult residential facility in the Commercial Planned Development (CPD) zone pursuant to Los Angeles County Code ("County Code") Sections 22.28.340.B and 22.28.110.

4. The CUP is a request to authorize grading that exceeds 5,000 cubic yards of total cut plus fill material pursuant to County Code Section 22.44.133.D.4.b.

5. The Oak Tree Permit is a request to authorize the encroachment into the protected zone of four (4) oak trees for the construction of the adult residential facility pursuant to County Code Section 22.56.2060.

6. The Project Site is 4.97 gross acres in size and consists of one legal lot. The Project Site is irregular in shape. The western third of the parcel is steeply-sloped and the remainder of the parcel is level. The Project Site has been previously disturbed and partially graded but is currently undeveloped.

7. The Project Site is located in the Malibu Zoned District and is currently zoned CPD.

8. The Project Site is located within the Commercial (C) land use category of the Santa Monica Mountains North Area Plan Land Use Policy Map.

9. Surrounding Zoning within a 500-foot radius includes:

   North: Light Agricultural – 1 Acre Minimum Lot Area Required (A-2-1)
   South: CPD, Ventura Freeway, and City of Calabasas, developed with commercial uses
   East: Light Manufacturing (M-1)
   West: CPD

10. Surrounding land uses within a 500-foot radius include:

    North: Single-family, large-lot residential development
    South: Ventura Freeway, landscaping, and the City of Calabasas
    East: Commercial office building, gas service station, and light industrial uses
    West: Commercial office building

11. There are two previous cases associated with the subject parcel:

    - Project 04-031: Plan Amendment, Tract Map and CUP for 66 attached condominiums, hillside management, grading in the Santa Monica Mountains North Area, and density bonus for senior citizen housing. This project was not completed and the property owner is not pursuing these entitlements.
    - Project No. 2206 / CUP No. 200700060: CUP application for two 45,000-suare-foot office buildings and parking structure. The project was not completed and the property owner is not pursuing these entitlements.

12. The site plan for the Project depicts the subject property, which is 4.97 acres. The site is currently undeveloped, but the entire eastern third of the parcel has been previously disturbed and graded. A concrete channel is located along the eastern boundary of the project site. The western third of the project site is steeply-sloped and contains 22 oak trees. The main facility is located on the eastern half of the parcel and has a building footprint of 36,333 square feet. The 105,900-square-foot structure is accessed by a driveway off of Ventura Boulevard that leads directly to the main entrance, which is on the west side of the facility. A parking lot with 97 parking spaces surrounds the facility on the western and southern sides. The facility also proposes a courtyard and a pool along the eastern side of the building

13. The Project Site is accessible via Ventura Boulevard to the South. Primary access to the Project Site will be via an entrance/exit on Ventura Boulevard.

14. The project was reviewed and cleared by the County Departments of Public Works, Health, Fire, and the County Forester. The Department of Public Works provided requirements for street, road, curb, and gutter improvements, the need for final approval of drainage and grading plans for the site, and a flood control easement to the LA County Flood Control Department. The Fire Department provided standard requirements regarding access, signage for fire lanes, and fire hydrant approval. The Department of Public Health commented on potential concerns related to air quality due to the proximity to the 101 Freeway. This issue was addressed in the MND and mitigation measures are proposed to minimize this impact. The County Forester reviewed the Oak Tree Report and offered standard mitigation for the protection of oak trees during the construction of the facility.

15. Prior to the Commission's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA

Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, Regional Planning staff determined that a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure that the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project.

16. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

17. Staff has received two letters of support for the project from adjacent property owners.

18. Hearing Proceedings – Reserved.

19. The Commission finds that the Project is consistent with the Commercial (C) land use designation for the subject property from the Santa Monica Mountains North Area Plan. This designation is intended for areas for the general shopping and commercial service needs of area residents and workers, as well as the needs of highway users and tourists. Appropriate uses include a range of general commercial, including retail and personal service uses, specialty shops, offices, highway oriented uses, financial institutions, motels, and art and studio facilities. An adult residential facility with over six (6) residents and support services that are licensed with the State are considered a commercial/institutional use, and the project provides an important service for seniors who need a supportive living environment.

20. The Commission finds that the Project is supported by the following Land Use and Housing Policies from the Santa Monica Mountains North Area Plan:

- *Land Use and Housing, Policy VI-19: Require light industrial and commercial uses include adequately landscaped open space, and be designed to relate to the surrounding environment.* The project meets all development requirements for FAR and lot coverage. The project is allowed 0.50 FAR and has 0.49, and is allowed 40 percent lot coverage and has 17 percent lot coverage. The western half of the project site will remain undisturbed and none of the 33 oak trees for the project area will be removed. The grounds will be highly-landscaped and well-maintained by the staff and will be consistent with the landscaping amenities seen on adjacent parcels that are developed with commercial and industrial office buildings.

- *Land Use and Housing, Policy VI-29: Concentrate light industrial, commercial and office uses adjacent to the Ventura Freeway corridor, and ensure that each project has adequate access, can handle the traffic, and is accessible to essential services, with appropriate site design standards to enhance community character.* The project is a 140-unit adult residential facility providing services and housing to seniors that need 24-hour support and care. Adult residential

facilities of this nature and size that are licensed with the State of California are considered commercial or commercial/institutional uses. The project is located adjacent to the Ventura Freeway and is directly adjacent to commercial office buildings and light industrial office buildings and is therefore similar in size and scale to the surrounding area. Additionally, an adult residential facility is not a use that contributes a large amount of new trips, as evidenced by the traffic study that was completed for the project. The project is well-designed and will also be highly-landscaped and the grounds well-maintained.

21. The Commission finds that the Project is consistent with the provisions and regulations of the CPD Zone, including the need for the commercial use, design, access and parking, building coverage, utilities, signs, and development features. The Project will provide critically important services, care, and housing for senior citizens, including patients with dementia and will be well-designed, landscaped, and compatible with the mass and scale of surrounding commercial and light industrial development. The Project will underground utilities to the site and the building footprint will occupy approximately 17 percent of the lot, which is well under the 40 percent maximum lot coverage allowed. Finally, the Project is required to provide one parking space for each staff member on the largest shift, and one parking space for each vehicle used directly for the facility, which is 81 parking spaces, and the facility will provide 95 spaces.

22. The Commission finds that the Project is consistent with the provisions and regulations of the Santa Monica Mountains North Area Community Standards District (CSD) for exterior lighting, maximum allowable floor area ratio, and height. The project is subject to the standards and regulations of the Rural Outdoor Lighting District Ordinance (Dark Skies), which minimizes the adverse impacts of outdoor lighting and light trespass. The project meets all of the requirements of the ordinance and will utilize energy-efficient LED lighting. The project is allowed a maximum FAR of 0.5 and has a total FAR of 0.49, and the maximum height of the structure is 35 feet.

23. The Commission finds that the Project is consistent with the provisions and regulations of the Santa Monica Mountains North Area CSD for grading. A CUP is required for any grading on a lot or parcel of land that exceeds 5,000 cubic yards of total cut plus total fill material. The CUP requires findings that the grading will be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project, and that the grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features. According to the grading plan estimates, the gross earthwork volumes are anticipated to include 5,597 cubic yards of cut and 3,376 cubic yards of fill, and approximately 2,221 cubic yards will be exported from the project site. All grading will be restricted to the project site and does not cross onto adjacent properties. Much of the over-excavation and re-compaction is being completed for geo-technical purposes. Finally, the grading plan for the project was reviewed and cleared by the Department of Public Works.

24. The Commission finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the area, be materially detrimental to the use, enjoyment or valuation of property in the area, or jeopardize, endanger or constitute a menace to the public health, safety or general welfare. The project will provide important housing and support services to seniors and seniors with dementia. A licensed nurse will be on-site 24 hours a day and the facility will provide housekeeping and laundry services, chef-prepared dining, and health, social and recreational programs. The facility will employ up to 81 employees over three shifts, with the largest shift having a maximum of 36 employees. The project proposes a well-designed facility with highly-landscaped grounds. The scale of the project is similar to adjacent properties that are developed with large commercial and light industrial office buildings. The project site is currently undeveloped and has been previously disturbed and graded, but has been vacant for over a decade. The project will provide a valuable service in a well-designed environment that is appropriately located for this scale of commercial activity

25. The Commission finds that the proposed Project is adequate in size and shape to accommodate the development features required by Title 22 in order to integrate the use with the surrounding area. The subject property is zoned CPD and is consistent with all of the zoning requirements for the CPD Zone, the CSD, and the oak tree permit, including provisions for parking, design, height, landscaping, allowable floor area, and grading. The project proposes a well-designed facility with highly-landscaped grounds. The scale of the project is similar to adjacent properties that are developed with large commercial and light industrial office buildings.

26. The Commission finds that the project is adequately served by existing streets, public services and utility infrastructure. The project is located in an area that is heavily urbanized, is directly adjacent to the 101 Freeway, and has existing utility infrastructure in place. An extensive environmental review was completed for the project, and demonstrated that there are no expected significant impacts to the County's service systems, including law enforcement and fire. A sewer study and hydrology study were also completed and reviewed by the Department of Public Works and also demonstrate that there are no expected significant impacts from the project on the County's sewer or waste management services. Finally, a traffic study demonstrated that the project is not expected to generate a substantial amount of new trips.

27. The Commission finds that the project is consistent with the provisions and regulations for Oak Tree permits. The construction of the facility and the facility's parking lot will result in the encroachment into the protected zone of four (4) oak trees. A required Oak Tree Report was completed by a certified arborist on December 12, 2014 and confirmed the health status of all oak trees on the property. The County Forester also reviewed the project and the Oak Tree Report. The project will not remove any oak trees, and mitigation trees are only required if an oak tree dies as a result of an encroachment. All of the standard mitigation measures for oak trees from the Oak Tree Report have been incorporated into the Mitigated Negative Declaration (MND), as well as additional measures from the County Forester, which

is attached to the MND as Appendix A. With adherence to these mitigation measures, there are no expected long-term impacts to the oak trees on the project site.

28. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to thirty (30) years.

29. The Commission finds that pursuant to sections 22.60.174, 22.60.175, and 21.56.2130 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Agoura Hills/Santa Monica Mountains North Area community. On November 25, 2015, a total of22 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 21 notices to those on the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.

30. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.

31. The Commission finds that the MMRP, prepared in conjunction with the MND, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Board further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and MMRP.

32. After consideration of the MND and MMRP, together with the comments received during the public review process, the Commission finds on the basis of the whole record before it that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the MND reflects the independent judgment and analysis of the Commission.

33. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

Regarding the Conditional Use Permit

A. The proposed use with the attached conditions will be consistent with the adopted General Plan.

B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

Regarding the Oak Tree Permit

E. The proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property.

F. The removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

G. The removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
    a. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or

H. The encroachment into the protected zone of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the MND and that the MND reflects the independent judgment and analysis of Commission as to the environmental consequences of the Project; certifies that it considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Commission that there is

no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and

2. Approves Conditional Use Permit No. 201400155 and Oak Tree Permit No. 201500001, subject to the attached conditions.

ACTION DATE: January 20, 2016

MKK:TSS
12/16/15

c: Each Commissioner, Zoning Enforcement, Building and Safety

DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01815-(3)
CONDITIONAL USE PERMIT NO. 201400155
OAK TREE PERMIT NO. 201500001

PROJECT DESCRIPTION

The project is a request to authorize the construction and operation of a 140-unit adult residential facility, to allow grading in excess of 5,000 cubic yards of total cut and fill material in the Santa Monica Mountains North Area, and to authorize the encroachment into the protected zone of four (4) oak trees for the construction of the adult residential facility, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition Nos. 10, 11, and 14. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 9, and 12 shall be effective immediately upon the date of final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.

4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to $5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the

costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of $5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.

7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. **This grant shall terminate on January 20, 2045**. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.

10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **$3,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **fifteen (15) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Within five (5) working days from the day after your appeal period ends **February 10, 2016,** the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **$2,285.00** ($2,210.00 for a Mitigated Negative Declaration plus $75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.

12. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which are incorporated by this reference as if set forth fully herein.

13. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.

14. The permittee shall deposit an initial sum of $6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

15. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

16. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.

17. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.

18. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

19. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.

20. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

    In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

21. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies of** a modified Exhibit "A" shall be submitted to Regional Planning by **April 20, 2016**.

22. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies of** the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

23. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified in the Oak Tree Report that dies as a result of the approved encroachments. For any replacement trees that need to be planted, the following additional conditions apply:

    a. The permittee shall plant one healthy acorn of the same species of oak (*Quercus sp.*) as the tree removed for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.

    b. All replacement trees shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus sp.*) as the removed tree. The location of the replacement tree shall be in the vicinity of other oak trees of the same species. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.

    c. When replacement trees are planted on disturbed soil or are not in the vicinity of the same species of oak (*Quercus sp.*) as the removed tree, planting shall incorporate a mycorrhizal product, either as amendment or in the first two irrigations or watering of planted trees (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.

PROJECT SITE SPECIFIC CONDITIONS

24. This grant shall authorize the construction and authorization of a 140-unit adult residential facility, the grading in excess of 5,000 cubic yards of total cut and fill

material in the Santa Monica Mountains North Area, and the authorization to encroach into the protected zone of four (4) oak trees for the construction of the adult residential facility.

25. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of one parking space for each staff member on the largest shift, and one parking space for each vehicle used directly for the facility. The largest shift at the adult residential facility will have 36 employees, and the facility will have 45 vans/cars for daily use, which would require not less than 81 spaces be provided based on the applicable ratio. If the permittee changes the operation of adult residential facility so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.

    If the adult residential facility substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

26. Grading shall not begin during the rainy season, defined as October 15 of any year through April 15 of the subsequent year.

27. Prior to the issuance of a final building permit and the commencement of any grading, the permittee shall supply the Department of Regional Planning with a haul route and written approval from the party receiving the export material from the project site.

28. During construction, the permittee and its contractor shall comply with section 12.12.010 – 12.12.100 of the Los Angeles County Code regarding building construction noise, to the extent feasible.

29. To reduce construction traffic, grading and construction equipment shall be stored on the project site while in use and construction employee shall park on the project site if feasible.

30. The permittee shall provide flagmen or other personnel to direct traffic entering or existing Ventura Boulevard during construction to give priority to residents, visitors, and other passenger vehicles.

31. The project site shall be fenced during construction to reduce wind-blown dust. Construction materials shall be covered. All storage soil and sand shall be covered. All debris shall be cleaned up daily and put in a dumpster which shall be covered at the end of each day.

32. All clearing, grading, earth moving, and excavation activities shall cease during periods of high winds (e.g. greater than 15 miles per hour).

33. If the site is graded and left undeveloped for over three weeks, the permittee shall employ various methods to inhibit dust generation including seeding, watering, spreading soil binders, and other dust suppression methods to the satisfaction of the Director of Regional Planning.

34. Dust and mud generated by project construction shall be kept on-site through the use of dust and mud control measures, including watering or sprinkling the site at least twice daily or more frequently as necessary, covering or watering exposed pits, erecting dust fences, tarping debris transport trucks, washing the tires of any vehicles leaving the construction site, and/or other measures as appropriate.

35. Streets and driveways immediately adjacent to the site shall be swept at least once a day during excavation and grading and more frequently if needed to remove dust and silt that may accumulate from earth work activities.

36. Demolition and excavation operations shall be suspended during second stage smog alerts in the area. All materials used on-site shall be controlled in accordance with SCAQMD.

37. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated October 7, 2015, to the satisfaction of said department.

38. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated October 20, 2015, to the satisfaction of said department.

39. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated January 9, 2015, to the satisfaction of said department.

40. The permittee shall comply with all conditions set forth in the attached County Forester Department letter dated August 6, 2015, to the satisfaction of said department.

Attachments:
Mitigation Monitoring Program (pages 1- 3)
Fire Department Letter dated October 20, 2015
Public Works Department Letter dated October 7, 2015
Public Health Department Letter dated January 9, 2015
Forester Department Letter dated August 6, 2015
Oak Trees: Care and Maintenance Guide

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

October 7, 2015

IN REPLY PLEASE
REFER TO FILE: LD-3

TO: Mi Kim
Zoning Permits West Section
Department of Regional Planning

Attention Travis Seawards

FROM: Art Vander Vis
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201400155
PROJECT NO. R2014-01815-(3)
24141 VENTURA BOULEVARD
ASSESSOR'S MAP BOOK NO. 2049, PAGE 43, PARCEL NO. 5
UNINCORPORATED COUNTY AREA OF CALABASAS

Thank you for the opportunity to review the site plan and the zoning permit application for the project located at 24141 Ventura Boulevard in the unincorporated County area of Calabasas. The applicant is requesting authorization for a CUP to allow the construction and use of a residential assistant living facility for approximately 140 residences. The project will include a three-story, 105,300-square-foot facility that will contain a maximum of 160 beds with 81 employees working in 3 shifts. In addition, the project is proposing 92 parking spaces including 2 handicapped spaces. The proposed grading quantities include approximately 5,597 cubic yards of cut, 3,376 cubic yards of fill, 2,221 cubic yards of export, and 4,327 cubic yards of overexcavation.

☒ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.

☐ Public Works has comments on the submitted documents; therefore, a Public Hearing shall **NOT** be scheduled until the following comments have been addressed.

1. Road

   1.1 Construct a driveway approach at the site along Ventura Boulevard (located approximately 215 feet east of the westerly property line) to comply with current American with Disabilities Act guidelines. Please note this will involve constructing sidewalk transitions in the vicinity of the proposed driveway. Relocate any affected utilities.

   1.2 Close the unused existing driveway, located approximately 280 feet east of the westerly property line, with standard curb, gutter, and sidewalk along the property frontage on Ventura Boulevard to the satisfaction of Public Works.

   1.3 Construct drainage devices (parkway drains/curb drains) at the site and execute a drainage covenant for the maintenance of the devices to the satisfaction of Public Works.

   1.4 Submit street improvement plans and acquire street plan approval before obtaining a grading permit.

   1.5 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

   1.6 The keynotes as shown on the plan are not necessarily approved. No improvements shall be constructed from the site plan.

   For questions regarding the road conditions, please contact Teni Mardirosian of Public Works' Land Development Division at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

2. Drainage/Grading

   2.1 Submit detailed structural plans for the construction of the proposed retaining wall located at the southerly edge of the property, adjacent to the existing public right of way along Ventura Boulevard, to Public Works' Design Division for review and approval prior to obtaining a grading permit. This is to ensure there will be no impact to County infrastructures. It shall be the sole responsibility of the owner to construct the retaining walls and execute a covenant for the maintenance of the wall to the satisfaction of Public Works.

2.2 Process the appropriate documents for the vacation of the slope and drainage easement (located at the southeast corner of the property) with Public Works' Survey/Mapping and Property Management Division. Please contact Tommy Browne of Survey/Mapping and Property Management Division at (626) 458-7178 or tbrowne@dpw.lacounty.gov to proceed with the vacation process. The area must be vacated prior to issuance of the grading permit or other alternative milestones acceptable to Public Works.

2.3 A connection/construction permit from the Los Angeles County Flood Control District, prior to construction, is required for any new connection to existing LACFCD drains/facilities (PD 2365). Plans must be submitted to Public Works for review and approval prior to any construction commencing. Contact Public Works' Land Development Division, Encroachment Permits and Inspection Section, for submittal requirements and permit fees at (626) 458-3129.

2.4 Submit a grading and drainage plan for review and approval that complies with the approved hydrology/Low-Impact Development study dated September 15, 2015, or any subsequent approval. The grading plans must show and call out the construction of all drainage devices and details and paved driveways, elevation and drainage of all pads, and the water quality devices, as applicable. The applicant is required to show and call out all existing and proposed easements on the grading plan and obtain the easement holder approvals.

2.5 Obtain soil/geology approval of the grading plan from Public Works' Geotechnical and Materials Engineering Division.

2.6 Execute an agreement that addresses the maintenance of any privately maintained drainage devices that are constructed on-site.

For questions regarding the drainage/grading conditions, please contact Ms. Mardirosian at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

3. Flood Maintenance

3.1 Provide additional easements for ingress and egress purposes to the LACFCD on the existing driveway from the Parkway Calabasas right of way at the northeast corner of the site to the existing LACFCD drainage easement located approximately 15 feet within the site to the satisfaction of LACFCD. The additional ingress and egress easement will allow LACFCD maintenance vehicles to access the existing drainage easement on-site through the driveway on Parkway Calabasas.

For questions regarding the flood maintenance condition, please contact Vanessa Hernandez of Public Works' Flood Maintenance Division at (818) 896-0594 or vhernandez@dpw.lacounty.gov.

4. Building and Safety

4.1 Submit building plans to Public Works' Building and Safety Division, Calabasas District office, for review and approval.

For questions regarding the building and safety condition, please contact Clint Lee of Building and Safety Division at (626) 458-3154 or cllee@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ms. Mardirosian at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

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COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-01815 MAP DATE: 09/24/2015

LOCATION: 24141 Ventura Blvd., Calabasas

PLANNER: Travis Seawards

REVISED CONDITIONS: Supersedes Fire Dept. Comments Dated 05/01/2015

THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

CONDITIONS OF APPROVAL – ACCESS

1. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

2. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

3. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.

4. The edge of the fire access roadway shall be located a minimum of 5 feet from the building or any projections there from.

5. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

Reviewed by: Wally Collins Date: October 20, 2015

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6. Provide a minimum unobstructed width of 28 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building when the height of the building above the lowest level of the Fire Department vehicular access road is more than 30 feet high, or the building is more than three stories. The access roadway shall be located a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. Fire Code 503.1.1 & 503.2.2

7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1

8. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5

    a. The Fire Department Turnaround shall be posted "No Parking-Fire Lane"

9. Fire Department vehicular access roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4

10. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 37 ½ tons and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3

11. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

Reviewed by: Wally Collins Date: October 20, 2015

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12. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

13. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Fire Code 503.4

14. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1

15. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

16. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

17. Turf Track Paving is permitted in the designated locations as noted on the revised site plan.

Reviewed by: Wally Collins Date: October 20, 2015

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Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-01815 MAP DATE: 09/24/2015

LOCATION: 24141 Ventura Blvd., Calabasas

PLANNER: Travis Seawards

CONDITIONS OF APPROVAL – WATER STSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.

2. All on-site fire hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall. Exception: For fully sprinkled multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure. Fire Code Appendix C106

3. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

4. The fire flow for the public fire hydrant is 3000 gallons per minute at 20 psi for 3 hours. The proposed building is required to have an approved automatic fire sprinkler system. The public fire hydrant tested on 02/20/2015 is adequate for this project.

    a. The fire flow is reduced based on Type 1A Construction along with the installation of an automatic fire sprinkler system.

5. Install one (1) private on-site fire hydrant. The required fire flow for the on-site private fire hydrants for this project is 1250 gpm at 20 psi residual pressure for 2 hours. One (1) on-site fire hydrant flowing simultaneously may be used to achieve the required fire flow.

6. All private on-site fire hydrants shall be installed, tested and approved prior to building occupancy. Fire Code 901.5.1

    a. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 & County of Los Angeles Fire Department Regulation 7

Reviewed by: Wally Collins Date: October 20, 2015

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Land Development Unit
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Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-01815 MAP DATE: 09/24/2015

LOCATION: 24141 Ventura Blvd., Calabasas

PLANNER: Travis Seawards

CONDITIONS OF APPROVAL – FUEL MODIFICATION

1. This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone. A "Preliminary Fuel Modification Plan" shall be submitted and approved prior to public hearing. For details, please contact the Department's Fuel Modification Unit which is located at Fire Station 32, 605 North Angeleno Avenue in the City of Azusa CA 91702-2904. They may be reached at (626) 969-5205.

    a. The Preliminary Fuel Modification Plan was "approved" by the Fuel Modification Unit on 04/02/2015.

    b. A final Fuel Modification Plan approval will be required prior to permits being issued for construction.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.

Reviewed by: Wally Collins Date: October 20, 2015

COUNTY OF LOS ANGELES
Public Health

CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

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BOARD OF SUPERVISORS

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January 9, 2015

TO: Travis Seawards
Senior Regional Planning Assistant
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA (M.T)
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2014-03163/ CUP201400155
Belmont Village Adult Assisted Living Facility
424141 Ventura Blvd., Calabasas

☒ Public Health recommends approval of this CUP.
☐ Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the CUP request for the above referenced project. The CUP is to allow the construction and operation of a 140-unit adult assisted living facility, located in the Commercial Planned Development (CPD) Zone in the unincorporated Santa Monica Mountains North Area. The Department recommends approval of the CUP contingent upon the following conditions.

Toxics-Epidemiology Program

Staff from Toxics Epidemiology Program reviewed the documents and plans provided by the applicant of the subject property located at the above location.

The Program does not have any special conditions regarding noise impacts on residential land use. However, the proximity to the 101 Highway is still a concern due to vehicular emissions. We would like to request a list of mitigation measures or engineering controls that would help to minimize this impact. Engineering controls or site design such as: closed loop ventilation system, high efficiency outdoor air filtration equipment, location of outside air intakes, minimal window size on exterior walls facing the freeway, and other measures can be integrated into the mitigation plan. As discussed in the One Stop meeting, our document regarding proximity to roadways states the Department of Public Health position in this matter.

If you have questions regarding the above section, please contact Robert Vasquez or Evenor Masis of the Toxics-Epidemiology Program at (213)738-3220 or at rvasquez@ph.lacounty.gov and emasis@ph.lacounty.gov.

For any other questions regarding this report, please feel free to contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

August 6, 2015

Travis Seawards, Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Seawards:

OAK TREE PERMIT NUMBER 2015-00001
PROJECT NUMBER R2014-01815-(3)
24141 VENTURA BLVD., CALABASAS

We have reviewed the "Request for Oak Tree Permit #2015-00001." The project is located at 24141 Ventura Blvd. in the unincorporated area of Calabasas. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Stephanie Lopez, the consulting arborist, dated August 8, 2014.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of $300. Such fees shall be used to compensate the County Forester $100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of

approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and two (2) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division, stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester, any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.

4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact, as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.

5. The permittee shall install temporary chainlink fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site, as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.

6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval, shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE ENCROACHMENT:

7. This grant allows encroachment within the protected zone of four (4) trees of the Oak genus identified as Tree Number 1, 7, 8 and 9 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved and treated as recommended by the consulting arborist.

8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines

are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above, that dies as a result of the approved encroachments.

11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.

12. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia*, grown from a local seed source.

13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.

19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.

20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.

21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.

22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division, for all enforcement efforts necessary to bring the subject property into compliance.

To schedule a County Forester inspection, please contact the Environmental Review Unit at (818) 890-5719.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,

J. LOPEZ, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JL:jl

Enclosure

OAK TREES:
Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or
- equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
http://planning.co.la.ca.us

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.

Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES : DEEP GREEN, 3"-4" LONG : PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS : FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERLY BY AGRICULTURE and URBAN DEVELOPMENT.

Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES : GLOSSY GREEN, 1"-3" LONG : SPINY, ROUNDED, AND HOLLY-LIKE : BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.

Interior Live Oak
QUERCUS WISLIZENii

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES : DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS :
CALIFORNIA BLACK OAK : QUERCUS KELLOGGI
CANYON LIVE OAK : QUERCUS CHRYSOLEPIS
ENGELMANN OAK : QUERCUS ENGELMANNii

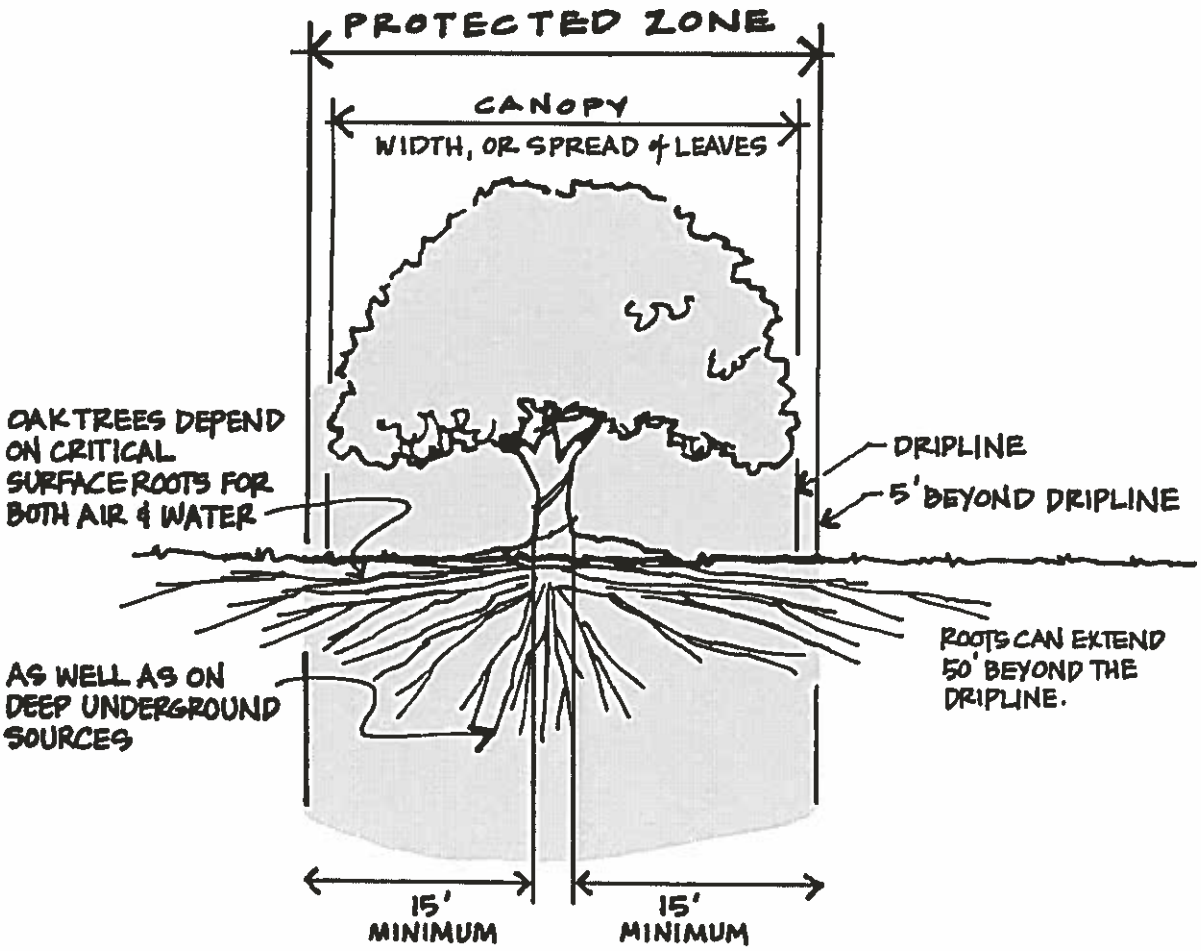
THE PROTECTED ZONE

The ***protected zone*** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

> "The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

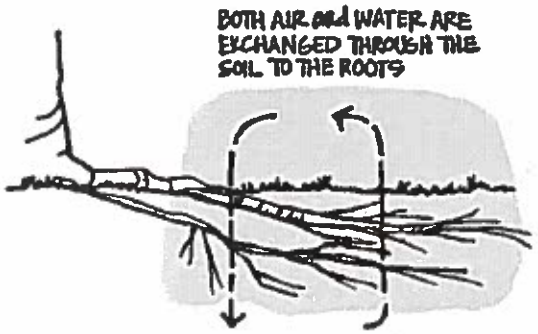
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

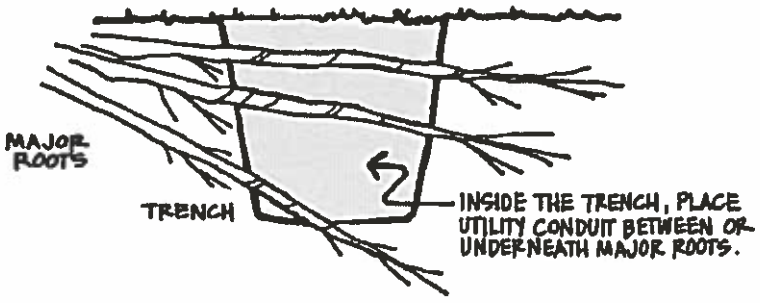
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

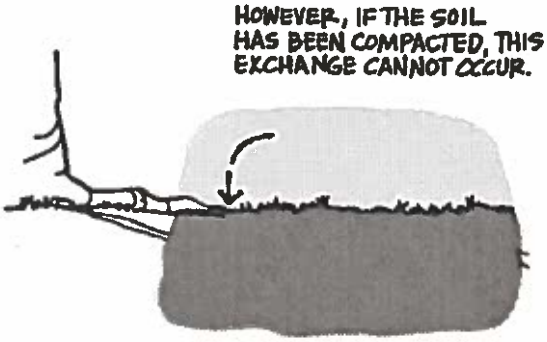
If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING





MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

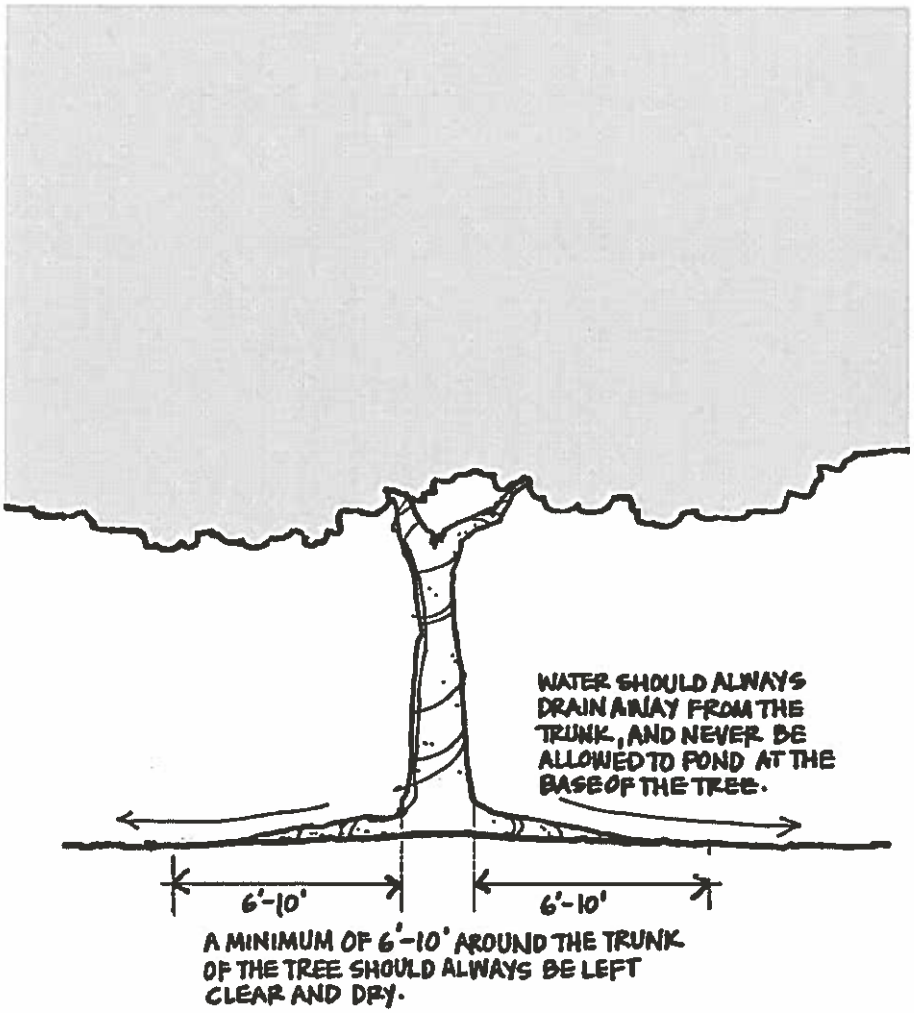
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
Arctostaphylos densiflora 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
Arctostaphylos edmundsii Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
Arctostaphylos hookeri Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
Ceanothus griseus horizontalis Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
Heuchera spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
Mahonia aquifolium compacta Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
Ribes viburnifolium Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the *Sunset Western Garden Book* to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
http://lacofd.org/forestry.htm

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
http://danr.ucop.edu/ihrmp

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

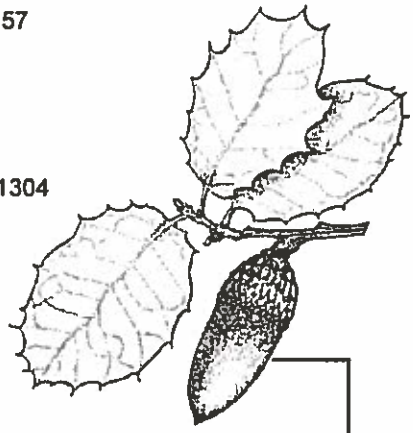
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.

County of Los Angeles Fire Department
Forestry Division

County of Los Angeles
Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

#8

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

(1) AN INITIAL STUDY WAS PERFORMED FOR THE PROJECT AND WAS DETERMINED THERE WERE EITHER NO IMPACTS, OR LESS THAN SIGNIFICANT IMPACTS THAT CAN BE MITIGATED TO ZERO. THE PROPOSED USE (ASSISTED LIVING) HAS A VERY LOW IMPACT ON TRAFFIC, NOISE HEALTH AESTHETICS, AIR QUALITY, UTILITIES & HYDROLOGY. THE IMPROVEMENTS TO THE SITE WILL BE CONSISTENT WITH THE SURROUNDING PROPERTIES AND THE VISUAL CHARACTER WILL BE OF HIGH QUALITY - NO FEATURES THAT WOULD DEGRADE THE APPEARANCE OF THE VACINITY

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

THE PROPOSED PROJECT IS LOCATED ON ± 5 ACRES [redacted] WITH APPROX. 2.8 AC. BEING USED FOR THE BLDG. & PARKING (FAR 0.49). THE BUILDING WILL ONLY COVER 17% OF THE GROSS AREA OF THE PROPERTY. MORE THAN 50% OF THE PROPERTY IS OPEN AND LANDSCAPED. THE USE UNDER THE GENERAL PLAN IS COMMERCIAL & ZONED CPD. THE PROPOSED PROJECT WILL MEET [redacted] LAND USE & PLANNING CRITERIA. THE PROJECT WILL BE COMPATIBLE WITH THE SURROUNDING USES.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

(1) THE PROPOSED PROJECT IS SERVED by PARKWAY CALABASAS TO THE EAST RUNNING NORTH-SOUTH AND VENTURA BLVD. LOCATED TO THE SOUTH RUNNING EAST-WEST. - BOTH OF THESE LOCAL STREETS CAN BE ACCESSED FROM US/01. CALABASAS RD. IS AN EAST-WEST ROADWAY LOCATED SOUTH OF THE SITE AND IS CLASSIFIED AS AN ARTERIAL ST. (2) LETTERS OF AVAILABILITY HAVE BEEN RECEIVED by ALL PRIVATE & PUBLIC UTILITIES

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

OAK TREE PERMIT BURDEN OF PROOF

Please identify the number of oak trees proposed for:

____ **Removal** 4 **Encroachment** 30 **To Remain** 30 **Total existing oak trees**

Pursuant to Zoning Code Section 22.56.2100, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, if any, on the subject property.

TYPICAL MEASURES FOR PROTECTING OAK TREES WILL BE IMPLEMENTED:
CHAIN LINK FENCING, ARBORIST SUPERVISION, ONLY HAND TOOL USE AROUND TREE
NO MACHINERY STORED NEAR TREES, NO TRENCHING IN PROTECTED ZONE

B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

NO REMOVAL OR RELOCATION NECESSARY FOR THIS PROJECT

C. That in addition to the above facts, at least one of the following findings must apply:

1. That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
   a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
   b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
2. That the oak tree(s) proposed for removal or relocation interfere with utility service or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s), or
3. That the oak tree(s) proposed for removal, with reference to seriously debilitating disease or danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practices.

NO REMOVAL OR RELOCATION NECESSARY FOR THIS PROJECT

D. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

NO REMOVAL OR RELOCATION NECESSARY FOR THIS PROJECT

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

MITIGATED NEGATIVE DECLARATION

PROJECT NO. R2014-01815-(3)
ENVIRONMENTAL CASE NO. 201400255

1. **DESCRIPTION:** The project is a request for a Conditional Use Permit (CUP) to allow the construction and operation of a 140-unit adult assisted living facility, located in the Commercial Planned Development (CPD) Zone in the unincorporated Santa Monica Mountains North Area. The project also includes a request for an Oak Tree Permit for the encroachment into the protected zone of four (4) oak trees for the construction of the project's parking lot, and a CUP for the grading in excess of 5,000 total cubic yards in the Santa Monica Mountains North Area.

2. **LOCATION:** 24141 Ventura Blvd, Calabasas, CA 91302

3. **PRPONENT:**
   Belmont Village (Stephen Brollier)
   8554 Katy Freeway, Suite 200
   Houston, TX 77024

4. **FINDINGS OF NO SIGNIFICANT EFFECT:** Based on the initial study, it has been determined that the project will not have a significant effect on the environment.

5. **LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:** The location and custodian of the record of proceedings on which the adoption of this Mitigated Negative Declaration is based is:

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

PREPARED BY: Travis Seawards, Zoning Permits West

DATE: 12/17/15

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2014-01815-(3) / PERMIT NO. 201400155 / ENV NO. 201400255

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	Nesting Birds. If vegetation clearing or other soil disturbances is to be initiated during the bird breeding season (February 1 through August 31), pre-construction / grading surveys shall be conducted by a qualified biologist. Surveys shall be conducted no more than one to two weeks prior to the initiation of clearance/construction work. If any active non-raptor bird nests are found, a suitable buffer area (varying from 250-300 feet), depending on the particular species found, shall be established from the nest, and that area shall be avoided until the nest becomes inactive (vacated). If any active raptor bird nests are found, a suitable buffer area of typically 250-500 feet from the nest shall be established, and that area shall be avoided until the nest becomes inactive (vacated). The limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area by a qualified biologist hired by the project proponent and endorsed by the County of Los Angeles Planning Department. Encroachment into buffers around active nests must be conducted at the discretion of a qualified biologist. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of nesting birds.	Conduct pre-construction nesting bird surveys if construction to occur between February 1 and August 31; provide monitoring reports to Regional Planning Staff biologist who will coordinate measure Cal Fish and Wildlife. Buffer should be provided is nesting birds are identified.	Prior to and during Construction	Applicant and subsequent owner(s)	Department of Regional Planning

5.1	Cultural Resources	Archaeological Resources. If significant subsurface prehistoric or historic archaeological or paleontological resources appear to be encountered during construction and/or earthmoving activities, the evaluation of any such resources shall proceed in accordance with the criteria outline din Section 106 of the National Historic Preservation Act (1966, as amended), in accordance with CEQA guidelines (1970, as amended), and in accordance with the County of Los Angeles General Plan. Specifically, all work must be halted in the immediate vicinity of the cultural resource found until a qualified archaeologist can asses the significance of the resource.	Archeological monitoring and Native American monitor when there is a find. Maintain log demonstrating compliance. Site inspection as needed. Halt work if a resource is found.	During earthmoving activities	Applicant and subsequent owner(s)	Department of Regional Planning, NAHC
13.1	Noise	Construction Equipment. If electrical service is available within 150 feet, electrical power shall be used to run air compressors and similar power tools. Internal combustion engines shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the project site without the manufacturer-recommended muffler. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers. For all mobile construction equipment operating within 250 feet of adjacent residential receptors north of the project site, and for all stationary construction equipment operating on the project site, additional noise attenuation techniques shall be employed to ensure that noise remains within levels allowed but the County of Los Angeles noise standards. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses. Temporary noise barriers used during construction activity shall be nade of noise-resistant materials sufficient to achieve a Sound Transmission Class (STC) rating of STC 25 or greater, based on sound transmission loss data taken according to ASTM Test Method E90. Such a barrier may provide as much as a 10dBA insertion loss, provided that it is positioned as close as possible to the noise source or to the receptors. To be effective, the barrier must be long and tall enough to completely block the line-of-sight between the noise source and the receptors. The gaps between adjacent panels must be filled-in to avoid having noise penetrate directly through the barrier.	Use electircal power to run air compressors and power tools. All internal combustion engines shall use a muffler. All diesel equipment shall be operated with closed engine doors and mufflers. Addiitonal noise attenuation measures, such as sound balnkets or sound barriers durign construction.	During earthmoving and construction activities	Applicant and subsequent owner(s)	Department of Regional Planning

13.2	Noise	Neighbor Notification. Provide notification to commercial and residential occupants adjacent to the project site at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures. The notification shall include a telephone number for local residents to call to submit complaints associated with construction noise. The notification shall be posted on Ventura Boulevard and Parkway Calabasas adjacent to the project site, and shall be easily viewed from adjacent public areas.	Notify neighbors of construction activities 24 hours prior to constructuion.	Prior to construction	Applicant and subsequent owner(s)	Department of Regional Planning
13.3	Noise	HVAC Equipment. The project applicant shall ensure that building equipment (e.g., HVAC units) will be located as far away from nearby residences as possible, on building rooftops, and properly shielded by either a rooftop parapet or an enclosure that effectively blocks the line of sight of the source from nearby receptors.	Appropriately locate and/or screen HVAC units from nearby residences.	Prior to construction	Applicant and subsequent owner(s)	Department of Regional Planning
13.4	Noise	Masonry Sound Barrier/Berm. The project applicant shall construct a masonry sound barrier, an earthen landscaped berm, or a berm/barrier combination a minimum of 6 feet in height (or the maximum height permitted by local ordinance) along the northern boundary of the project site, between the proposed parking lot and the nearest off-site residences. The sound barrier must be designed to break line-of-sight between exterior areas associated with off-site residences (e.g. yards) and the parking lot. Such a barrier may provide as much as a 10 dB reduction.	Construct a sound barrier/berm along northern boundary of project.	Upon completion of construction	Applicant and subsequent owner(s)	Department of Regional Planning
19	Mitigation Compliance	As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	Department of Regional Planning

* In the "#" column, the number before the decimal should always correspond with the chapter number in the initial study.

MITIGATION MONITORING AND REPORTING PROGRAM
PROJECT NO. R2014-01815-(3) / CUP PERMIT NO. 201400155/ ENV NO. 201400255

The Department of Regional Planning staff has determined that the attached mitigation measures for the project are necessary in order to assure that the proposed project will not cause significant impacts on the environment.

The permittee shall deposit the sum of $6,000.00 with the Department of Regional Planning within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring and Reporting Program.

As the applicant, I agree to incorporate these mitigation measures into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as mitigation measures.

Stephen Bradlin — 12/23/15
Applicant — Date

[signature] — 12/17/15
Staff — Date

CC.022712

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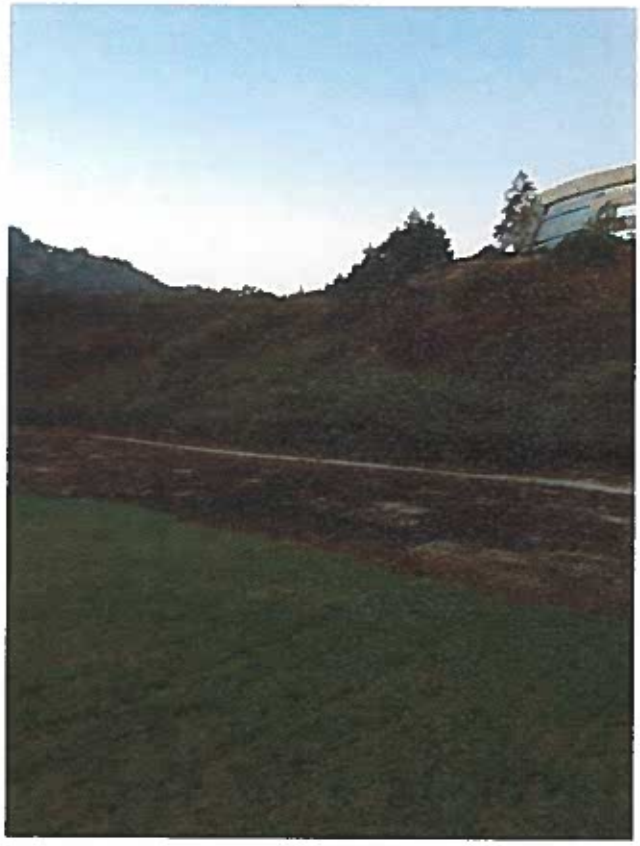

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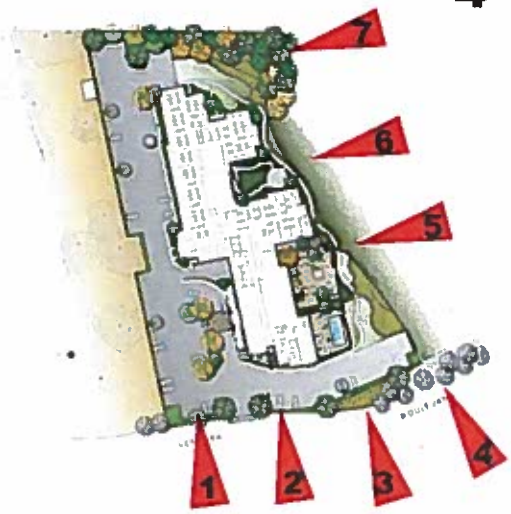

BELMONT VILLAGE CALABASAS

PROJECT ADDRESS:
24141 VENTURA BLVD.
CALABASAS, CA

CITY CASE NUMBER:
T.B.D.

PARCEL NUMBERS:
APN 2049-043-005

APPLICANT:
BELMONT VILLAGE CALABASAS, LP
8554 KATY FREEWAY, SUITE 200
HOUSTON, TEXAS 77024
CONTACT: STEPHEN BROLLIER
T: 713.463.1794

SITE PHOTOS

Letter to County of Los Angeles

To Whom it My Concern:

We are the owners of the property located at 5045 N. Parkway Calabasas, Calabasas, California 91302, which property is adjacent to the property located at 24141 Ventura Boulevard, Calabasas, California 91302, which is the subject of an application for development permits and entitlements for a senior living facility (the "**Belmont Project**").

We are writing to indicate and pledge our support for the Belmont Project. We believe that:

- The proposed use of the Belmont Project is very much needed in the Calabasas area;
- The proposed use will generate less traffic and noise than other potential commercial uses;
- The developer of the Belmont Project ("**Belmont**") is widely recognized as being an industry leader in providing quality senior care;
- Belmont has been highly sensitive and accommodating to the needs and requests of ourselves and other neighbors;
- Belmont has designed a beautiful building that meshes well with the community;
- Belmont has oriented the building with minimal impact on other property owners;
- The Belmont Project's lighting design conforms to the Rural Outdoor Lighting District;
- Belmont has positioned the service areas and equipment as far away from the residential neighbors as possible;
- Belmont has agreed to an extensive landscape buffer and a 10' fence to mitigate site line impacts for neighbors;

We are pleased to support the Belmont Project.

Gregor Hodgson, PhD

Ming Hodgson

RECEIVED
2015 DEC 21 PM 2:30
DEPT OF REGIONAL PLANNING

December 16, 2015

Travis Seawards AICP
Regional Planner
County of Los Angeles, Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012-3225

RE: Support of proposed Belmont Village to be located at 24141 Ventura Blvd, Calabasas, CA 91302

Dear Mr. Seawards:

We are writing to inform you of our support for the proposed Belmont Village Senior Living project which is the subject of an application for development permits and entitlements with L.A. County. As owners of two southern adjacent parcels (APN 2049 021 067 & APN 2049 021 066) we are sensitive to traffic, noise, and other environmental impacts that any new development will cause on this site.

During the planning and design process we have met with representatives of Belmont on several occasions. They have demonstrated that they will be good neighbors by listening to our concerns and are open to making adaptations to their design as needed.

The Calabasas area very much needs high quality, for rent seniors housing. Belmont is widely recognized for being an industry leader in other upscale areas of California.

We are in favor of the proposed Belmont Village's proposed project.

Sincerely,

5023 N. Parkway Calabasas, LLC
a California limited liability company
By: BV Ventures, LLC
a California limited liability company

By: Bryan P. Troxler